

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.039 Supplemental Educational Services
 in Title I Schools

PURPOSE AND EFFECT: The purpose of the rule development is to amend Form SES 100, Request for Applications for Supplemental Educational Services Providers, for the 2011-2012 school year and to revise the provider approval and complaint processes.

SUBJECT AREA TO BE ADDRESSED: Supplemental educational services in Title I schools.

RULEMAKING AUTHORITY: 1008.331(6) FS.

LAW IMPLEMENTED: 1008.331 FS.

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

DATE AND TIME: November 9, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Suite 1721/25, Tallahassee, Florida 32399. The meeting will be conducted via Webinar – for instructions go to <http://www.fldoe.org/flbppo>. All persons are invited to attend.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaTrell Edwards, Bureau Chief, Bureau of Federal Educational Programs, 325 West Gaines Street, Room 348, Tallahassee, FL 32399; (850)245-0828. To comment on this rule development 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-1.09401 Student Performance Standards

PURPOSE AND EFFECT: The purpose of this rule development is to review the Sunshine State Standards for Arts and Foreign Languages, Next Generation Sunshine State Standards for Social Studies, and the Next Generation Sunshine State Standards (Common Core) in Language Arts and Mathematics. The effect will be to propose for adoption changes to the standards as deemed necessary.

SUBJECT AREA TO BE ADDRESSED: Standards for Arts, Foreign Languages, Social Studies, Language Arts, and Mathematics.

RULEMAKING AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 FS.

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

DATE AND TIME: November 5, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference call: 1(888)808-6959, Conference Code: 2459322#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Teresa Sweet, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 424, Tallahassee, FL, (850)245-9032

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

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: 6A-6.0331 6A-6.03312 6A-6.0333 6A-6.0361	RULE TITLES: General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education Services Discipline Procedures for Students with Disabilities Surrogate Parents Contractual Arrangements With Nonpublic Schools
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PURPOSE AND EFFECT: The purpose of rule development for Rule 6A-6.0333, F.A.C., is to align the rule with Sections 39.0016(3)(b) and 1003.571, Florida Statutes, and the federal regulations at 34 CFR §300.519, regarding assignment of a surrogate parent to an eligible student with a disability, and to remove the requirement related to gifted students. The purpose of rule development for Rule 6A-6.03312, F.A.C., is to align the rule with Section 1003.571, Florida Statutes, and the federal regulations at 34 CFR §300.530(e)(1), regarding manifestation determinations. The purpose of rule development for Rule 6A-6.0331, F.A.C., is to update the rule to be consistent with current knowledge and practice in the field regarding the school district’s obligation to refer a student for evaluation as a student with a disability under certain circumstances and to correct a technical error regarding the requirement to reevaluate a student with a disability prior to dismissal from exceptional student education (ESE) services. The purpose of rule development for Rule 6A-6.0361, F.A.C.,

is to comply with the requirement in Section 1003.57(3)(d), Florida Statutes, that the Department of Education adopt by rule procedures for written notification to school districts regarding the placement of students with disabilities in private residential care facilities by the Department of Children and Family Services, the Agency for Persons with Disabilities, and the Agency for Health Care Administration; to incorporate services to children with disabilities, ages birth through two; and to update references and ensure accuracy of content.

SUBJECT AREA TO BE ADDRESSED: Procedures for assigning a surrogate parent to an eligible student with a disability; the timeline for conducting a manifestation determination; the circumstances under which the school district must refer a student for evaluation as a student with a disability; the requirement to reevaluate a student prior to dismissal from ESE services; procedures for providing a free appropriate public education to students ages three through 21, or early intervention services to children birth through age two, through a contractual agreement with approved nonpublic schools or community facilities; and procedures for written notification to school districts regarding the placement of an exceptional student with a disability in a residential care facility.

RULEMAKING AUTHORITY: 1001.02(1), 1003.571 FS.

LAW IMPLEMENTED: 39.0016; 1001.42(4)(1), 1003.57 FS.

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

DATE AND TIME: November 8, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Education, Turlington Building, 325 West Gaines Street, Suite 1721/25, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399; (850)245-0475

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0905 **RULE TITLE:** Requirements for the District English Language Learners Plan

PURPOSE AND EFFECT: The purpose of the rule development is to review the process of submission of English Language Learner Plans by the school districts to the Department of Education. The effect will be the development of a new standardized template which will make the new process more efficient.

SUBJECT AREA TO BE ADDRESSED: District Plans for Services to English Language Learners.

RULEMAKING AUTHORITY: 1001.02, 1003.56 FS.

LAW IMPLEMENTED: 1003.56 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: To request a rule development workshop, please contact Lynn Abbott, Agency Clerk, (850)245-9661 or lynn.abbott@fldoe.org

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

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-4.002 **RULE TITLE:** President

PURPOSE AND EFFECT: The purpose of this rule is to establish the qualifications, duties and responsibilities of the President of the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Discussion of amendment to the qualifications of the President.

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(e) FS.

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

DATE AND TIME: Friday, December 10, 2010, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

Pursuant to the provisions of 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: Cindy Day, (904)827-2221. If you are 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: Cindy Day, (904)827-2221

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-4.1020	Definitions
40B-4.3030	Conditions for Issuance of Works of the District Development Permits

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt a definition for the term "clearing" and remove confusing language to be consistent with recently adopted language, which will allow for better comprehension of the rules within part III of this chapter by the public and District staff.

SUBJECT AREA TO BE ADDRESSED: This proposed rule will provide a definition for clearing and remove confusing language with respect to works of the district permits and environmental resource permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.019, 373.084, 373.085, 373.086, 373.403 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Welch, Rules and Contracts Coordinator, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.001	General Definitions
61D-14.009	Denial Criteria for Occupational License Application or Renewal
61D-14.016	Operational Requirements
61D-14.021	Complimentary Services or Items
61D-14.030	Video Monitors/Touchscreens

61D-14.040	Game Cycle, Payment of Credits by Ticket Printer, and Ticket Redemption
61D-14.041	Randomness Requirements and Game Play Auditing
61D-14.050	Floor Plan
61D-14.051	Security Plan
61D-14.054	Surveillance Equipment
61D-14.055	Storage and Retrieval of Surveillance Recordings
61D-14.058	Slot Machine Licensees System of Internal Controls
61D-14.060	Slot Machine Licensee Verification of Business Entities
61D-14.061	Slot Cash Storage Boxes
61D-14.065	Procedure for Slot Cash Storage Box Count
61D-14.076	Player Tracking System
61D-14.096	Requirement for Shipment of All Slot Machines and Software Components

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes pertaining to the regulation of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rule 61D-14.001, F.A.C., provides additional definitions for terms used throughout Chapter 61D-14, F.A.C. The amendment to Rule 61D-14.009, F.A.C., updates the criteria for denial of occupational licenses. The amendment to Rule 61D-14.016, F.A.C., updates certification requirements for facility based monitoring systems, slot machines, and slot machine games; revises slot machine licensee operational requirements; establishes training requirements for surveillance, security, and maintenance personnel; and outlines tax payment procedures. Rule 61D-14.021, F.A.C., addresses complimentary and promotional items. The amendment to Rule 61D-14.030, F.A.C., revises slot machine video monitor requirements. The amendment to Rule 61D-14.040, F.A.C., addresses game cycles, payment of credits, and ticket redemption. Rule 61D-14.041, F.A.C., addresses the requirements for slot machine random number generators. The amendment to Rule 61D-14.050, F.A.C., updates slot machine licensee floor plan requirements. The amendment to Rule 61D-14.051, F.A.C., updates slot machine licensee security plan requirements. The amendment to Rule 61D-14.054, F.A.C., updates slot machine licensee surveillance plan requirements. The amendment to Rule 61D-14.055, F.A.C., updates the requirements for storage and retrieval of surveillance recordings. The amendment to Rule 61D-14.058, F.A.C., updates the requirements for slot machine licensee internal controls. The amendment to Rule 61D-14.060, F.A.C., addresses a business entity's internal controls and maintenance

of personnel records. This rule specifically requires an annual review of slot machine licensee business conduct to assure that it is in compliance with Chapter 551, F.S. The amendment to Rule 61D-14.061, F.A.C., provides that full cash storage boxes when removed from a machine must be taken directly to a physically secured cage or to the count room under surveillance observation and security escort. The amendment to Rule 61D-14.065, F.A.C., revises count room procedures and requirements for clothing used in the count room, and provides responsibilities and maintenance requirements to update entry and exit records during a count procedure. The amendment to Rule 61D-14.076, F.A.C., provides requirements for the player tracking system; submission of a description of all promotion tracking procedures within a slot machine licensee's internal controls; requires all promotions be submitted to the division for approval 30 calendar days in advance; ongoing patron loyalty programs and player clubs be reviewed annually; internal control procedures provide for approval of award programs; and access to the player tracking system or promotional system be controlled and under surveillance. The amendment to Rule 61D-14.096, F.A.C., specifies the slot machine licensee's and division's responsibilities for the shipment of slot machines into, out of and within the state.

RULEMAKING AUTHORITY: 551.103(1), 551.109(2)(a), (b), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (c), (d), (e), (g), (h), (i), 551.104(4)(h), 551.106(2), (3), (4), (5), 551.107(4)(a), (b), (5)(a), (b), (6), (a), (c), 551.108(1), (3), 551.109(2)(a), (b), 551.113(3), 551.114(5), 551.121 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:

TIME AND DATE: November 8, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 195, Ft. Lauderdale, Florida 33309

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

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 NO.: 62-621.300
RULE TITLE: Permits

PURPOSE AND EFFECT: The Department is revising subsection 62-621.300(1), F.A.C., Generic Permit for Discharges From Petroleum Contaminated Sites and subsection 62-621.300(2), F.A.C., Generic Permit for Discharge of Produced Ground Water From any Non-Contaminated Site Activity. These revisions will update the existing generic permits that have not changed substantively since they were adopted in 1995. The revisions will reflect current NPDES program requirements, bring effluent monitoring and limitations up-to-date with current limits established in Chapter 62-302, F.A.C., and improve and streamline permit issuance.

SUBJECT AREA TO BE ADDRESSED: These two generic permits authorize discharge of ground water to surface water from specific types of contaminated and non-contaminated sites. They are used for construction related projects including removal and replacement of underground storage tanks, long-term and short-term petroleum site cleanup activities, installation of underground utilities (such as water, sewer electrical and communications lines), and construction of large buildings with significant below-grade foundations and basements.

RULEMAKING AUTHORITY: 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877 FS.

LAW IMPLEMENTED: 373.043, 373.1131, 373.413, 373.414, 373.416, 403.061, 403.087, 403.0877, 403.088, 403.0885 FS.

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

DATE AND TIME: Monday, November 8, 2010, 10:00 a.m.

Revisions to subsection 62-621.300(1), Generic Permit for Discharges From Petroleum Contaminated Sites

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399

DATE AND TIME: Monday November 8, 2010, 2:00 p.m.

Revisions to subsection 62-621.300(2), Generic Permit for Discharge of Produced Ground Water From any Non-Contaminated Site Activity.

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shirley Shields, (850)245-8589 or Abel Agosto at (850)245-8603. If you are 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: Shirley Shields, Florida Department of Environmental Protection, MS 3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8589, email shirley.shields@dep.state.fl.us., or Abel Agosto, Florida Department of Environmental Protection, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8603, email: abel.agosto@dep.state.fl.us. Copies will be available by November 1, 2010

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

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NOS.:	RULE TITLES:
63H-1.001	Purpose and Scope
63H-1.002	Definitions
63H-1.004	Authorized Techniques
63H-1.006	Supervision of Youth in Mechanical Restraints
63H-1.010	Cross-Over Training
63H-1.011	Rehired Employee Training
63H-1.013	Testing Requirements
63H-1.014	Training Instructor Qualifications
63H-1.016	Law Enforcement Operations and Partnerships

PURPOSE AND EFFECT: The amendments to the department’s Protective Action Response (PAR) verbal and physical intervention program are necessary to accommodate county operation of juvenile detention centers.

SUBJECT AREA TO BE ADDRESSED: References to state operated and contracted facilities are revised to include county operation of detention centers and facilities.

RULEMAKING AUTHORITY: 985.64, 985.645 FS.

LAW IMPLEMENTED: 985.645 FS.

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

DATE AND TIME: Monday, November 8, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

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

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

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NOS.:	RULE TITLES:
63H-2.001	Purpose and Scope
63H-2.002	Definitions
63H-2.0075	County Operated Detention Staff
63H-2.008	Instructor Qualifications

PURPOSE AND EFFECT: Amendments to the rule chapter governing training of direct care staff are necessary to accommodate county operation of detention centers.

SUBJECT AREA TO BE ADDRESSED: References to state operated and contracted facilities and programs are amended to accommodate county operation of detention centers. A rule section is added to govern training of county operated detention center staff.

RULEMAKING AUTHORITY: 20.316(1), 985.601(8) FS.

LAW IMPLEMENTED: 985.601(8) FS.

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

DATE AND TIME: Monday, November 8, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

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

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-4.002	Advertising and Soliciting by Dentists

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language for advertising and soliciting by dentists.

SUBJECT AREA TO BE ADDRESSED: Advertising and soliciting by dentists.

RULEMAKING AUTHORITY: 466.004(4), 466.019 FS.
 LAW IMPLEMENTED: 466.019, 466.028(1)(d) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

	VIOLATIONS	PENALTY
	(a)1.-3. No change.	
	<u>4. Failure to attend during the first biennium or within twelve (12) months of initial licensure one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted, in satisfaction of continuing education requirements after initial licensure.</u>	<u>\$500.00 fine and required attendance of one full day of Board meeting.</u>
	(5) through (6) No change.	

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.010 RULE TITLE: Citations
 PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.
 SUBJECT AREA TO BE ADDRESSED: Violations and penalties will be updated.
 RULEMAKING AUTHORITY: 456.072, 456.077, 461.005FS, 461.007 FS.
 LAW IMPLEMENTED: 456.013(6), 456.072, 456.077, 461.013 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: Bruce Deterding, Executive Director, Board of Podiatric medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32314-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:
 64B18-14.010 Citations.
 (1) through (3) No change.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-16.005 RULE TITLE: Content of Residency Program – Reports
 PURPOSE AND EFFECT: The Board proposes the development of rule requirements of program director in relation to timely forwarding residency information to the Board.
 SUBJECT AREA TO BE ADDRESSED: Content of Residency Program.
 RULEMAKING AUTHORITY: 461.005, 461.014(4) FS.
 LAW IMPLEMENTED: 456.072(1)(j), (k), (l), 461.013(1)(g), (h), (i), 461.014 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: Bruce Deterding, Executive Director, Board of Podiatric medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32314-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.007
 RULE TITLE: Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the requirements for forensic psychological evaluations of minors, including the appropriate APA guidelines and the manner in which licensees may obtain these guidelines.

SUBJECT AREA TO BE ADDRESSED: The appropriate APA guidelines and the method for obtaining said guidelines.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.009(2)(s) FS.

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

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

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-16.001	General
64E-16.002	Definitions
64E-16.003	Facility Policies and Procedures
64E-16.004	Storage and Containment
64E-16.005	Labeling
64E-16.006	Generator Requirements
64E-16.007	Treatment
64E-16.008	Biomedical Waste Transport
64E-16.009	Registration of Biomedical Waste Transporters
64E-16.010	Inspections
64E-16.011	Permits
64E-16.012	Fees
64E-16.013	Enforcement and Penalties

PURPOSE AND EFFECT: The purpose of the proposed rule is to update Chapter 64E-16, F.A.C., by incorporating necessary technical changes and modifications which will make it current with industry changes.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: Requirements for biomedical waste facilities that generate, transport, store, or treat biomedical waste; definitions; facility policy and procedure requirements; treatment process requirements; registrations; permits and exemptions; and fees.

RULEMAKING AUTHORITY: 381.006, 381.0098 FS.

LAW IMPLEMENTED: 154.06, 381.0098 FS.

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

DATE AND TIME: Monday, November 15, 2010, 9:00 a.m.

PLACE: Florida Department of Health, Bureau of Community Environmental Public Health, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 hours before the workshop/meeting by contacting: Laura Wehunt, Bureau of Community Environmental Public Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are 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: Gina Vallone-Hood, Bureau of Community Environmental Public Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-14.010
 RULE TITLE: General Sanitation and Safety

PURPOSE AND EFFECT: Chapter 2010-161, Laws of Florida, signed into law by the Governor on June 1 and effective July 1, 2010, eliminated the Department of Health's regulatory authority over food hygiene and sanitation in licensed child caring agencies otherwise regulated by the Department of Children and Families under Section 409.175, Florida Statutes, and Chapter 65C-14, Florida Administrative Code. The effect of Chapter 2010-161, Laws of Florida, is that there are currently no administrative rules providing minimum standards for certain food storage, preparation, and service and other sanitation activities in licensed child caring agencies. This has created an immediate serious threat to the health and safety of children served in these facilities. This situation makes it necessary for the Department of Children and

Families (DCF) to add language to Chapter 65C-14, Florida Administrative Code, to provide standards to be used by the Department of Health (DOH) when inspecting child-caring agencies on behalf of the Department pursuant to Section 409.175(6)(e), Florida Statutes. This emergency rule will provide the regulatory basis for continued inspections of food hygiene and sanitation to ensure client safety in licensed child caring agencies pending the Department's adoption of permanent rules.

SUBJECT AREA TO BE ADDRESSED: Standards for the measurement of safety and sanitation issues in child-caring agencies.

RULEMAKING AUTHORITY: 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stacey Cleveland, Statewide Licensing Specialist, 1317 Winewood Boulevard, Tallahassee, Florida 32399, phone: (850)921-8833; Email: Stacey_Cleveland@dcf.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-20.014
RULE TITLE: Gold Seal Quality Care Program

PURPOSE AND EFFECT: Senate Bill 2014 revised Florida Statute 402.281 to include that the Department of Children and Family Services "adopt rules establishing Gold Seal Quality Care accreditation standards based on the applicable accrediting standards of the National Association for the Education of Young Children (NAEYC), the National Association of Family Child Care, and the National Early Childhood Program Accreditation Commission."

SUBJECT AREA TO BE ADDRESSED: Proposed rule changes for the Gold Seal Quality Care Program.

RULEMAKING AUTHORITY: 402.281 FS.

LAW IMPLEMENTED: Chapter 2010-210, Laws of Florida.

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

DATE AND TIME: November 10, 2010, 9:00 a.m.

PLACE: Workshop held via teleconference

1. Go to: https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=SG5M5T&role=attend&pw=KJXHf%5D7Mz, and

2. Call in toll-free number 1(888)808-6959 (US/Canada)

Conference Code: 4884900#

When joining the conference call, hit *6 to mute your line and #6 to unmute.

A copy of the proposed changes will be posted to www.myflorida.com/childcare, What's New.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Department of Children and Family Services, Child Care Program Office – Samantha Wass de Czege, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900. If you are 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: Department of Children and Family Services, Child Care Program Office – Samantha Wass de Czege, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-22.009
RULE TITLE: Gold Seal Quality Care Program

PURPOSE AND EFFECT: Senate Bill 2014 revised Florida Statute 402.281 to include that the Department of Children and Family Services "adopt rules establishing Gold Seal Quality Care accreditation standards based on the applicable accrediting standards of the National Association for the Education of Young Children (NAEYC), the National Association of Family Child Care, and the National Early Childhood Program Accreditation Commission."

SUBJECT AREA TO BE ADDRESSED: Proposed rule changes for the Gold Seal Quality Care Program.

RULEMAKING AUTHORITY: 402.281 FS.

LAW IMPLEMENTED: Chapter 2010-210, Laws of Florida.

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

DATE AND TIME: November 10, 2010, 9:00 a.m.

PLACE: Workshop held via teleconference

1. Go to: https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=SG5M5T&role=attend&pw=KJXHf%5D7Mz, and

2. Call in toll-free number 1(888)808-6959 (US/Canada)

Conference Code: 4884900#

When joining the conference call, hit *6 to mute your line and #6 to unmute.

A copy of the proposed changes will be posted to www.myflorida.com/childcare, What's New.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Department of Children and Family Services, Child Care Program Office – Samantha Wass de Czege, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900. If you are 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: Department of Children and Family Services, Child Care Program Office – Samantha Wass de Czege, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900

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

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NOS.:	RULE TITLES:
69V-180.040	Consumer Collection Agency Complaint Form and Procedures
69V-180.070	Location of Records
69V-180.080	Consumer Collection Agency Records
69V-180.090	Consumer Collection Agency Records Destruction
69V-180.100	Guidelines for Imposing Administrative Penalties

PURPOSE AND EFFECT: The proposed rules: 1) revise the consumer complaint form to conform to statutory requirements; 2) adopt books and records requirements for consumer collection agencies as authorized by Section 559.5556, F.S.; and 3) establish guidelines for imposing administrative penalties as required by Section 559.730(3), F.S.

SUBJECT AREA TO BE ADDRESSED: Regulation of Consumer Collection Practices.

RULEMAKING AUTHORITY: 559.725(3), 559.5556, 559.730(3) FS.

LAW IMPLEMENTED: 559.5556, 559.565(1), 559.72, 559.725(6), 559.730(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andy Grosmaire, Chief, Bureau of Finance Regulation, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)410-9848, andy.grosmaire@flofr.com. It is requested that persons who are interested in a rule development workshop notify the Office within 14 days of the date of this notice.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-180.040 Consumer Collection Agency Complaint Form and Procedures.

Each consumer desiring to file a complaint against a consumer collection agency shall submit to the Office of Financial Regulation a completed complaint form, Form OFR-CCA-103, effective 2-15-94, which is hereby incorporated by reference and available by mail from the Office of Financial Regulation, Division of Finance, Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399-0376, or online at <http://www.flofr.com>. ~~of Agriculture and Consumer Services, Division of Consumer Services, Mayo Building, Tallahassee, Florida 32399-0800.~~ Such form shall be filed with the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376 ~~32399-0375~~.

Rulemaking Specific Authority 559.725(3) 47-29 FS. Law Implemented 559.72, 559.725(3) 559.725 FS. History--New 2-15-94, Formerly 3D-180.040, Amended

69V-180.070 Location of Records.

(1) A registrant may maintain the required books, accounts, records, documents, and receipts at a location other than the principal place of business. The registrant must notify the Office in writing prior to said books, accounts, records, documents, and receipts being maintained in any place other than the designated principal place of business. Such notification shall be submitted to the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

(2) If the Office is notified by a registrant that it will maintain the books, accounts, records, documents, and receipts at a location other than the principal place of business, such books, accounts, records, documents, and receipts shall be made available to the Office for review within 3 business days from the date of a written request by the Office and at the Tallahassee site of the Office of Financial Regulation or at a mutually agreeable location.

(3) All books, accounts, records, documents, and receipts must be maintained for at least 3 years from the date the consumer satisfied the debt being collected or the registrant has ceased collection efforts from the consumer.

Rulemaking Authority 559.5556 FS. Law Implemented 559.5556 FS.
History—New _____.

69V-180.080 Consumer Collection Agency Records.

A registrant shall, at a minimum, maintain all records specified in this rule. Records shall be kept current to within one week of the current date. Computerized records that contain the equivalent of the information required to be maintained by this rule are acceptable. The following records shall be maintained:

(1) In accordance with the two-party consent requirement of Section 934.03, Florida Statutes, each registrant shall record all incoming and outgoing phone calls when collecting or attempting to collect a debt. Each recorded phone call shall note the following:

(a) The full name of the consumer attempting to be contacted or contacting the registrant;

(b) The day the phone call was placed or received;

(c) The time the phone call was placed or received;

(d) The phone number dialed if placing an outgoing phone call;

(e) The disposition of the phone call;

(f) The person making the phone call on behalf of the registrant.

(g) In addition, each registrant shall maintain an audible recording of all incoming and outgoing phone calls when collecting or attempting to collect a debt.

(2) A copy of the contract or agreement that the registrant will use with its creditors.

(3) Records relating to the referrals made by a creditor to the registrant, identifying the name of the debtors, and the amount of the debt owed by each.

(4) The debtor's account of activity disclosing the following:

(a) The name and address of the debtor;

(b) The date that the account was referred/acquired and account number;

(c) The actual amount of the claim submitted by the creditor;

(d) The name and address of the creditor or a means of identifying this information by code or account number; and

(e) A record of payments made by the debtor, including the date received and the amount and balance owing;

(5) A debtor's receipt for cash payments made to the registrant. The document shall provide space for recording:

(a) Name and address of registrant;

(b) Name of debtor;

(c) Date and amount of payment received;

(d) Balance owing;

(e) Name of the creditor; and

(f) Name of the person accepting payment.

(6) Documentation recording the dates and amounts of remittances by the registrant to the creditor.

(7) All form letters and stationery used by a registrant shall be maintained in a file and made available at all times for review by the Office of Financial Regulation.

(8) The name of the financial institution or institutions where the registrant's accounts will be maintained, and the identifying numbers assigned by the financial institutions to the accounts.

(9) All written agreements executed between the registrant and the debtor after the account has been received from the creditor.

(10) Basic information about the debt including, at the minimum:

(a) Proof of indebtedness;

(b) The date the debt was incurred and the date of the last payment;

(c) The identity of the original creditor as known to the debtors;

(d) The amount of the debt principal and an itemization of all interest, fees, or charges added to it by the original creditor and all subsequent holders;

(e) The chain of title if the debt has been sold.

(11) A copy of all letters, emails, and correspondence, written or electronically sent to a debtor.

(12) All phone numbers used by a registrant shall be disclosed and maintained in a file and made available at all times for review by the Office of Financial Regulation.

Rulemaking Authority 559.5556 FS. Law Implemented 559.5556, 559.72 FS. History—New _____.

69V-180.090 Consumer Collection Agency Records Destruction.

(1) A registrant must have written policies and procedures for the secure handling of all consumer documents and information received in the course of collecting a debt from a consumer. Such procedures must include, at a minimum, the following steps, as appropriate:

(a) A secure method of destroying consumer information, such as those prescribed in 16 C.F.R. Part 682 (2010), which relates to disposal of consumer report information and records under section 216 of the Fair and Accurate Credit Transactions Act of 2003.

(b) Maintaining records of the destruction including which records were destroyed, when were the records destroyed, where were the records destroyed, and who destroyed the records.

(2) The federal regulations referenced in this rule are incorporated by reference and may be obtained by mail from the Office of Financial Regulation, Division of Finance, 200 E. Gaines Street, Tallahassee, Florida 32399-0376. Copies of the Code of Federal Regulation are also available online through the U.S. Government Printing Office via GPO Access: <http://www.gpoaccess.gov/cfr/index.html>.

Rulemaking Authority 559.5556 FS. Law Implemented 559.5556 FS. History—New _____.

69V-180.100 Guidelines for Imposing Administrative Penalties.

Pursuant to Section 559.730(3), F.S., listed below are guidelines applicable to each ground for disciplinary action that may be imposed by the Office against a person for a violation of Part VI, Chapter 559, F.S. In determining an appropriate penalty within the range of penalties prescribed in this rule for each occurrence as based upon the violation, the Office shall consider the circumstances set forth in subsection (25).

	<u>Statute</u>	<u>Violation Description</u>	<u>1st Occurrence</u>	<u>2nd Occurrence</u>	<u>3rd & Subsequent Occurrences</u>
(1)	<u>559.565(1)</u>	<u>An out-of-state consumer debt collector who collects or attempts to collect consumer debts in this state without first registering in accordance with this part.</u>	<u>Fine: B</u> <u>Cease and Desist</u>	<u>Fine: C</u> <u>Cease and Desist</u>	
(2)	<u>559.72(1)</u>	<u>Simulate in any manner a law enforcement officer or a representative of any governmental agency.</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: A</u>	<u>Fine: C</u> <u>Revocation</u>
(3)	<u>559.72(2)</u>	<u>Use or threaten force or violence.</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>	
(4)	<u>559.72(3)</u>	<u>Tell a debtor who disputes a consumer debt that she or he or any person employing her or him will disclose to another, orally or in writing, directly or indirectly, information affecting the debtor's reputation for credit worthiness without also informing the debtor that the existence of the dispute will also be disclosed</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(5)	<u>559.72(4)</u>	<u>Communicate or threaten to communicate with a debtor's employer before obtaining final judgment against the debtor</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(6)	<u>559.72(5)</u>	<u>Disclose to a person other than the debtor or her or his family information affecting the debtor's reputation, whether or not for credit worthiness, with knowledge or reason to know that the other person does not have a legitimate business need for the information or that the information is false</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>

(7)	<u>559.72(6)</u>	<u>Disclose information concerning the existence of a debt known to be reasonably disputed by the debtor without disclosing that fact or failed to notify within 30 days the details of the dispute to each person to whom disclosure was made</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(8)	<u>559.72(7)</u>	<u>Willfully communicate with the debtor or any member of her or his family with such frequency as can reasonably be expected to harass the debtor or her or his family, or willfully engage in other conduct which can reasonably be expected to abuse or harass the debtor or any member of her or his family</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Revocation</u>
(9)	<u>559.72(8)</u>	<u>Use profane, obscene, vulgar, or willfully abusive language in communicating with the debtor or any member of her or his family</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(10)	<u>559.72(9)</u>	<u>Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate or assert the existence of some other legal right when such person knows that the right does not exist</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>	
(11)	<u>559.72(10)</u>	<u>Use a communication that simulates in any manner legal or judicial process or that gives the appearance of being authorized, issued or approved by a government, governmental agency, or attorney at law, when it is not</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(12)	<u>559.72(11)</u>	<u>Communicate with a debtor under the guise of an attorney by using the stationery of an attorney or forms or instruments that only attorneys are authorized to prepare</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(13)	<u>559.72(12)</u>	<u>Orally communicate with a debtor in a manner that gives the false impression or appearance that such person is or is associated with an attorney</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(14)	<u>559.72(13)</u>	<u>Advertise for sale any debt as a means to enforce payment except under court order or when acting as an assignee for the benefit of a creditor</u>	<u>Fine: B</u> <u>Suspension</u>	<u>Fine: C</u> <u>Revocation</u>	
(15)	<u>559.72(13)</u>	<u>Threaten to advertise for sale any debt as a means to enforce payment except under court order or when acting as an assignee for the benefit of a creditor</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>

(16)	559.72(14)	<u>Publish or post, or cause to be published or posted before the general public individual names or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>	
(17)	559.72(14)	<u>Threaten to publish or post before the general public individual names or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(18)	559.72(15)	<u>Refuse to provide adequate identification of herself or himself or her or his employer or other entity whom she or he represents if requested to do so by a debtor from whom she or he is collecting or attempting to collect a consumer debt</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(19)	559.72(16)	<u>Mail any communication to a debtor in an envelope or postcard with words typed, written, or printed on the outside of the envelope or postcard calculated to embarrass the debtor</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(20)	559.72(17)	<u>Communicate with the debtor between the hours of 9 p.m. and 8 a.m. in the debtor's time zone without the prior consent of the debtor</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(21)	559.72(18)	<u>Communicate with a debtor if the person knows that the debtor is represented by an attorney with respect to such debt</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(22)	559.72(19)	<u>Cause a debtor to be charged for communications by concealing the true purpose of the communication</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(23)	559.725(6)	<u>Failure to provide a written response to a consumer complaint within 45 days of written request</u>	<u>\$150 per day</u>	<u>\$200 per day</u>	<u>\$250 per day</u>

(24) In accordance with this rule:

(a) Depending on the severity and repetition of specific violations, the Office may impose an administrative fine, suspension of a person, or revocation of a person or any combination thereof;

(b) 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

(c) The Office will consider the person's disciplinary history for the past five years in determining an appropriate penalty, and may impose a more severe penalty when the disciplinary history includes past violations.

(25) In accordance with Section 559.730, F.S., the Office shall consider the following circumstances in determining an appropriate penalty within the range of penalties prescribed in this rule for each violation. The Office also shall consider these circumstances when determining whether a deviation from the range of sanctions prescribed in the disciplinary guidelines is warranted:

(a) The degree of harm to the public;

(b) The disciplinary history of the person;

(c) Whether the person detected and voluntarily instituted corrective responses or measures to avoid the recurrence of a violation prior to detection and intervention by the Office;

(d) Whether the person's violation was the result of willful misconduct or recklessness;

(e) Whether at the time of the violation, the person had developed and implemented reasonable supervisory, operational or technical procedures, or controls to avoid the violation;

(f) Whether the person attempted to conceal the violation or mislead or deceive the Office;

(g) The length of time over which the person engaged in the violations; and

(h) Other relevant, case-specific circumstances.

(26) The list of violations cited in this rule 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 Section 559.730, F.S.

(27) The ranges for administrative fines imposed by this rule are \$1,000 to \$3,500 for an “A” level fine; \$3,500 to \$7,500 for a “B” level fine; and \$7,500 to \$10,000 for a “C” level fine.

(28) The ranges for suspensions imposed by this rule are 3 to 10 days for an “A” level suspension; 10 to 20 days for a “B” level suspension; and 20 to 30 days for a “C” level suspension. However, the Office may, by order, impose a period of suspension shorter or longer than these ranges.

(29) 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.

Rulemaking Authority 559.730(3) FS. Law Implemented 559.565(1), 559.72, 559.725(6), 559.730 FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.: RULE TITLE:
1A-37.001 Mission San Luis-Site Use and Rental

PURPOSE AND EFFECT: This rule amendment updates the use and rental guidelines for the Mission San Luis site including facilities and grounds to reflect current practices and procedures. The revisions also reflect the addition of the military Fort exhibit and more recently, the new Visitor Center opened in 2007 and 2009, respectively. The new Visitor Center is now available for use and rent.

SUMMARY: This rule amendment updates the use and rental process, and forms for the Mission San Luis’ facilities or site.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This rule amendment has no 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: 20.10(3), 267.031, 267.17(2)(b) FS.

LAW IMPLEMENTED: 267.061(1), 267.14, 267.17 FS.

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

DATE AND TIME: November 16, 2010, 10:30 a.m.

PLACE: Mission San Luis, 2100 West Tennessee Street, Tallahassee, FL 32304

Pursuant to the provisions of 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: Dr. Ryan Wheeler, Chief, Bureau of Archaeological Research, at (850)245-6301; email: rjwheeler@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ryan Wheeler, Chief, Bureau of Archaeological Research, Department of State, at (850)245-6301; email: rjwheeler@dos.state.fl.us, or General Counsel’s Office, (850)245-6536

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-37.001 Mission San Luis-Site Use and Rental of Mission San Luis Facilities.

(1) General provisions. Pursuant to Section 267.17, F.S., the grounds and facilities buildings of Mission San Luis (Mission) may be made available for visitation and for rental through an agreement with the Friends of Mission San Luis, Inc. (FOMSL) pursuant to Section 267.17, F.S.

(a) The Mission welcomes site uses and rentals that are appropriate and consistent with the seventeenth-century setting at this historic property.

(b) The use of the Mission grounds or the rental of Mission facilities should advance public knowledge and appreciation of the site. Facilities must be used in a manner consistent with the state policy relative to historic properties in Sections 267.14 and 267.061(1), F.S.

~~(c) Mission San Luis is a National Historic Landmark, and an important historical and archaeological site. No digging or ground disturbance of any kind is permitted on site. Events shall not permanently alter the site with equipment or decorations.~~

(e) Historical reconstructions at the Mission, including the church, council house, Spanish house, friary, kitchen, fort, and any future reconstructions are designated museum exhibits. The archaeological sensitivity and historical integrity of the site including these reconstructions buildings must be maintained at all times.

(d) Smoking is only permitted in designated areas in the Visitor Center's balcony, courtyard, and parking lot. Otherwise, (The entire site is a non-smoking area.

(e) Food and beverages may be permitted in site facilities with proper approval.

(e)(f) The sale of Alcoholic beverages are is prohibited on the site except as provided in subsections (4) and (5); however, alcoholic beverages may be served free of charge at planned events.

(f)(g) Except for designated parking areas, no vehicles are permitted on the site grounds without proper approval. Service roads may be used for unloading or loading. Otherwise parking is only permitted, but vehicles must be parked in the designated visitor parking areas or other areas designated for special events.

(2) Definitions. The following words shall have the following meaning for the purposes of this rule:

(a) "Applicant" means any individual, group, partnership, corporation, organization or other legal entity that applies to the FOMSL for site use or rental.

(b) "Approved Provider" means any provider of food, beverages, or other event services, including cleaning, security, and parking or shuttle services approved by the FOMSL to provide these services for events held pursuant to the provisions of this rule.

(c) "Facility" shall be defined as any structure, building, or open area that the Mission opens for rental use.

(d) "FOMSL" refers to the Friends of the Mission San Luis.

(e) "Site" refers to the entire grounds and facilities of the Mission.

(f) "Rental user or "user" as used interchangeably means any individual, group partnership, corporation, organization or other legal entity that has applied to and been approved by the FOMSL for site use or rental.

(3)(2)(a) Visitation. Subject to subsection (1), the Mission shall be open to the public during normal operating hours.

(a) Any person Visitors to the Mission may, without application or cost other than paid admission per the FOMSL published fee schedule, visit the Mission or otherwise use designated areas of the site for picnics and programs during the Mission's normal operating hours as posted on site.

(b) No fires or cooking of any kind is permitted by any visitor visitors.

(c) No visitor may permanently alter the site with equipment or decorations.

(d) No digging or ground disturbance of any kind is permitted.

(e) Tables and chairs already in the facilities, and outdoor picnic benches and tables are available for enjoyment and use of the site.

(4)(3) Rental use. Applicants may rent site facilities for planned events.

(a) The Visitor Center may be made available for meetings and events during or after normal operating hours, with the exception of the theatre, which is only available after normal operating hours. The Education Building may be made available for private meetings for up to 50 persons during or after normal operating hours.

(b) The Historic Grounds and Reconstructions may be made available for rental during and after normal operating hours for catered events.

(c) No event scheduled during normal operating hours shall Any scheduled event taking place during normal operating hours shall be open to the public and must not interfere with other visitors' enjoyment of the site.

(d) No food or beverage, and other products or services associated with a rental of the Mission is permitted other than through an agreement with FOMSL. FOMSL may enter into a third-party agreement to provide such food, beverages, other products or services.

(e) Consumption of alcoholic beverages is permitted only in the Visitor Center complex provided it is secured through a FOMSL contracted provider of food and beverages. The FOMSL or the Department of State shall refuse service to and evict from the premises any member of any party who, because of intoxication or other unreasonable action, creates a disturbance or threatens the peace, tranquility, or safety of guests or property, or may be in violation of any beverage law.

(f) Events shall not permanently alter the site with equipment or decorations. Only non-staked tents may be used. Tents which require stakes to be driven into the ground are prohibited.

(g) A rental user must abide by the provisions of this rule, and the terms and conditions of Mission San Luis Site Use and Rental Application and Agreement (Form MSL01) as set forth in subsection (5).

(5)(4) Rental process-application, approval and fees.

(a) Any applicant who wishes to rent pursuant to subsection (4), person desiring to obtain approval for the rental of a Mission San Luis facility must first shall submit a completed Mission San Luis Site Use and Rental Application and Agreement (Form MSL01)(rev. /). This form is incorporated by reference and available at <http://www.missionsanluis.org/>, or by visiting or writing to the Mission at 2100 West Tennessee Street, Tallahassee, Florida 32304 the Application for the Rental of a Mission San Luis Facility Form, Form MSL01, Effective 6/06, prescribed by the

Department of State, Division of Historical Resources. The form is incorporated by reference herein and is available from the Mission San Luis Visitor Center.

~~(5) Unless otherwise specified, application and approval for the rental of an Historic Reconstruction facility is for a single event not to exceed one day. The application and approval for the rental of the Education Building is for a single event not to exceed four hours. An Education Building event that exceeds four hours will be subject to an additional four hour fee. Facilities must be used in a manner consistent with the Legislature's intent to preserve the historic nature and dignity of state properties as enunciated in Sections 267.061 and 267.14, F.S. Events that do not uphold or that interfere with the historic nature of the Mission shall not be approved. An approved event that the Mission subsequently determines does not uphold or that interferes with the historic nature of the Mission shall be cancelled.~~

~~(6) The completed and signed application Applications and supporting documents must shall be filed with the Visitor Center Manager Director, Mission San Luis, 2100 West Tennessee Street 2021 Mission Road, Tallahassee, Florida 32304, no less than sixty (60) days in advance of the planned event. For catered events that include food and beverages, the Applicant must contract separately with an approved provider of food and beverages.~~

~~(b) The FOMSL has the right to approve or deny all rental requests in accordance with this rule.~~

~~1. No political fundraising activities are allowed. Other fundraising and revenue generating activities may be allowed in accordance with this rule.~~

~~2. Events that do not uphold or that interfere with the historic nature of the Mission shall not be approved.~~

~~3. An approved event that the FOMSL or the Department subsequently determines does not uphold or that interferes with the historic nature of the Mission shall be cancelled.~~

~~4. Events cannot include outside vendors selling to guests or attendees without the prior written permission of the FOMSL. Authorization may be granted by FOMSL when Mission resources are not adversely affected, when existing contractual relationships are not impaired or adversely affected, when a needed visitor service or product is provided, and when the provision of the product and/or service is consistent with MSL management practices as set out in this rule.~~

~~5. The FOMSL or the Department shall notify an applicant in writing if the rental application (MSL01) is approved or denied.~~

~~(7) Definitions. The following words shall have the following meanings for the purposes of this rule:~~

~~(a) "Facility" shall be defined as any structure, building, or open area that the Mission opens for rental use.~~

~~(b) "Site" refers to the entire grounds and facilities of the Mission.~~

~~(c)(8) Rental and other fees for Mission facilities and other expenses described shall be established by the Department and may be revised, as needed, in accordance with this rule. Rental fees for specific facilities are listed on Form MSL01. An initial deposit of fifty (50) percent of the listed fee is required at least forty-five (45) days prior to the date of the event. The remaining fifty (50) percent is due the day of the event. Cancellation of an event more than thirty (30) days prior to the scheduled date is without penalty and the Mission will return the deposit. Persons canceling an event less than thirty (30) days prior to the scheduled date will be responsible for one hundred (100) percent of the fee.~~

~~1. Fees shall be based on the cost of managing and operating the Mission site, the type of facility rented, the type of event, the season, and the historical and archeological value of the Mission site.~~

~~2. Fees shall also be relatively comparable to other similar rental space providers in the area.~~

~~3. The fee schedule shall be advertised once in the Florida Administrative Weekly, published on the Mission's webbiest at: www.missionsanluis.org, and posted conspicuously on the Mission's Visitor's Center before it is formally approved. A hearing on the fee schedule may be held upon request. The Secretary of State or designee must subsequently approve in writing any fee schedule before it becomes final. The fee schedule in effect may be obtained at <http://www.missionsanluis.org/>, or by visiting or writing to the Mission at 2100 West Tennessee Street, Tallahassee, Florida 32304.~~

~~4.(a) Rental fees only include the rental of the facilities. Other fees, in addition to rental fees, Additional fees will apply if:~~

~~a.1- The event requires the use of the Mission's audio-visual equipment,; or~~

~~b.2- The event requires special staffing, set-up, and clean-up,; or~~

~~c.3- If Tthe scheduled event takes place after normal hours.~~

~~d. The FOMSL determines, based on the nature and extent of the rental use, that there is a need for valet parking service, shuttle service and security personnel which shall be arranged through approved providers.~~

~~4. The fee for the use of Mission personnel for will be at a rate of ten (10) dollars per hour per Mission employee. The number of Mission employees will be determined prior to event approval and will be based on size and nature of the event.~~

~~(b) With the exception of the tables and chairs provided with the rental of the Education Building and the outdoor picnic benches, the Mission does not supply tables, chairs, or tents. Applicants are responsible for providing all equipment~~

~~needed for an event. All equipment must be approved for use at an event. Tents which require stakes to be driven into the ground are prohibited.~~

~~5.(e) An agency, as defined by Sections 120.52(1) and (2), F.S., but not including Section 120.52(1)(b)8., F.S., authorized staff members of that agency, and FOMSL, and contributors to FOMSL may use the facilities free of charge for official agency functions or official FOMSL business; but must comply with all other facility rental fee requirements, including use of and fees for audio-visual equipment, special staffing, set-up and clean-up and overtime charges, cleaning deposit, and other charges related to catered events. Any alternative arrangements for food and beverages must first be reviewed by an approved provider to determine how such arrangement will be handled. Events by the abovementioned parties, not in the course of official FOMSL business or an official agency function are permitted, free of charge, but require prior approval.~~

Rulemaking Specific Authority 20.10(3), 267.031(1), 267.17(2)(b) FS. Law Implemented 267.031(2), 267.061, 267.14, 267.17 FS. History--New 7-19-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Ryan J. Wheeler, Chief, Bureau of Archaeological Research

NAME OF SUPERVISOR OF PERSON WHO APPROVED THE PROPOSED RULE: Scott M. Stroh, Director, Division of Historical Resources

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2010

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: 5L-1.003
 RULE TITLE: Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: These amendments propose to reclassify the Apalachicola Bay System shellfish harvesting area. A sanitary survey has been conducted that evaluated current information on pollution sources and bacteriological water quality, and recommends reclassification of the Apalachicola Bay System shellfish harvesting area. This amendment further proposes to simplify the nomenclature of shellfish harvesting areas and update scientific names.

SUMMARY: The proposed reclassification of the Apalachicola Bay System shellfish harvesting area will: a) increase the combined size of Approved areas #1611 and #1601 by 1,499 acres, from 30,256 acres to 31,755 acres b) increase the size of Conditionally Approved area #1642 by 787 acres, from 5,557 acres to 6,344 acres c) decrease the size of the Conditionally Approved area #1612 by 2,064 acres, from 8,709 acres to 6,645 acres d) increase the size of the Conditionally Approved area #1622 by 1,879 acres from

20,834 acres to 22,713 acres e) convert the 10,696 acre Conditionally Restricted area into two Restricted areas to be named Zone A and Zone B with 10,761 acres and 286 acres respectively, f) establish a third Restricted area to be named Zone C of 92 acres, and g) increase the size of the Prohibited area by 226 acres, from 11,059 acres to 11,285 acres.

The current management of the Apalachicola Bay System shellfish harvesting area is based on local rainfall and/or river levels. Proposed management of the Apalachicola Bay System shellfish harvesting area is based on local rainfall and/or river levels. The average closure frequency of Conditionally Approved area #1622 is expected to decrease 1.8 days per month from 6.4 days per month to 4.6 days per month, decrease for the Conditionally Approved area #1632 by 0.2 days per month from 5.4 to 5.2 days per month and decrease for the Conditionally Approved area #1642 by 0.7 days per month from 2.4 to 1.7 days per month.

Harvest area names in the Apalachicola Bay System will be simplified to make them easier to understand. The previous scientific name of the dinoflagellate *Gymnodinium breve* will be replaced with the current name *Karenia brevis* in the rule text.

These amendments place descriptions, references to shellfish harvesting area map numbers and operating criteria for the Apalachicola Bay System shellfish harvesting area #16 in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. These documents are hereby incorporated in subsection 5L-1.003(1), F.A.C. Additionally, these amendments provide illustrations of the Apalachicola Bay System shellfish harvesting area classification boundaries in shellfish harvesting area maps #16A and #16B. These maps are hereby incorporated by reference in subsection 5L-1.003(1), F.A.C.

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 been prepared by the agency. There is no anticipated regulatory cost.

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: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

DATE AND TIME: November 23, 2010, 3:00 p.m. – 5:00 p.m., Eastern Standard Time

PLACE: Franklin County Courthouse Annex, Commission Meeting Room, 34 Forbes Street, Apalachicola, 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 7 days before the workshop/meeting by contacting: Chris Brooks, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, phone: (850)488-4033. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chris Brooks, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, phone: (850)488-4033

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the National Shellfish Sanitation Program Model Ordinance. Copies of the document Shellfish Harvesting Area Classification Maps, revised _____ ~~December 28, 2009~~, and the document Shellfish Harvesting Area Classification Boundaries and Management Plans, revised _____ ~~December 28, 2009~~, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria herein incorporated by reference may be obtained by writing to the Department at 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301 or is available on the Division's website at www.FloridaAquaculture.com/pub.htm.

(2) through (7) No change.

(8) Approved, conditionally approved, restricted, or conditionally restricted waters shall be temporarily closed to the harvesting of shellfish when counts of the red tide organism *Karenia brevis* ~~*Gymnodinium breve*~~ exceed 5000 cells per liter in bays, estuaries, passes or inlets adjacent to shellfish harvesting areas. Areas closed to harvesting because of presence of the red tide organism shall not be reopened until counts are less than or equal to 5000 cells per liter inshore and offshore of the affected shellfish harvesting area, and shellfish meats have been shown to be free of toxin by laboratory analysis.

(9) through (10) No change.

(11) Shellfish harvesting area numbers are as follows:

AREA NUMBER	HARVEST AREA NAME
0212	Pensacola Bay Conditionally Approved Escambia Bay Shellfish Aquaculture Lease Areas managed during the Summer months of Jul – Sep
0222	Pensacola Bay Conditionally Approved Escambia Bay

0232	Pensacola Bay Conditionally Approved East Bay
0216	Pensacola Bay Conditionally Restricted Escambia Bay
0226	Pensacola Bay Conditionally Restricted East Bay
0622	Choctawhatchee Bay Conditionally Approved Central
0632	Choctawhatchee Bay Conditionally Approved Eastern
0806	West Bay Conditionally Restricted Spring/Fall Apr – Jun, Oct – Nov
0812	West Bay Conditionally Approved Winter Dec – Mar
0822	West Bay Conditionally Approved Spring/Fall Apr – Jun, Oct – Nov
1012	North Bay Conditionally Approved Western
1022	North Bay Conditionally Approved Eastern
1006	North Bay Conditionally Restricted Eastern
1206	East Bay Conditionally Restricted
1212	East Bay Conditionally Approved Section 1
1222	East Bay Conditionally Approved Section 2
1401	St. Joe Bay Approved
1506	Indian Lagoon Conditionally Restricted
1512	Indian Lagoon Conditionally Approved Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon Conditionally Approved Zone A Winter Nov – Feb
1552	Indian Lagoon Conditionally Approved Zone B Winter Nov – Feb
1572	Indian Lagoon Conditionally Approved Summer Jul – Sep
1611	Apalachicola Bay Approved Winter Jan – May, Sept – Dec
<u>1601</u>	<u>Apalachicola Bay Approved Jan – May, Sept – Dec</u>
1621	Apalachicola Bay Approved Summer June – Aug
1631	Apalachicola Bay Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 Summer June – Aug
1612	Apalachicola Bay Conditionally Approved West 1-Winter Jan – May, Sept – Dec
1622	Apalachicola Bay Conditionally Approved West 2-Winter Jan – May, Sept – Dec
1632	Apalachicola Bay Conditionally Approved West 3-Winter Jan – May, Sept – Dec
<u>1641</u>	<u>Apalachicola Bay Approved Jun – Aug</u>
1642	Apalachicola Bay Conditionally Approved East Winter Jan – May, Sept – Dec or Apalachicola Bay Approved East Hole Summer June – Aug

1652	Apalachicola Bay Conditionally Approved North Summer June – Aug	5402	Sarasota Bay Conditionally Approved
1662	Apalachicola Bay Conditionally Approved South Summer June – Aug	5602	Lemon Bay Conditionally Approved
1606	Apalachicola Bay Conditionally Restricted	5802	Gasparilla Sound Conditionally Approved
<u>1605</u>	<u>Apalachicola Bay Restricted Zone A, Zone B and Zone C</u>	6002	Myakka River Conditionally Approved
1802	Alligator Harbor Conditionally Approved	6006	Myakka River Conditionally Restricted
2002	Ochlockonee Bay Conditionally Approved	6212	Pine Island Sound Conditionally Approved Western Section
2006	Ochlockonee Bay Conditionally Restricted	6222	Pine Island Sound Conditionally Approved Eastern Section
2206	Wakulla County Conditionally Restricted	6602	Ten Thousand Islands Conditionally Approved
2212	Wakulla County Conditionally Approved Zone 1 Winter	7001	Indian River/St. Lucie Approved
2222	Wakulla County Conditionally Approved Zone 2 Winter	7006	Indian River/St. Lucie Restricted
2232	Wakulla County Conditionally Approved Zone 1 Spring	7202	North Indian River Conditionally Approved
2242	Wakulla County Conditionally Approved Zone 2 Spring	7206	North Indian River Conditionally Restricted
2302	St. Marks Conditionally Approved	7412	Body F Conditionally Approved
2303	St. Marks Prohibited	7416	Body F Conditionally Restricted
2501	Horseshoe Beach Approved Summer Apr – Sep	7506	Body E Conditionally Restricted
2502	Horseshoe Beach Conditionally Approved Winter Oct – Mar	7602	Body D Conditionally Approved
2506	Horseshoe Beach Conditionally Restricted Winter Oct – Mar	7606	Body D Conditionally Restricted
2802	Suwannee Sound Conditionally Approved Spring Summer Feb – May and Sept or Suwannee Sound Conditionally Approved Winter Oct – Jan	7712	Body C Conditionally Approved Zone 1 Spring/Summer/Fall Mar – Nov
2806	Suwannee Sound Conditionally Restricted Spring Summer Feb-May and Sept or Suwannee Sound Conditionally Restricted Winter Oct – Jan	7722	Body C Conditionally Approved Zone 2 Spring/ Summer/Fall Mar – Nov
3012	Cedar Key Conditionally Approved Zone A	7732	Body C Conditionally Approved Winter Dec – Feb
3022	Cedar Key Conditionally Approved Zone B	7716	Body C Conditionally Restricted Winter Dec – Feb
3006	Cedar Key Conditionally Restricted	7726	Body C Conditionally Restricted Spring/ Summer/Fall Mar – Nov
3202	Waccasassa Bay Conditionally Approved	7812	Body B Conditionally Approved Zone 1
3206	Waccasassa Bay Conditionally Restricted	7822	Body B Conditionally Approved Zone 2
3402	Withlacoochee Bay Conditionally Approved	7902	South Banana River Conditionally Approved
3406	Withlacoochee Bay Conditionally Restricted	7906	South Banana River Conditionally Restricted
3701	Citrus County Approved Spring / Fall Mar. – June and Oct.	8001	Body A Approved
3702	Citrus County Conditionally Approved Winter Nov. – Feb.	8005	Body A Restricted
3705	Citrus County Restricted Spring / Fall Mar. – June and Oct.	8201	South Volusia Approved
3706	Citrus County Conditionally Restricted Winter Nov. – Feb.	8212	South Volusia Conditionally Approved Zone 1
4202	Boca Ciega Bay Conditionally Approved	8222	South Volusia Conditionally Approved Zone 2
4802	Lower Tampa Bay Conditionally Approved	8206	South Volusia Conditionally Restricted
		8802	St. Johns South Conditionally Approved
		8806	St. Johns South Conditionally Restricted
		9202	St. Johns North Conditionally Approved
		9206	St. Johns North Conditionally Restricted
			Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History–New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01 (1), 10-14-01 (1), 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sherman Wilhelm
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Charles Bronson, Commissioner,
Department of Agriculture and Consumer Services
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 5, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 7, 2010

DEPARTMENT OF TRANSPORTATION

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

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

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

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

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

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: Deanna R. Hurt, Assistant General
Counsel and Clerk of Agency Proceedings, Florida Department
of Transportation, Office of the General Counsel, 605
Suwannee Street, Mail Station 58, Tallahassee, Florida
32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.0081 Toll Facilities Description and Toll Rate
Schedule.

The Toll Facilities Description and Toll Rate Schedule,
adopted November 15, 1987, and amended on February 8,
1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1,
1991, August 1, 1991, November 6, 1991, July 11, 1993,
November 28, 1993, September 18, 1994, June 6, 1995, July 9,
1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2,
1996, July 28, 1996, September 23, 1997, November 24, 1997,
February 12, 1998, June 30, 1998, July 29, 1998, January 6,
1999, February 9, 1999, April 29, 1999, June 21, 1999,
September 4, 2001, March 26, 2002, and April 10, 2003,
October 1, 2003, December 11, 2003, March 7, 2004, May 20,
2004, November 1, 2005, February 5, 2006, July 27, 2006,
October 26, 2006, January 15, 2007, May 17, 2010, and
_____, is hereby incorporated by this rule and made a
part of the rules of the Department. Copies of this Department
of Transportation Toll Facilities Description and Toll Rate
Schedule and any amendments thereto are available at no more
than cost.

Rulemaking Authority 334.044(2), 338.155(1) FS. Law Implemented
338.155, 338.222, 338.2216, 338.231 FS. History—New 11-15-87,
Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91,
7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96,
6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98,
1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03,
12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06,
1-15-07, 5-17-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kevin Thibault, Interim Executive Director, Florida’s Turnpike
Enterprise

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Stephanie C. Kopelousos, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 12, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 3, 2010

**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 NO.: 19-8.010
RULE TITLE: Reimbursement Contract

PURPOSE AND EFFECT: The State Board of Administration,
Florida Hurricane Catastrophe Fund, seeks to amend the rule
listed above to implement Section 215.555, Florida Statutes.

SUMMARY: The rule is being amended to adopt the 2011/2012 Reimbursement Contract, including Addenda and Optional Amendment.

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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), (17) 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: November 15, 2010, 9:00 a.m. – 12:00 p.m. (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308. Persons wishing to participate by telephone may dial (888)808-6959 and enter conference code 4765251363

Pursuant to the provisions of 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: Tracy Allen, (850)413-1341 or tracy.allen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracy Allen, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1341 or tracy.allen@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.010 Reimbursement Contract.

(1) through (4) No change.

(5) The reimbursement contract for the 1999-2000 contract year required by Section 215.555(4), F.S., which is called Form FHCF-1999K – “Reimbursement Contract (“Contract”) between (name of insurer) (the “Company”)/NAIC#() and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 05/99, is hereby adopted and incorporated by reference into this rule. Addendum No. 1 to the 1999-2000 reimbursement contract, which is called Form FHCF-1999K-1; – “Reimbursement Contract (“Contract”) between (name of insurer) (the “Company”)/NAIC#() and The State Board of Administration

of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 08/99, is hereby adopted and incorporated by reference into this rule.

(6) through (10) No change.

(11) The reimbursement contract for the 2005-2006 contract year required by Section 215.555(4), F.S., which is called Form FHCF-2005K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and the State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 05/05, is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2005 through May 31, 2006. Addendum No. 1 to the 2005-2006 Reimbursement Contract, which is called Form FHCF-2005K-1; “Reimbursement Contract (Contract) between (name of insurer) (the Company)/NAIC #() and the State Board of Administration of the State of Florida (SBA) which administers the Florida Hurricane Catastrophe Fund (FHCF)”, rev. 06/05, is hereby adopted and incorporated by reference into this rule.

(12) through (16) No change.

(17) The reimbursement contract for the 2011-2012 contract year, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF-2011K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. _____, is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2011 through May 31, 2012.

~~(18)~~(17) Copies of the reimbursement contract may be obtained from the FHCF website, www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308 and the telephone number is (850)413-1341.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 11-13-05, 5-10-06, 9-5-06, 5-8-07, 8-13-07, 6-8-08, 9-2-08, 3-30-09, 8-23-09, 3-29-10, 8-8-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 2010

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.314
 RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to eliminate reference to “attempted conspiracy,” add reference to “solicitation” as prohibited conduct, and clarify that an inmate may not engage in or attempt to engage in a business or professional relationship with a volunteer.

SUMMARY: The proposed rule eliminates reference to “attempted conspiracy,” adds reference to “solicitation” as prohibited conduct, and clarifies that an inmate may not engage in or attempt to engage in a business or professional relationship with a volunteer.

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: 20.315, 944.09, 944.14, 944.279, 944.28 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:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

SECTIONS 1 through 8 No change.

SECTION 9 – MISCELLANEOUS INFRACTIONS

9-1	Obscene or profane act, gesture, or statement – oral, written, or signified	30 DC + 90 GT
9-2	Bribery or attempted bribery	30 DC + 90 GT
9-3	Breaking and entering or attempted breaking	30 DC + 90 GT

9-4	Attempt, conspiracy, or <u>solicitation</u> attempted conspiracy to commit any crime or violation of the Rules of Prohibited Conduct	30 DC + 90 GT
9-5	Theft of property under \$50.00 in value	30 DC + 60 GT
9-6	Bartering with others	15 DC + 30 GT
9-7	Sex acts or unauthorized physical contact involving inmates	30 DC + 90 GT
9-9	Tattooing, being tattooed, branding or body art to include body piercing.	30 DC + 60 GT
9-10	Lying to staff member or others in official capacity, or falsifying records	60 DC + All GT
9-11	Feigning illness or malingering as determined by a physician or medical authority	10 DC + 15 GT
9-12	Gambling or possession of gambling paraphernalia	10 DC + 15 GT
9-13	Insufficient work: This constitutes an inmate not working up to expectation, taking into consideration the inmate’s physical condition, the degree of difficulty of assignment, and the average performance by fellow inmates assigned to the same task	10 DC + 15 GT
9-14	Mail regulation violations	30 DC + 30 GT
9-15	Visiting regulation violations	30 DC + 30 GT
9-16	Refusing to work or participate in mandatory programs	60 DC + 90 GT
9-17	Disorderly conduct	30 DC + 60 GT
9-18	Unauthorized physical contact involving non-inmates	60 DC + 90 GT
9-19	Presenting false testimony or information before Disciplinary Team, Hearing Officer, or Investigating Officer	60 DC + All GT
9-20	Extortion or attempted extortion	60 DC + 60 GT
9-21	Fraud or attempted fraud	30 DC + 90 GT
9-22	Robbery or attempted robbery	60 DC + All GT
9-23	Theft of property exceeding \$50 in value	60 DC + All GT
9-24	Loaning or borrowing money or other valuables	15 DC + 30 GT
9-25	Telephone regulation violations	30 DC + 30 GT
9-26	Refusing to submit to substance abuse testing	60 DC + 180 GT
9-27	Use of unauthorized drugs – as evidenced by positive results from urinalysis test, or observable behavior	60 DC + 180 GT
9-28	Canteen Shortage under \$50.00	30 DC + 60 GT
9-29	Canteen Shortage over \$50.00	60 DC + All GT
9-31	Use of Alcohol – as evidenced by positive results from authorized tests, or by observable behavior	30 DC + 90 GT

9-32	In accordance with Section 944.279(1), F.S., is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.	60 DC + All GT	Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, _____.
9-33	Tampering with, defeating or depriving staff of any security device. Security devices include: locks; locking devices; electronic detection systems; personal body alarm transmitters and receivers; handheld radios; restraint devices such as handcuffs, waist chains, leg irons and handcuff covers; keys; video and audio monitoring and recording devices; security lighting; weapons; and any other device utilized to ensure the security of the institution.	60 DC + All GT	NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Deputy Secretary of Institutions NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A. McNeil, Secretary DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 9, 2010 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2010
9-34	Tampering with or defeating any fire or other safety device. Safety devices include: fire, smoke, and carbon dioxide detection devices; alarm systems; fire suppression systems and devices such as fire sprinklers, fire extinguishers, and dry chemical systems; safety and emergency lighting; exit lights; evacuation route and warning placards; self-contained breathing apparatuses; personal protective equipment; first aid kits; eye wash stations; and any other device utilized to ensure the safety of the institution, staff and inmates.	60 DC + All GT	<p>DEPARTMENT OF MANAGEMENT SERVICES</p> <p>Division of Purchasing</p> <p>RULE NOS.: RULE TITLES:</p> <p>60A-1.002 Purchase of Commodities or Contractual Services</p> <p>60A-1.016 Contract and Purchase Order Requirements</p> <p>60A-1.025 State Purchasing Agreements</p> <p>60A-1.041 Solicitation Requirements</p> <p>PURPOSE AND EFFECT: To update Chapter 60A-1, Florida Administrative Code with needed changes, and to incorporate changes from Chapter 2010-151, Laws of Florida, and to clarify these rules and incorporate additional information regarding current practices and procedures related to purchases made by state offices.</p> <p>SUMMARY: Incorporating changes regarding purchases made by state offices into Chapter 60A-1, Florida Administrative Code. Corresponding forms, PUR 1000, 1001, 7722, 7721, will also be updated with changes in law and practices. A new form PUR 2020 is also proposed.</p>
9-35	Establishes or attempts to establish a personal or business relationship with any staff member <u>or volunteer</u> .	60 DC + 180 GT	SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.
9-36	Gang related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation	30 DC + 60 GT	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.
9-37	Unauthorized use of or tampering with a computer, computer peripheral device, or any other office equipment. Other office equipment includes copying machines, facsimile machines, postage meters, or any other device utilized in an office or office-like environment.	60 DC + All GT	<p>RULEMAKING AUTHORITY: 287.042(3), 287.042(12) FS.</p> <p>LAW IMPLEMENTED: 287.057, 287.058 FS., Chapter 2010-151, Laws of Florida.</p> <p>A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:</p> <p>DATE AND TIME: November 16, 2010, 2:00 p.m. – 4:00 p.m.</p> <p>PLACE: 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950</p>

SECTIONS 10 through 11 No change.

Pursuant to the provisions of 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: Karen Armstrong, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440. If you are 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: Karen Armstrong, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, Karen.armstrong@dms.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

60A-1.002 Purchase of Commodities or Contractual Services.

(1) Agencies are delegated the conditional authority to purchase commodities or contractual services (except insurance, unless permitted pursuant to Section 287.022, F.S.). The conditions of this delegation are (i) that the agencies comply with the requirements of subsection 287.042(12), F.S.; (ii) that State Purchasing retains the full supervisory authority provided by that subsection; and (iii) that State Purchasing reserves the right to rescind the authority delegated to all agencies by amendment to this rule and reserves the right to rescind the authority delegated to an agency for failure to comply with that subsection.

(2) Purchases with value below \$~~32~~,500 shall be carried out using good purchasing practices. Such practices include but are not limited to the receipt of written quotations or written records of telephone quotations.

(3) Purchases which meet or exceed \$~~32~~,500, but are less than or equal to the threshold for Category Two may be made using written quotations, written records of telephone quotations, or informal bids to be opened upon receipt, whenever practical. If the agency receives verbal quotations, the name and address of each respondent and the amount quoted shall be a part of the written documentation. If the agency receives less than two quotations, it must include a statement as to why additional quotes were not received. If the agency determines that commodities or contractual services are available only from a single source, or that conditions warrant negotiation on the best terms and conditions, the agency may proceed with the procurement. The agency shall document the conditions and circumstances used to determine the procurement method.

(4) In accordance with Chapter 287, F.S., all purchases for which the total contract value is in excess of the threshold amount for Category Two for a commodity or group of commodities or contractual service shall be made by first

securing ~~formal~~ competitive solicitations, unless an exemption applies. The following purchases are not subject to competitive solicitation requirements:

~~(a) Regulated Utilities and government franchised services.~~

~~(b) Regulated Public communications, except long distance telecommunications services or facilities.~~

~~(a)(e) Artistic services, which include any artistic work performed by an artist, as defined in Section 287.012(3), F.S., including cases in which the acquisition requires that the artist furnish a commodity created through the artistic work.~~

~~(b)(d) An academic program review, defined as a structured evaluation of the relative merits of an established university or secondary educational program or program component conducted by recognized experts in the field of study and resulting in a written report with specific recommendations, as long as the fee does not exceed \$50,000.~~

~~(c)(e) Lectures by individuals. A lecture is a formal or methodical reading or presentation on any subject, but it is not intended to be used for the purpose of, or in connection with, training of personnel.~~

~~(f) Auditing services, which are services provided by a licensee under Chapter 473, F.S., in which the licensee attests as an expert in accountancy to the reliability or fairness of presentation of financial information or utilizes any form of disclaimer of opinion which is intended or conventionally understood to convey an assurance of reliability as to matters not specifically disclaimed.~~

~~(d)(g) Promotional services and events purchased from donated funds by the Secretary of State for purposes provided in Section 15.18(7), F.S.~~

~~(e)(h) Payments for membership dues pursuant to Section 216.345, F.S.~~

~~(f)(i) Examinations approved in accordance with Section 455.217(1)(c), F.S.~~

~~(g)(j) Adoption placement services licensed by the Department of Children and Family Services.~~

~~(h)(k) Other purchases identified in Section 287.057(4)(5)(f), F.S.~~

~~(i)(l) Purchases from alternate contract sources, pursuant to Section 287.042(16), F.S.~~

~~(j)(m) Purchases made by agencies pursuant to Section 287.056(1), F.S., from state term contracts competitively procured by the Department.~~

(k) Single Source purchases made pursuant to Section 287.057(3)(c), F.S.

(l) Emergency purchases made pursuant to Section 287.057(a), F.S.

(5) When determining the amount or amounts of purchases for the purpose of applying the threshold categories, agencies shall follow the definitions and classes and groups of commodities or contractual services established by the

Department. Acquisitions shall be reviewed and considered on an agency-wide basis, except that acquisitions by agencies with decentralized purchasing functions shall be considered and reviewed on the basis of each purchasing office that maintains full-time purchasing staff. A purchasing office shall not divide its purchases or its purchasing operations to circumvent these requirements. Determination of the threshold amount for Category Two for lease or rental is based on a twelve (12) month period of time. ~~Extension of a contract for an additional period of time is not subject to this provision.~~

(6) In any procurement which exceeds the threshold amount for Category Two and is accomplished without competition, the individuals taking part in the development or selection criteria for evaluation, the evaluation process, or the award process shall attest in writing that they are independent of, and have no conflict of interest in, the entities evaluated and selected. The attestation shall be placed in the agency file.

(7) All competitive formal solicitations issued by an agency shall include the standard "General Contract Conditions" Form PUR 1000 (~~XX/10~~)(~~11/04~~), and the standard "General Instructions to Respondents" Form PUR 1001 (~~XX/10~~)(~~11/04~~), each of which is hereby incorporated by reference. The forms are available on the internet at <http://dms.myflorida.com/purchasing>. Except as modified by an agency pursuant to the following subsections, these instructions shall apply to all competitive formal solicitations and these conditions shall be part of all resulting contracts.

(a) PUR 1001 contains instructions explaining the solicitation process and the actions necessary to respond. The agency shall attach additional materials specific to each particular solicitation, including but not limited to contact information, a solicitation timeline, a location for the public opening, evaluation criteria, required information regarding renewal of the contract, and any other necessary information. These additional instructions are commonly referred to as "Special Instructions to Respondents." In the event of any conflict between Form PUR 1001 and the additional instructions attached by the agency, the additional instructions shall take precedence over the Form PUR 1001 unless the conflicting term is required by any section of the Florida Statutes, in which case the term contained in PUR 1001 shall take precedence.

(b) PUR 1000 contains standard terms and conditions that will apply to the contract which results from the solicitation event. The agency shall attach additional contract terms and conditions specific to each particular solicitation. These additional terms are commonly referred to as "Special Conditions." In the event of any conflict between the PUR 1000 form and any Special Conditions attached by the agency, the Special Conditions shall take precedence over the PUR 1000 form unless the conflicting term in the PUR form is required by any section of the Florida Statutes, in which case the term contained in PUR 1000 shall take precedence.

(8) In addition to including the PUR 1001 and PUR 1000, all competitive formal solicitations issued by an agency shall include, in a form most advantageous to the agency, an Introductory Section, a Special Conditions Section and a Technical Specifications or Statement of Work Section. The Introductory Section shall include an overview of the solicitation and a timeline or calendar of events relevant to the solicitation. As provided in paragraph (7)(b) above, the Special Conditions Section shall be used by agencies to supplement or supersede(d) the General Contract Conditions contained in PUR 1000. The Technical Instructions or Statement of Work Section shall be used by agencies to provide detail regarding the scope of contractual services sought or commodities to be procured by the agency through the competitive formal solicitation.

(9) All contracts entered into as a result of a formal solicitation issued by an agency shall include a contractual condition requiring the vendor to comply with all laws and rules applicable to the vendor providing the commodities or services to the agency.

Rulemaking Specific Authority 287.042 FS. Law Implemented 287.042, 287.057 FS. History—New 5-20-64, Amended 4-4-67, Revised 2-6-68, Amended 2-8-69, Revised 5-20-71, Amended 7-31-75, 10-1-78, Revised 11-14-79, Amended 8-18-80, 8-6-81, 10-13-83, 3-1-84, 3-14-84, 11-12-84, 2-28-85, 12-17-85, Formerly 13A-1.02, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.002, Amended 4-24-94, 1-9-95, 1-1-96, 3-21-96, 9-23-96, 7-6-98, 1-2-00, 10-3-04, 12-22-04, 10-15-06,_____.

60A-1.016 Contract and Purchase Order Requirements.

(1)(a) Prior to making a purchase, an agency shall review current surplus property to ensure that the commodity sought is not already owned by the agency ~~certifications~~.

(b) All purchases shall be in writing or through the State's Purchasing Card Program.

(2)(a) A written agreement in excess of the threshold amount of Category Two shall be signed by the agency head and the vendor prior to the rendering of the contractual services or the delivery of the commodity, except in the case of a valid emergency as certified by the agency head. If the agency chooses to procure commodities or contractual services by purchase order in lieu of a written agreement, the purchase order shall be signed by the authorized purchasing or contracting personnel. When there is no emergency and the agency fails to have the written agreement signed as required, the agency head, no later than 30 days after the vendor begins rendering the service or delivering the commodity, shall certify the conditions and circumstances as well as action taken to prevent reoccurrence, to State Purchasing using the "Notice of Non-Compliance," Form PUR 1010 (03/04), which is hereby incorporated by reference. This form is available on the internet at <http://dms.myflorida.com/purchasing>. Pursuant to

Section 287.058(2), F.S., the agency shall also send a copy of this form to the chief Financial Officer with the voucher authorizing payment.

(b) All agency contracts and purchase orders may be electronically signed by the authorized individual as provided in Section 668.004, F.S.

(c) Any contract which binds the state or its executive agencies for purchases for a period continuing beyond the fiscal year shall include the following statement: "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

(d) All contracts that limit the liability of a contractor shall be consistent with Section 672.719, F.S.

(3) Purchase Order Requirements. To the extent that these requirements are not superceded by an electronic procurement system, the chief procurement officer of each agency is responsible for:

(a) Securing all unused purchase orders in a safe place and restricting access to these documents.

(b) Maintaining a file and accounting system for all consecutive purchase orders issued or voided.

(c) Maintaining a record of persons authorized to issue and sign each type of purchase order.

(d) Monitoring and reviewing processes for the use of purchase orders and field purchase orders.

(e) Ensuring that all purchase orders contain the solicitation number, statements regarding the quantity, description, and price of goods or services ordered; applicable terms as to payment, discount, date of performance, and transportation; and liquidated damages.

Rulemaking Specific Authority 287.032, 287.042 FS. Law Implemented 287.017, 287.042, 287.057, 287.058, 287.133, 668.004 FS. History--New 8-6-81, Amended 11-4-82, 2-13-83, 5-26-83, 10-13-83, 5-10-84, 11-12-84, 12-17-85, Formerly 13A-1.16, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.016, Amended 4-24-94, 1-9-95, 1-1-96, 3-24-96, 7-6-98, 1-2-00, 7-11-04, 10-15-06_____.

60A-1.025 State Purchasing Agreements.

(1) Requesting a State Purchasing Agreement. State Purchasing Agreements are driven by eligible users' requirements, and eligible users shall request that the Department establish such agreements by submitting to the Department PUR 7721 (~~XX/10~~)(02/04), "Request for State Purchasing Agreement," which is hereby incorporated by reference. This form is available on the internet at <http://dms.myflorida.com/purchasing>. The commodity or service the eligible user wishes to acquire must be valued at less than Category Two in order to comply with the competitive solicitation requirement of Section 287.057, F.S.

(2) Establishing a State Purchasing Agreement. After receiving PUR 7721 for an eligible user, the Department will attempt to establish a State Purchasing Agreement with a supplier offering the best value for the requested commodity or

service. The supplier must agree to the terms contained in PUR 7722 (~~XX/10~~)(02/04), "State Purchasing Agreement," which is hereby incorporated by reference. This form is available on the internet at <http://dms.myflorida.com/purchasing>.

Rulemaking Specific Authority 287.042(12) FS. Law Implemented 287.042(2)(a) FS. History--New 7-11-04, Amended_____.

60A-1.041 Solicitation Requirements.

When preparing a solicitation, an agency shall consider which form of competitive solicitation will result in the best value for the State.

(1) Pursuant to Section 287.057(~~1~~)(~~b~~)(~~2~~)(~~a~~), F.S., if the agency determines that the Invitation to Bid method is not practicable, the agency shall document the reason for its use of the Request for Proposal.

(2) Pursuant to Section 287.057(~~1~~)(~~c~~)(~~3~~)(~~a~~), F.S., if the agency determines that neither the Invitation to Bid method nor the Request for Proposal are practicable, the agency shall document the reason for its use of the Invitation to Negotiate method. This written determination must be approved in writing by the agency head or his or her designee, prior to advertising the solicitation.

(3) Appointment of Contract Negotiators – Pursuant to Section 287.057(~~16~~)(~~17~~)(~~b~~), F.S., if an agency elects to employ the Invitation to Negotiate (ITN) method to solicit competitive sealed replies, the following requirements shall govern the agency head's appointment of the negotiation team.

(a) Regardless of the value of the contract, the negotiation team members shall collectively have knowledge and experience in negotiating contracts, contract procurement, and the program areas and service requirements for which commodities or contractual services are sought.

(b) If the value of the prospective contract will exceed \$1 million in any fiscal year, at least one member of the negotiation team must be a Department-certified contract negotiator. To the extent practicable, the agency shall involve the certified negotiator in the development of the ITN, taking into account the certified negotiator's familiarity with the subject matter and the complexity and value of the contract.

(4) Certification of Contract Negotiators – Persons seeking certification as a contract negotiator shall complete and submit to the Department Form PUR 2011 (0#2/07), "Application for Certification as Contract Negotiator." Applicants shall either scan the completed form and submit it electronically to PURCertification@dms.state.fl.us, fax the form to the Department of Management Services as provided in the PUR 2011 or mail the completed form to State Purchasing, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, FL 32399-0950. The Department shall certify as a contract negotiator any state or political subdivision employee who satisfies the following criteria:

(a) Any person certified by the Department as a Florida Certified Negotiator prior to the effective date of this administrative rule shall retain their contract negotiator status. The Department will issue to each prior-certified negotiator a new certificate reflecting his or her status as a Certified Contract Negotiator. Submission of Form PUR 2011 will not be required;

(b) Any person who has: (1) completed either the National Institute of Governmental Purchasing (“NIGP”) General Public Procurement seminar or the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; (2) completed the Negotiation Strategies seminar offered by the Department or Department approved equivalent; (3) completed the Department’s Negotiation in Florida seminar or Department-approved equivalent training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as either a purchasing agent, contract manager or contract administrator for the State of Florida or one of its political subdivisions where the job description for the position required that at least half of the individual’s designated duties included: procuring commodities or services; their participating in contract negotiation, contract management or contract administration; or working as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency’s purchasing or contracting staff; and (5) led at least one federal, state or local government negotiation team through a negotiated procurement or served on at least three federal, state or local government negotiation teams for a negotiated procurement or any other contract negotiation with a value that is in excess of \$1 million in any fiscal year.

(c) Any person holding a Masters in Business Administration or other graduate level business degree from a state accredited college or university who has: (1) completed either the NIGP General Public Procurement seminar, the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; (2) completed a semester-long business school or graduate level class on negotiation, the Negotiation Strategies seminar offered by the Department, or Department-approved equivalent; (3) completed the Department’s Negotiation in Florida seminar or Department-approved equivalent training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as either a purchasing agent, contract manager, or contract administrator for the State of Florida or one of its political subdivisions where the job description for the position required that at least half of the individual’s designated duties included: procuring commodities or services; their participating in contract negotiations, contract management or contract administration; or working as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency’s purchasing or contracting staff; and (5) led at least one federal, state or local government negotiation team through a negotiated procurement or served

on at least three federal, state or local government negotiation teams for a negotiated procurement or any other contract negotiation with a value that is in excess of \$1 million in any fiscal year.

(d) Any state or political subdivision agency attorney currently licensed by the Florida Bar who has: (1) completed either the NIGP General Public Procurement seminar, the NIGP Sourcing in the Public Sector seminar or Department-approved equivalent; (2) completed a semester-long business school or graduate level class on negotiation, the Negotiation Strategies seminar offered by the Department, or Department-approved equivalent; (3) completed the Department’s Negotiations in Florida seminar or Department-approved equivalent training by another agency of the State of Florida; (4) worked a minimum of twelve (12) months as a state or political subdivision agency attorney whose duties included providing legal counsel to an agency’s purchasing or contracting staff; and (5) led at least one federal, state or local government negotiation team through a negotiated procurement or served on at least three federal, state or local government negotiation teams for a negotiated procurement or any other contract negotiation with a value that is in excess of \$1 million in any fiscal year.

(5) Department – Approved Negotiation Training Equivalent is training in the form of classes or seminars taken to ensure that certified contract negotiators are: trained in effective negotiation strategies; capable of successfully implementing those strategies during contract negotiations; and familiar with what is required of them in their role in the procurement process as a contract negotiator. In satisfying the equivalent training requirement, employees seeking certification or recertification may either select training classes from the state term contract or other Department listing that identifies pre-approved negotiation training courses or may, on a case-by-case basis, request that the Department separately approve a course or courses not listed on the state term contract or elsewhere by the Department, by completing and submitting to the Department Form PUR 2012 (0#2/07), “Request for Approval of Department Approved Equivalent Certified Negotiator Training Course.”

(a) Approval of the PUR 2012 shall be granted by the Department only if the course(s) identified on the form offers training that meets or exceeds the training standards established in subsection (5).

(b) Approval of the PUR 2012 may be granted by the Department either before or after the employee takes the class, so long as the course(s) meets or exceeds the training standards established in subsection (5).

(6) Certification of Contract Negotiators – Certification of contract negotiators by the Department shall be effective for a period of 5 years from the date of issuance of the certification,

unless the certification is extended in writing by the Department. Such request must be made using PUR Form 2020 (XX/10).

(7) Recertification of Contract Negotiators – Persons seeking recertification as a contract negotiator shall complete and submit to the Department PUR 2013 (0#2/07), “Application for Recertification as Contract Negotiator.” Applicants shall either scan the completed form and submit it electronically to PURCertification@dms.state.fl.us, fax the form to the Department as provided in the PUR 2013 or mail the completed form to State Purchasing, Department of Management Services, 4050 Esplanade Way, Ste. 360, Tallahassee, FL 32399-0950. Recertification of contract negotiators by the Department shall be effective for five (5) years from the date the employee is recertified. The date of recertification shall be reflected on the certified contract negotiator certificate issued by the Department to the employee. If the certified contract negotiator fails to recertify before the end of the 5 year certification time period, their certification will expire until they are recertified by the Department.

(a) To become recertified as a contract negotiator, the person seeking recertification must have originally been certified by the Department as provided in this rule and shall be required to complete 16 hours of recertification courses offered through the Department, or, on a case-by-case basis, may request that the Department approve a course or courses not offered by the Department by completing and submitting to the Department Form PUR 2012. The person seeking recertification shall indicate on the form that the course or courses are presented for purposes of recertification. Further, recertification applicants must have led or participated in three or more federal, state or local government negotiated procurements during their preceding five (5) year certification period and must be currently employed in a state or local government position in which the job description for the position includes contract negotiation as part of the job description. Any person who has worked as a purchasing supervisor for a minimum of twelve (12) months and during that time supervised persons participating in negotiated procurements may use that experience to satisfy the requirement to have led one negotiation team or to have participated in three or more negotiated procurements;

(b) Approval of the PUR 2012 submitted for recertification shall be granted by the Department only if the course(s) identified on the form offers training that meets or exceeds the training standards established in subsection (5).

(c) Approval of the PUR 2012 may be granted by the Department either before or after the employee takes the recertification class or classes, as long as the course(s) meets or exceeds the training standards established in subsection (5).

(8) Appointment of Project Management Professional (“PMP”) – If the value of the prospective contract will exceed \$10 million in any fiscal year, at least one member of the negotiation team shall be a PMP, as certified by the Project Management Institute. The Department shall maintain a list of agency personnel certified as PMPs, assist agencies in determining their PMP needs and assist agencies with preparing and training state agency employees for PMP certification.

Rulemaking Specific Authority 287.042(12), 287.057(17)(b) FS. Law Implemented 287.032, 287.042, 287.057, 287.058 FS. History–New 8-19-04, Amended 3-28-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Armstrong
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Linda H. South
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.003	Renewal of Slot Machine Licenses
61D-14.011	Occupational License and Fingerprint Fees
61D-14.017	Days and Hours of Operation
61D-14.019	Compulsive or Addictive Gambling Prevention Program
61D-14.031	Bill Acceptors
61D-14.059	Slot Machine Licensee Personnel Retention, Storage and Destruction of Books, Records, and Documents
61D-14.082	Annual Financial Report
61D-14.086	Annual Compliance Audit and Summary Report of Compliance Prohibited Acts
61D-14.090	Educational or Training Facilities
61D-14.200	Certified Educational Facility License Application

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes pertaining to the regulation of slot machine operations at pari-mutuel racing facilities.

SUMMARY: Rule 61D-14.003, F.A.C., revises the qualification required for renewal of slot machine license. Rule 61D-14.011, F.A.C., revises the license fee structure and clarifies language in the current rule. Rule 61D-14.017, F.A.C., revises the process to permit approval of variations in operational schedules. Rule 61D-14.019, F.A.C., includes

record keeping requirements for all training and follow-up training provided to employees. Rule 61D-14.031, F.A.C., updates language regarding bill acceptor processing and clarifies meaning of rule. Rule 61D-14.059, F.A.C., provides requirement for the drug testing program for licensed facilities and clarifies language in rule. Rule 61D-14.080, F.A.C., clarifies what records are to be retained permanently and which shall be retained for at least five years; also clarifies the rule language. Rule 61D-14.082, F.A.C., modifies language to include a reference to the uniform annual report rule for pari-mutuel activities in Rule 61D-8.002, F.A.C., and harmonize the timing and substance of all reports from the pari-mutuel and slot machine facility. Rule 61D-14.086, F.A.C., provides requests for annual report of facility written policy and summary of activity for prior year as required in Section 551.104, F.S. Rule 61D-14.090, F.A.C., clarifies language regarding prohibited acts to include the violation of facility drug-free work environment and violation for ejection of licensed personnel. Rule 61D-14.200, F.A.C., provides the requirements and procedures for licensure and operation of storage and maintenance facilities and educational, training, and testing facilities. Rule 61D-14.203, F.A.C., provides procedures to obtain licensure for certified educational facilities that intend to provide training and education services related to slot machine gaming in the state.

OTHER RULES INCORPORATING THIS RULE: Rules 61D-14.005, 14.006, and 14.008 incorporate Rule 61D-14.011. Rule 61D-14.002 incorporates Rule 61D-14.017. Rules 61D-14.038, 14.047, 14.058, 14.079, 14.096, and 14.097 incorporate Rule 61D-14.080.

EFFECT ON THOSE OTHER RULES: Rule 61D-14.011 has no effect on Rules 61D-14.005, 14.006, and 14.008. Rule 61D-14.017 has no effect on Rule 61D-14.002. Rule 61D-14.080 has no effect on Rules 61D-14.038, 14.058, 14.079, and 14.096. Rule 61D-14.080 adds an additional requirement to Rule 61D-14.047 of maintaining a readily accessible copy of back-up data records. Rule 61D-14.080 adds an additional requirement to Rule 61D-14.097 regarding shipping records.

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: 551.103(1), (2), (5), 551.109(2), 551.116, 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (c), (d), (e), (g), (h), (i), (j), (2), (3), (4)(a), 551.104(4)(a), (d), (i), (8), 551.107(4)(a), 551.109(2)(a), (b), 551.112, 551.116, 551.118(1), 551.122, 849.15(2) FS.

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

DATE AND TIME: November 16, 2010, 1:00 p.m. – 5:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 61D-14.003 follows. See Florida Administrative Code for present text.)

61D-14.003 Renewal of Slot Machine Licenses.

(1) A slot machine license shall be renewed annually on the anniversary date of issuance of the initial license.

(2) A license renewal application shall:

(a) Be filed with the division no less than 90 days prior to the anniversary date of the license; and

(b) Include:

1. Any changes to the information set forth in Rule 61D-14.002, F.A.C.;

2. A copy of the licensee's current internal controls;

3. Payment of the fees specified by Section 551.106, F.S.;
and

4. Certification of renewal of the bond required by paragraph 61D-14.002(1)(j), F.A.C., or a new bond meeting the requirements of that paragraph.

(3) To renew a slot machine license, the division must:

(a) Receive a timely complete application for renewal on Form DBPR PMW-3405, Permitholder Renewal Application for Annual Slot Machine License, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035;

(b) Receive payment of the fees specified by Section 551.106, F.S.;

(c) Determine, following investigation of the renewal application, that there are no disqualifications for licensure under Chapter 551, F.S., and Chapter 61D-14, F.A.C.; and

(d) Approve the licensee’s current internal controls.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.104(4) FS. History–New 7-30-06, Amended _____.

61D-14.011 Occupational License and Fingerprint Fees.

(1) The license fee for an individual applying for a license under Rule 61D-14.005, F.A.C., shall be \$50 for a one-year license, or ~~\$100~~ \$150 for a three-year license.

(2) The slot machine occupational license fee for a business entity applying for an occupational licensee under 61D-14.006, F.A.C., shall be \$1,000 for a one-year license, or ~~\$2,000~~ \$3,000 for a three-year license.

~~(3) An applicant for general slot machine occupational license shall provide his or her application to the division with a written acknowledgement from the slot machine licensee agreeing to pay the division the fee established in subsection (1).~~

~~(4) An applicant for a professional occupational license shall submit payments for licensure and fingerprinting to the slot machine licensee and provide an acknowledgement from the slot machine licensee agreeing to pay the division the fee established in subsection (1).~~

~~(5) The slot machine licensee shall remit a check or money order daily for payment of all general and professional occupational licenses for employees who work at the slot machine facility outlined in subsections (3) and (4) above to the division.~~

(3) A slot machine licensee is responsible for payment of all its employees’ professional and general slot machine occupational licenses, which shall be made utilizing a voucher that is paid by the licensee the same day the voucher is submitted.

~~(4)(6) An applicant for a business entity occupational license, including those individuals employed by the business entity, shall provide a check or money order for payment of fingerprint fees with their occupational license applications for a slot machine occupational license. The employing business entity may provide payment for its A check or money order can be provided for the individual employees by the employing business entity. The fee for fingerprinting shall equal the fee established by Section 943.053(3)(b), F.S., and subsection 11C-6.010(5), F.A.C.~~

~~(5)(7) Payment of professional and general employee application fees by the slot machine licensee shall be submitted to the division at the division’s office located on the grounds of the slot machine licensee’s facility.~~

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(4)(a), (d) FS. History–New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.017 follows. See Florida Administrative Code for present text.)

61D-14.017 Days and Hours of Operation.

(1) The slot machine licensee’s initial license application shall set forth its slot machine gaming area’s days and hours of operation.

(2) The slot machine licensee shall provide no less than 10 days written notice to the division in advance of its changing the hours of operation of its slot machine gaming area.

(3) The designation of a slot machine licensee’s days and hours operation shall not change the time for submission of the management and regulatory reports required by Rule 61D-14.048, F.A.C.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), 551.116 FS. History–New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.019 follows. See Florida Administrative Code for present text.)

61D-14.019 Compulsive or Addictive Gambling Prevention Program.

(1) A slot machine licensee shall develop and implement a compulsive or addictive gambling prevention program.

(2) That program shall:

(a) Designate a person responsible for ensuring that the licensee’s compulsive or addictive gambling prevention program is implemented and administered;

(b) Provide printed materials to educate patrons about compulsive gambling and inform them of local and state resources available for compulsive gamblers and their families;

(c) Require that all marketing and promotional material have a compulsive or addictive gamblers prevention program contact information;

(d) Provide a method for notifying slot machine licensee patrons that any patron may request voluntary exclusion from the slot machine licensee’s facility;

(e) Require that each employee of the licensee receives initial training in the licensee’s compulsive or addictive gambling prevention program within 30 days of the date of hire;

(f) Document all compulsive or addictive gambling prevention program training, which shall include:

1. The name of each employee trained;

2. The date and time of training;

3. The name of the person or entity providing the training; and

4. Retention of all training records as required by Rule 61D-14.080, F.A.C.

(g) Require annual refresher training for each employee.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), (i), 551.104(4)(i), 551.118(1) FS. History–New 7-30-06, Amended _____.

(Substantial rewording of Rule 61D-14.031 follows. See Florida Administrative Code for present text.)

61D-14.031 Bill Acceptors.

All bill acceptors shall:

- (1) Be installed in a slot machine;
- (2) Be electronically based;
- (3) Be constructed in a manner to:
 - (a) Protect against vandalism, abuse, and fraudulent activity; and
 - (b) Prevent acceptance of invalid bills, tickets, or vouchers.
- (4) Use a bi-directional communication protocol;
- (5) Detect the entry of all bills, tickets, or vouchers; and
- (6) Register credits only when the bill, ticket, or voucher has passed the point where it is accepted and has been irrevocably stacked.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (i) FS. History–New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.059 follows. See Florida Administrative Code for present text.)

61D-14.059 Slot Machine Licensee Personnel.

- (1) Each slot machine licensee shall maintain a level of staffing, supervision, and delineation of organizational responsibilities to ensure the slot machine licensee’s slot machine gaming operation meets the requirements of Chapter 551, F.S., and its approved internal control procedures.
- (2) The slot machine licensee’s internal controls shall require, prior to the employment of a potential employee:
 - (a) A completed employment application;
 - (b) A completed drug test;
 - (c) A signed agreement acknowledging that the facility is a drug-free work place;
 - (d) A credit report; and
 - (e) Verification that each prospective supervisory, managerial, or surveillance employee has the skills, training, and experience for the position.
- (3) The slot machine licensee shall maintain a personnel file for each employee which shall contain:
 - (a) The items listed in subsection (2) above;
 - (b) A copy of the employee’s current slot machine occupational license;
 - (c) A chronological record of all positions the employee held indicating:
 - 1. The position title; and
 - 2. The effective date of filling the position.
 - (d) All employee performance evaluations; and
 - (e) A record of all disciplinary actions related to the employee containing written documentation of all:
 - 1. Division disciplinary actions;

2. Verbal or written counseling regarding employee job performance or conduct; and

3. Employee demotions, reprimands, or separations.

(f) An employee training record documenting:

- 1. All training an employee completes during his or her employment at the slot machine facility; and
- 2. The title or description of the training, date completed, length of instruction, and name of the instructor.

(g) Federal and state income tax returns filed in the previous five years by all employees holding a professional slot machine occupational license.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(g), (i), (j) FS. History–New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.080 follows. See Florida Administrative Code for present text.)

61D-14.080 Retention, Storage, and Destruction of Books, Records, and Documents.

(1) The books, records, and documents addressed by this rule are all forms, reports, accounting and financial records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence (including email), surveillance records, surveillance reports, personnel records, and compulsive gambling program records of any form or nature, written or electronic.

(2) All books, records, and documents prepared or generated by or on behalf of a slot machine licensee, a slot machine manufacturer or distributor, a certified educational institution authorized to maintain slot machines, or other licensed slot machine business entity as described in subsection 61D-14.006(1)(a), F.A.C., shall be:

(a) Retained on site in a secure storage location for a period of at least one year from the date of the book’s, record’s, or document’s last entry or creation;

(b) Maintained for at least four additional years in a secure storage location either at the licensed slot machine facility or at another secure location with a workspace allowing for inspection of the records; and

(c) Organized and indexed in such a manner as to provide immediate accessibility of all books, records, and documents.

(3) No book, record or document shall be destroyed prior to the minimum retention period unless approved by the division in writing.

(4) The slot machine licensee shall retain:

(a) All tickets and vouchers either in hard copy or electronically on site for a period of 60 days;

(b) A hard copy or electronic image of all tickets and vouchers in a secure location for a period of no less than four months after the initial 60 days; and

(c) A hard copy or electronic image of all tickets and vouchers specifically identified by the division until otherwise instructed.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g) FS. History—New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.082 follows. See Florida Administrative Code for present text.)

61D-14.082 Annual Financial Report.

(1) Each slot machine licensee shall generate an annual financial report which shall:

(a) Be prepared according to acceptable general accounting principles;

(b) Be based on the slot machine licensee’s audited financial statements prepared by an independent certified public accountant in accordance with generally accepted accounting and auditing principles;

(c) Use the audited financial statements to generate the slot machine licensee’s annual financial report;

(d) Include a compliance audit certificate; and

(e) Be submitted pursuant to subsection 61D-8.002(5), F.A.C., and Section 550.125, F.S.

(2) The annual financial reports shall be signed by the chief executive officer and the chief gaming executive as defined in subsection 61D-14.015(2), F.A.C., and the financial vice president, treasurer, or controller of the slot machine licensee attesting that they have read the report and that the information contained in the report is accurate and complete to the best of their knowledge.

(3) The annual financial report required by this section shall include a separate explanation of any differences between the financial statements in the slot machine licensee’s annual financial report and the cumulative monthly remittance reports which shall disclose any adjustments to:

(a) Revenues from the slot machines;

(b) Total costs and expenses; and

(c) Net income.

(4) Each slot machine licensee shall include in its annual financial report:

(a) Any opinion or report on the slot machine licensee’s internal control procedures issued by its independent certified public accountant;

(b) An opinion or report expressing that the slot machine licensee has in all material respects, during the period covered by the examination, followed the system of internal accounting controls on file with the division and, if the slot machine licensee has materially deviated from the system of internal accounting controls on file with the division in any respect, the report shall:

1. Enumerate deviations and any areas of the system no longer considered effective;

2. Make recommendations regarding improvements in the system of internal accounting control; and

3. Detail all corrective actions taken to address deviations referenced in subparagraph (4)(b)1.

(5) The licensee shall file a report with the division within 48 hours of when:

(a) An independent Florida certified public accountant who was previously engaged as the principal accountant to audit the licensee’s financial statements resigns or is dismissed as the licensee’s principal accountant. The report shall list the name and business address of the certified public accountant and the date of such resignation or dismissal, and any pertinent reason for the action; or

(b) A new independent certified public accountant is engaged as principal accountant, such event occurs, setting forth the name and business address of the certified public accountant and the date of such resignation, dismissal, or engagement. The report shall list the name and business address of the new certified public accountant and the date of engagement.

(6) Any adjustments resulting from the annual audit shall be recorded in the accounting records of the year to which the adjustment relates. In the event the adjustments were not reflected in the licensee’s annual report, a revised annual report shall be required from the slot machine licensee within 30 days.

(7) Slot machine licensees shall report to the division details of any loans, borrowings, installment contracts, guarantees, leases, or capital contributions with a value of over \$25,000 per year no later than 10 days after the end of the month in which the transaction or event occurs.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (g) FS. History—New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.086 follows. See Florida Administrative Code for present text.)

61D-14.086 Annual Compliance Audit and Summary Report of Compliance.

(1) In addition to the audit required by Rule 61D-14.082, F.A.C., each slot machine licensee shall:

(a) File an audit report to comply with the requirements of Section 551.104(8), F.S., which shall:

1. Contain recommendations of all findings and observations made by the slot licensee’s internal audit function referenced in paragraph 61D-14.015(2)(f), F.A.C.

2. Respond to the recommendations of all findings with a schedule for compliance.

(b) File a report required pursuant to Section 551.104(4)(1), F.S. The report shall provide:

1. A summary of the number of procurements accomplished and the number awarded to minority businesses.

2. A summary of new employees hired during the preceding year and the number of employees from the state and the number of minority new employees.

3. The number of new construction service contracts awarded and, of that number, the number awarded to minority construction firms.

4. Certification that the licensee's equal employment opportunity requires that all positions of employment be offered strictly on a nondiscriminatory basis meeting all state and federal equal opportunity employment requirements.

5. Certification that training for employees on responsible gaming and working with a compulsive or addictive gambling prevention program to further its purposes as defined in Section 551.118, F.S., has been provided, which shall include:

a. The date(s) of the last training;

b. The total number of employees at the facility as of the end of the reporting period; and

c. The number of those employees who received training on responsible gaming and compulsive or addictive gambling prevention during the reporting period.

(2) All reports are due no later than July 31 of each year and shall represent a report for July 1 through June 30 of the prior year.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), 551.104(8) FS. History--New 6-25-06, Amended _____

61D-14.090 Prohibited Acts.

(1) through (2) No change.

(3) No person shall engage in conduct that is a violation of the slot machine licensee's drug-free work place policy.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (g), (h), (i), (2), (3), (4)(a), 551.104(4)(i), 551.112 FS. History--New 6-25-06, Amended _____

61D-14.200 Educational or Training Facilities.

(1) The following entities, upon division approval, may be permitted to have slot machines for educational or training purposes:

(a) Certified educational facilities;

(b) Florida Department of Law Enforcement; and

(c) The Department of Business and Professional Regulation.

(2) Certified educational facilities shall:

(a) Be licensed under Rule 61D-14.203, F.A.C., prior to:

1. Enrolling any student for slot machine maintenance or operations courses;

2. Offering any course concerning slot machine maintenance or operations; and

3. Conducting any business whatsoever with a slot machine licensee or applicant for a slot machine license, its employees, or agents.

(b) Submit written certification from the Florida Department of Education that it recognizes the applicant as a certified educational facility;

(c) Use only slot machine equipment and components (including software) verified by the division for instructional, training, or demonstration purposes;

(d) Follow Rules 61D-14.096, 61D-14.097, and 61D-14.098, F.A.C., regarding the shipment of slot machines or slot machine components into or out of the certified educational facility;

(e) Establish a slot machine training area that is:

1. Segregated from all other training or classroom areas;

2. Enclosed by walls from floor to ceiling;

3. Secured from all unauthorized access;

4. Secured through the use of a lock and key or similar entry control system to which only personnel holding a slot machine occupational license have access; and

5. Used exclusively for slot machine educational and training purposes.

(f) Be licensed pursuant to Rules 61D-14.006 and 61D-14.203, F.A.C.;

(g) Have filed with the division a set of written internal controls that include:

1. Administrative controls providing for the acquisition and qualification of students receiving training;

2. Requirements for slot machine training students to receive at least one block of instruction and written testing on Chapter 551, F.S., and Chapter 61D-14, F.A.C.;

3. Requirements for written certification of acknowledgement from each student that he or she understands that the slot machines are not to be used for wagering, betting, gaming, or similar activity;

4. Procedures to authorize and control access to the slot machine training area during class and non-class time periods;

5. Requirement of a statement signed by the certified educational facility chief administrator attesting that the internal controls conform to the requirements of Chapter 551, F.S., and Chapter 61D-14, F.A.C.; and

6. A requirement that all books, records, and documents (including student records) be maintained pursuant to Rule 61D-14.080, F.A.C.

(h) Require all personnel employed or under contract with the certified educational institution who are associated with access, instruction activity, or the operation of the slot machine training area to obtain licensure pursuant to Rule 61D-14.005, F.A.C.

(3) The division shall evaluate the certified educational institution's internal controls and all amendments thereto for conformity with Chapter 551, F.S., and Chapter 61D-14, F.A.C.

(4) A current copy of the internal controls as approved by the division shall be maintained in:

- (a) The chief administrator's office;
- (b) The security office, when one is provided; and
- (c) The slot machine training area.

(5) The certified educational institution shall obtain approval from the division for any amendment to its internal controls prior to implementing any change thereto.

(6) Failure of the certified educational institution to comply with its internal controls is a violation of this section and may result in disciplinary action.

Rulemaking Authority 551.103(1), (2), (5), 551.109(2), 551.122 FS. Law Implemented 551.103(1)(a), (b), (d), (e), (g), (i), (2), 551.109(2)(a), (b), 551.122, 849.15(2) FS. History—New _____.

61D-14.203 Certified Educational Facility License Application.

(1) The license requirements of this section apply to certified educational facilities intending to provide instruction for slot machine operation and maintenance.

(2) A license may be issued only to a certified educational facility license that is certified by the Florida Department of Education (FDOE) to provide educational instruction within the state of Florida.

(3) All requirements of Rule 61D-14.200, F.A.C., must be met by a certified educational facility prior to licensure.

(4) An application for a slot machine certified educational facility license shall be made on Form DBPR PMW-3422, Slot Machine Certified Educational Facility License Application, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035.

(5) The license application shall be filed under oath or affirmation by an officer, director, or manager who is authorized by the applicant educational institution to bind the applicant to the representations made in the license application.

(6) If the applicant intends to claim any public records exemption from the Florida public records law, Chapter 119, F.S., it shall indicate in its application the specific sections for which it claims an exemption and the basis for the exemption.

(7) Each application shall be filed with the division's office located at 1940 North Monroe Street, Tallahassee, Florida 32399-1035.

(8) The division shall deny the application for a certified educational facility license if the application and its supporting documents fail to meet the requirements of Chapter 551, F.S., or Chapter 61D-14, F.A.C.

(9) A certified educational facility license shall be suspended or revoked if at any time during the period of licensure the facility is suspended or removed from the list of educational facilities certified by the FDOE.

(10) A certified educational facility license shall be suspended throughout the period of time that the facility is under suspension or similar discipline imposed by the FDOE.

Rulemaking Authority 550.0251(2), 551.103(1), 551.109(2), 551.122 FS. Law Implemented 550.0251(2), 551.103(1)(a), (b), (d), (e), (g), (i), (2), 551.107(4)(a), 551.109(2)(a), (b) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 5, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.007	Business Occupational License Requirements for an Independent Testing Laboratory
61D-14.022	Slot Machine, Slot Machine Component, and Progressive System Requirements
61D-14.024	Logic Compartment
61D-14.032	Progressive System Requirements
61D-14.033	Progressive Displays and Controllers
61D-14.034	Progressive Jackpots
61D-14.037	Games with Bonus Features, Multiple Win Lines, Prizes
61D-14.038	Percentage Payout and Odds
61D-14.047	Facility Based Monitoring System and Computer Diagnostics
61D-14.048	Facility Based Monitoring System Required Reports
61D-14.073	Meter Readings

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes pertaining to the regulation of slot machine operations at pari-mutuel racing facilities and the implementation of wide area progressive (WAP) systems.

SUMMARY: The amendment to Rule 61D-14.006, F.A.C., adds wide area progressive providers to those business entities requiring a slot machine business occupational license under

Section 551.107(2), F.S. The amendment to Rule 61D-14.007, F.A.C., adds wide area progressive providers to those business entities in which an independent testing laboratory is prohibited from having an interest. The amendment to Rule 61D-14.022, F.A.C., provides updates to the technical standards for slot machines, slot machine operations, and slot machine capabilities, as well as addresses wide area progressive system (WAP) slot machine games where two or more slot machine terminals are linked to substantially increase potential jackpot payouts. The updated rule also describes in additional detail the required procedures for jackpot payment. The rule has been substantially reworded to conform to plain language requirements and improve clarity of specifications in a number of technical requirement areas. Rule 61D-14.024, F.A.C., provides technical standards for access to logic compartments and interior compartments housing components that could affect the outcome of a slot machine game, including progressive systems, and requires procedures to limit access to compartment keys. The rule also provides procedures for sealing the compartments and providing access only to authorized personnel, and has been substantially reworded to conform to plain language requirements and improve clarity of specifications for technical requirement areas. Rule 61D-14.032, F.A.C., provides system and operational requirements for slot machines configured to accept and participate in both wide area and local area progressive jackpot slot machine play. Rule 61D-14.033, F.A.C., provides system and operational requirements for progressive gaming system displays and controllers used in progressive jackpot slot machine play. Rule 61D-14.034, F.A.C., addresses progressive system jackpots, the recording of information related thereto by progressive slot machines, and the modification thereof. The amendment to Rule 61D-14.037, F.A.C., adds wide area progressive slot machines to the requirements governing slot machine games with bonus features. The amendment to Rule 61D-14.038, F.A.C., relaxes the reporting requirement to semi-annual and encompasses WAP systems. The amendment to Rule 61D-14.047, F.A.C., adds progressive slot machines to the requirement that slot machines not be enabled to play following receipt of an error until its control program is authenticated. The amendment to Rule 61D-14.048, F.A.C., adds daily progressive meter reports to the reports required under the rule and specifies what must be included in a daily progressive meter report. The amendment to Rule 61D-14.073, F.A.C., adds progressive meter readings to the meter readings accounting department employees must make under the rule and specifies the requirements therefor.

OTHER RULES INCORPORATING THIS RULE: Rules 61D-14.009, 14.011, and 14.012 incorporate Rule 61D-14.006. Rule 61D-14.097 incorporates Rule 61D-14.022. Rule 61D-14.016 incorporates Rule 61D-14.024. Rule 61D-14.018 incorporates Rule 61D-14.048.

EFFECT ON THOSE OTHER RULES: Rule 61D-14.006 has no effect on Rules 61D-14.009, 14.011, and 14.012. Rule 61D-14.022 adds no additional requirements to Rule 61D-14.097. Rule 61D-14.024 adds no additional requirements to Rule 61D-14.016. Rule 61D-14.048 adds no additional requirements to Rule 61D-14.018.

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: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (c), (d), (e), (g), (h), (i), 551.104(4)(f), (j), 551.107, 551.108, 551.121(5) FS.

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

DATE AND TIME: November 16, 2010, 9:00 a.m. – Noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-14.006 Occupational License Application Requirements for Business Entities.

(1) The slot machine occupational license requirements of this section apply to any business entities, including wide area progressive providers or sole proprietorships, as follows:

(a) through (9) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107 FS. History—New 7-30-06, Amended 6-21-10, _____.

61D-14.007 Business Occupational License Requirements for an Independent Testing Laboratory.

(1) For purposes of this rule the term “direct interest”:

(a) Shall mean the owning or holding of capital stock or other ownership interest by the applicant for a business occupational license or by the applicant's officers, directors, managers, employees, or ownership interest holders in a slot machine licensee, wide area progressive provider, or manufacturer or distributor of slot machines, slot machine software, or slot machine parts as defined in Chapter 551, F.S.

(b) through 2. No change.

(2) In addition to the requirements of Rule 61D-14.006, F.A.C., an applicant for a business occupational license as an independent testing laboratory to test and technically evaluate slot machines, progressive systems, or facility based monitoring systems of a slot machine licensee shall meet the following criteria:

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

2. Any business owned by a slot machine licensee; ~~and~~

3. A manufacturer or distributor of slot machines, slot machine software, or slot machine parts; ~~and-~~

4. A wide area progressive provider.

(3) through (a) No change.

(b) Any business owned by a slot machine licensee; ~~or~~

(c) A manufacturer or distributor of slot machines, slot machine software, or slot machine parts; ~~or-~~

(d) A wide area progressive provider.

(4) through (b) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (c), 551.107, 551.108 FS. History--New 6-25-06, Amended 6-21-10, _____.

(Substantial rewording of Rule 61D-14.022 follows. See Florida Administrative Code for present text.)

61D-14.022 Slot Machine, Slot Machine Component, and Progressive System Requirements.

(1) Slot machine licensees shall only offer slot machines that transmit or track financial data using a game services protocol, such as the Slot Accounting System (SAS), except for progressive systems which, when communicating from machine to machine, may use any generally accepted communication protocol certified by an independent testing laboratory.

(2) Prior to the sale or delivery of a slot machine or progressive system for play in this state, the division must receive written certification by a licensed independent testing laboratory that all criteria for operation contained in Chapter 551, F.S., and Chapter 61D-14, F.A.C., are met.

(3) The manufacturer of any slot machine, slot machine game, or progressive system to be offered for play in this state is responsible for all compliance testing.

(4) Slot machines and progressive systems shall be capable of resuming game play without operator intervention and shall withstand the following tests where applicable:

(a) Random Number Generator Test;

(b) Electro-Magnetic Interference Test;

(c) Electro-Static Interference Test;

(d) Radio Frequency Interference (RFI) Test;

(e) Magnetic Interference Test; and

(f) Liquid Spills Test.

(5) A slot machine shall have an identification badge permanently affixed to the exterior of the slot machine cabinet by the manufacturer, which shall include:

(a) The name of the manufacturer;

(b) A unique serial number;

(c) The slot machine model number; and

(d) The date of manufacture.

(6) Slot machine components, including progressive systems and any software requiring certification by an independent testing laboratory, shall have an identification affixed to the exterior of the component by the manufacturer, where applicable, which shall be the date of manufacture and either:

(a) The name of the manufacturer;

(b) A unique serial number; or

(c) A part number unique to that type of component if applicable.

(7) For bets greater than one credit, the slot machine shall display, through monitors, paytables (machines face glass), decals, or button tiles, the minimum wager for the minimum required play.

(8) All slot machine external doors shall be locked.

(9) The opening and closing of all slot machine external doors shall be:

(a) Monitored by door access sensors, which shall have the ability to detect when a door is opened or moved from its fully closed and locked position and immediately:

1. Report the door opened event to the slot machine by way of an error; and

2. Notify the surveillance department of the door opening, which shall monitor and record all activities at that slot machine until such time as the incident has been satisfactorily resolved.

(b) Logged in a machine entry authorization log (meal book) maintained inside the locked compartment of the slot machine, which shall include the name of the occupational licensee opening the door, time of opening, and reason for opening.

(10) The slot machine shall have a light or audible alarm, or both, that automatically illuminate and sound when:

(a) A player attempts to redeem credits that the slot machine cannot automatically pay;

(b) An error condition has occurred; or

(c) A player has initiated a "Call Attendant" condition.

(11) The power switch for a slot machine shall be:

(a) Clearly labeled;

(b) Located in a place which is readily accessible within the interior of the slot machine; and

(c) Positioned so that power cannot be disconnected from outside of the machine.

(12) The operation of a slot machine, slot machine component, slot machine game, or progressive system:

(a) Shall not be altered by surges or reductions of \pm 10% of the power supply voltage; and

(b) May be reset if there is no:

1. Damage to the equipment; or
2. Loss or corruption of data.

(13) Each individual slot machine shall be controlled by one or more microprocessors, which shall be physically located within the slot machine's locked logic compartment and have a key different from the key used for the slot machine main door.

(14) Ticket printers shall be in a locked area of the slot machine and interfaced to allow the slot machine control program to interpret the slot machine game and provide an alert when the ticket printer:

- (a) Is out of paper;
- (b) Is low on paper;
- (c) Is disconnected; or
- (d) Has a printer jam or failure.

(15) The slot machine shall enter a lock-up condition if:

(a) The sum of the award from the single play of a game is equal to or greater than \$1,200.00, at which time a manual jackpot payment shall be made pursuant to Rule 61D-14.075, F.A.C.;

- (b) The integrity of the machine is compromised; or
- (c) A component critical to the proper operation of the machine has failed.

(16) The lock-up condition shall require an attendant to:

- (a) Complete any required manual jackpot payment consistent with Chapter 61D-14, F.A.C.; or
- (b) Clear the error on the slot machine before play may resume on the slot machine.

(17) A slot machine shall recognize an electronic identification card which card shall:

- (a) Only be issued to specifically designated licensed employees;
- (b) Be inserted into the slot machine prior to the opening of a slot machine door; and
- (c) Only be inserted after surveillance has been notified of and approves the opening.

(18) Any adjustments made to a slot machine's gaming options, slot machine components, or a progressive system during a RAM clear must be witnessed and approved by the division or a licensed independent laboratory.

(19) Software, software components, and hardware shall:

(a) Not be introduced into a facility before division approval;

(b) Not be duplicated by the facility; and

(c) Be stored and destroyed beyond recognition in accordance with a division approved method in the facility's internal controls.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (1)(d), (1)(h), (1)(i) FS. History--New 7-30-06, Amended _____.

(Substantial rewording of Rule 61D-14.024 follows. See Florida Administrative Code for present text.)

61D-14.024 Logic Compartment.

(1) The logic compartment is a locked compartment contained within each slot machine cabinet which shall:

- (a) Have its own locked door;
- (b) Be separate from any external door lock; and
- (c) Contain, at a minimum, the central processing unit or units that control the slot machine.

(2) A slot machine or slot machine game may not be offered for play at a slot machine licensed facility until:

(a) A licensed independent testing laboratory has certified that it meets all requirements of Chapter 551, F.S., and Chapter 61D-14, F.A.C.;

(b) The division has verified the identity of the slot machine software program and confirmed that it has been certified by an independent testing laboratory; and

(c) The division has sealed the slot machine with evidence tape as prescribed by this rule.

(3) In accordance with the licensed slot machine facility's internal controls, the division shall apply evidence tape to any slot machine components that could affect the outcome of the game, including progressive systems where applicable.

(4) Any occupational licensee who observes that a piece of evidence tape has been tampered with in any way shall disable the slot machine from play and immediately notify facility security and surveillance, which shall:

- (a) Notify the division; and
- (b) Ensure the slot machine is not offered for play until the completion of any investigation and its evidence tape has been replaced.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (i) FS. History--New 7-30-06, Amended _____.

61D-14.032 Progressive System Requirements.

(1) With the prior approval of the division, one or more slot machine licensees may operate any wide area progressive (WAP) system or local area progressive (LAP) devices certified by a licensed independent testing laboratory in compliance with Chapter 551, F.S., and Chapter 61D-14, F.A.C.

(2) To obtain the approval to participate in WAP gaming, a slot machine licensee shall provide the division with a copy of the WAP agreement, which must specifically describe and identify the role, authority, and responsibilities of each casino licensee and each WAP provider participating in the conduct of the wide area progressive system, and the WAP provider must:

(a) Utilize multiple demark stations;

(b) Be licensed in at least two other jurisdictions where slot machine gaming is authorized; and

(c) Not connect to any system outside of the United States.

(3) A WAP or LAP slot machine utilizing multiple level jackpots shall:

(a) Clearly display the amount of wager necessary to attain each level of the jackpot award;

(b) Clearly indicate which level(s) the player is playing for; and

(c) Not be used as a tournament slot machine or in any tournament style gaming.

(4) The progressive jackpot amount displayed on any WAP or LAP slot machine jackpot meter shall not be altered, unless:

(a) The jackpot amount is awarded;

(b) The meter requires an adjustment because of a functional error and the division approves the adjustment; or

(c) The amount of the progressive jackpot, minus the reset amount, is distributed to another WAP or LAP slot machine, in which case:

1. The licensee must document the redistribution and report it to the division;

2. The redistribution must be dispersed to another WAP or LAP slot machine that does not require a higher wager amount for its progressive win; and

3. The redistribution must be dispersed to another WAP slot machine of the same host or a LAP within the same licensed facility.

(5) Upon validation of a jackpot award, the total prize shall be awarded to the patron in accordance with applicable law and the slot machine licensee's internal controls.

(6) A LAP slot machine may not be offered for play as a WAP slot machine except a LAP machine may offer a WAP amount as a top award if the LAP/WAP combination is certified by an independent testing laboratory as meeting all the requirements of Chapter 551, F.S., and Chapter 61D-14, F.A.C.

(7) Documentation accompanying the progressive system will include:

(a) The type of progressive system the controller utilizes;

(b) The configuration of each type including:

1. Stand alone;

2. Linked; and

3. Multi-site.

(c) A listing of error conditions;

(d) The number of displays the progressive controller can support; and

(e) A description of the events that take place when a progressive jackpot is won.

(8) Only one game on any linked progressive system can function as the master progressive controller when the progressive system utilizes a master controller configuration, and if:

(a) The master controller becomes inoperative, all linked games must disable; or

(b) Any game within the linked games loses communication with the master controller, that game must be disabled.

(9) The progressive controller must be able to display all setup parameters.

(10) The approval of a multi-site WAP system shall be certified in two phases.

(a) First by an independent testing laboratory for the integrity of the gaming device in conjunction with the progressive system; and

(b) Second by onsite certification by the independent testing laboratory where the progressive communications and setup are tested prior to implementation.

(11) All slot machine licensees operating a progressive system shall, with respect to each system they operate, prepare a daily progressive report that includes date, time, progressive (name/number), progressive type, banks(s)/machine(s), and progressive amounts.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History—New _____.

61D-14.033 Progressive Displays and Controllers.

(1) All progressive jackpot displays shall:

(a) Be visible to all players playing the machine;

(b) Show all values as dollars and cents; and

(c) Show the progressive jackpot amount close to near real.

(2) If any progressive system interfaces with the player tracking systems display, it must conform to the requirements of Rule 61D-14.076, F.A.C.

(3) Any modification of a progressive systems contribution amount or base value shall require:

(a) Prior written approval from the division; and

(b) The presence of a division representative.

(4) When a progressive controller error occurs:

(a) An alert must be recorded by the progressive system; and

(b) The error condition must be visibly displayed to expedite repairs as soon as possible.

(5) In the event a progressive controller needs to be replaced outside normal DBPR working hours, a licensed representative from the manufacturer may replace the

progressive controller with another progressive controller having the exact same configuration, provided a full report is generated and submitted to the division by 12:00 noon on the first business day following the completion of the replacement.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History–New _____.

61D-14.034 Progressive Jackpots.

(1) All progressive systems or controllers shall have the ability to record the following information for each progressive amount:

(a) The current prize amount;

(b) The number of progressive wins;

(c) The history of at least the last five progressive awards;

(d) The starting award value;

(e) The jackpot award value limit, if applicable;

(f) The initial incremental percentage rate at which an award is increased;

(g) The secondary incremental percentage rate at which an award is increased after the jackpot limit is reached;

(h) The overflow incremental percentage increment rate for the reserve pool;

(i) The amount the progressive will be reset to its base reset amount after the progressive jackpot is awarded; and

(j) The slot machines participating in the progressive jackpot.

(2) Any modification of a progressive system or reset of a progressive jackpot amount shall require:

(a) Prior written notification to the division; and

(b) The presence of a division representative.

(3) All progressive jackpot amounts shall be equal to or greater than the reset amount of each progressive machine.

(4) In the event of a simultaneous multiple jackpot occurrence where there is no definitive method of readily determining which jackpot occurred first, the award shall be evenly divided among all patrons who contributed to the simultaneous jackpot win.

(5) In the event of a communication failure of any WAP during a simultaneous jackpot win, the patron contributing to the jackpot at the non-updated site will be eligible to divide the jackpot win equally with the other contributing patron.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History–New _____.

61D-14.037 Games with Bonus Features, Multiple Win Lines, Prizes.

(1) If the slot machine game or progressive slot machine contains a bonus feature including a “game within a game,” the following requirements shall be met:

(a)(4) The game shall display to the player which game rules apply to the current game state;

(b)(2) The number of plays remaining for the free game event shall be displayed as each free game is played;

(c)(3) If a bonus or feature game requires extra credits to be wagered the game shall provide the player an opportunity to not participate;

(d)(4) The probability of obtaining winning events or symbols on the base game shall not decrease as the game progresses; and

(e)(5) The game shall display to the player that the game is in a bonus feature mode.

(2) Any “game within a game” or bonus feature of a progressive slot machine shall:

(a) Be a function of the base game;

(b) Not add bonus feature amounts to the progressive total; and

(c) Not increase or decrease a patron’s probability of winning the progressive jackpot other than to add additional credits for future play or cash out when the cash out button is engaged.

(3) If a mystery progressive jackpot is offered, all machines linked to the mystery progressive must have the same probability of winning the mystery jackpot and shall notify the patron of the award.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History–New 6-25-06, Amended _____.

61D-14.038 Percentage Payout and Odds.

(1) through (4)(c) No change.

(5) The slot machine licensee shall create a semi-annual quarterly report using the facility based monitoring system (FBMS), demonstrating an overall floor average of 85 percent or higher and providing the following information for each slot machine in play for each slot machine game offered for play during the quarter or any part of a quarter, that includes:

(a) The lifetime actual payout to the end of the reporting period respective quarter;

(b) through (d) No change.

(6) The semi-annual quarterly report required by subsection (5) of this rule shall be filed with the division at the address in paragraph (1)(c) of this rule, electronically or in writing, for each of the following periods:

(a) January 1 through June 30; and March 31;

(b) July 1 through December 31, April 1 through June 30;

(c) July 1 through September 30; and

(d) October 1 through December 31.

(7) If the report required by subsection (5) of this rule shows that a slot machine facilities gaming floor game’s actual payout is less than 85 percent and the game has surpassed the minimum number of handle pulls required to reach the minimum payout percentage as indicated on the PAR sheet for the slot machine, the slot machine licensee shall notify:

~~(a) Notify~~ the division in writing of the identity of the slot machine game;

~~(b) Recompute the slot machine game payout percentage using the FBMS; and~~

~~(c) Determine whether the recomputation of the payout percentage reveals that the slot machine game falls within or outside of the volatility range.~~

(8) If, in two consecutive semi-annual ~~quarterly~~ reports, any a slot machine game fails to remain at 85 percent or higher within its volatility range, the division will verify the operating software ~~that meets the requirements of the testing in subsection (1) of this rule.~~

(9) Each slot machine licensee shall maintain records demonstrating:

(a) The semi-annual ~~quarterly~~ report results required in subsection (5) of this rule for each slot machine game that has been placed on the gaming floor;

(b) The actual payout percentage for each slot machine game at the time of each semi-annual ~~quarterly~~ report required in subsection (5) of this rule;

(c) through (10) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (h), 551.104(4)(j) FS. History–New 6-25-06, Amended 6-21-10, _____.

61D-14.047 Facility Based Monitoring System and Computer Diagnostics.

(1) through (3) No change.

(a) Be installed in a locked compartment in the machine or system;

(b) through (11)(f) No change.

(12) A slot machine or progressive slot machine shall not be enabled to play following the receipt of any error listed in subsection 61D-14.044(14), F.A.C., until the control program is authenticated.

(13) through (l) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1), (e), (g), (i), 551.104(4)(f) FS. History–New 8-13-06, Amended 6-21-10, _____.

61D-14.048 Facility Based Monitoring System Required Reports.

(1) through (4)(c) No change.

(5) Nothing in this section shall be interpreted to limit the ability of the division ~~or FDLE~~ to request reports from the facility based monitoring system as authorized by Chapter 551, F.S., and Chapter 61D-14, F.A.C.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (i), 551.104(4)(f), 551.121(5) FS. History–New 6-25-06, Amended _____.

61D-14.073 Meter Readings.

~~(1) Accounting department employees shall, at least once a month manually read and record all meters referenced in subsections 61D-14.042(2), F.A.C., and reconcile those readings with the information on the facility based monitoring system.~~

(a) Manually read and record at least 25 percent of all facility slot machine electronic meters each quarter until all facility slot machine meters are read as required in subsection 61D-14.042(2), F.A.C., by the end of each calendar year; and

(b) Reconcile the readings obtained pursuant to paragraph (1)(a) above with the meter information for each of the corresponding slot machine meter records on the facility based monitoring system.

~~(2) Each~~ After preparation of the slot meter sheet ~~each~~ employee involved in the ~~with its preparation of the slot meter sheet~~ shall sign the slot meter sheet attesting to the accuracy of the information. The slot meter sheet shall be delivered ~~forwarded~~ directly to the accounting department for comparison to the slot win sheet and calculation of slot machine statistics.

(3) Whenever there is a variance of more than two percent or more than \$100 between the slot machine’s internal electronic meters and the meters of the facility based monitoring system, the slot machine licensee shall investigate the cause of the variance and prepare and file an incident report documenting the variance with the controller, the director of surveillance, and the division. The incident report shall include:

(a) through (g) No change.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (i) FS. History–New 7-30-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 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 Medicine**

RULE NO.:

64B8-51.006

RULE TITLE:

Rule Governing Licensure and

Inspection of Electrology Facilities

PURPOSE AND EFFECT: To bring the rule into compliance with current standards for Electrology facilities and to clarify existing language for a clear understanding of facility requirements.

SUMMARY: This proposed rule change incorporates recommendations made by the Florida Department of Health, Division of Environmental Health, which previously performed inspections of electrolysis facilities. Inspections are now conducted by the Division of Medical Quality Assurance Investigative Services Unit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimate Regulatory Costs was prepared. The Electrolysis Council determined:

- In the proposed changes to subparagraph (3)(a)2. of the rule, it is specified that the amendments will only impact those electrology facilities licensed after the revised rule becomes effective. Currently licensed facilities will not be impacted. For the fiscal year 2008-2009, the Division of Medical Quality Assurance's Annual Report indicates that forty-one (41) applications for electrology facility licensure were received. For the previous fiscal year, 2007-2008, approximately 36 applications were received. Based on these figures, one might estimate that a little over 190 applications will be received over the next five years, subjecting that number of facility applicants to the proposed amendments.
- The Department of Health would only experience the cost of rule making.
- There may be applicants for electrology facility licensure that will incur the cost of sink installation, if the only other sink available is one that is located in a restroom open to the general public. There may also be minimal costs associated with purchasing the specific types of containers required, respectively, for sharps and used cloth towels, as well as purchasing the appropriate tests for monitoring autoclaves or dry heat sterilizers.
- The proposed amendment to the rule will have a financial impact only on those small businesses which are required to install an additional sink in order to be in compliance with the rule.

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: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 478.49, 478.51 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(1) through (2) No change.

(3) Electrology Facility Safety and Sanitary Requirements.

(a) through (b) No change.

(c) Electrology facilities shall comply with Section 381.0098, F.S. and Chapter 64E-16, F.A.C.

(d)(e) Restroom Toilet and Lavatory Requirements. Each electrology facility shall provide, on the premises or in the same building, a separate room containing toilet and lavatory facilities which shall have at least one toilet and one sink with running water, and shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning material, disposable towels or wall-mounted electric blow dryer and a waste receptacle. The toilet and lavatory facilities and all fixtures and components shall be clean, in good repair, and well-lighted and free from adequately ventilated to remove objectionable odors.

(e)(d) No animals shall be allowed to enter or be in the room wherein electrolysis is performed except those trained to assist the hearing impaired, visually impaired, or the physically impaired as provided by Section 413.08, F.S.

(f)(e) The electrology facility shall have the following equipment:

1. An FDA registered needle-type epilation device in working order;
2. Clean and sterile needles/probes and forceps/tweezers;
3. Needle holder tips;
4. A treatment table or treatment chair with a non-porous surface capable of being disinfected;
5. Disposable paper drapes or sanitary cloth drapes stored in a closed container or compartment;
6. Sanitary waste receptacles for the disposal of used gloves, paper supplies, cotton balls, and other noninfectious items;
7. Single use, disposable towels;
8. A sharps container, as defined in Chapter 64E-16, F.A.C., for disposal of used needles/probes,;
9. A treatment lamp or magnifier lamp capable of being cleaned with disinfectant;
10. A magnifying device which shall be a magnifier lamp, optical loupe or microscope capable of being cleaned and disinfected;

11. Tuberculocidal hospital grade disinfectant registered by the Environmental Protection Agency, household bleach or wiping cloths pre-saturated with disinfectant for wiping non-porous surfaces;

12. If eye shields are used, eye shields capable of being cleaned with disinfectant;

13. Covered containers for sterile needles/probes and forceps/tweezers, ~~which containers are capable of being cleaned and sterilized;~~

14. Betadine, 3% U.S. Pharmaceutical grade hydrogen peroxide, or 70% isopropyl alcohol, or wrapped single use wipes saturated with 70% isopropyl alcohol.;

15. ~~Clean, non-sterile materials such as~~ Ceotton balls, cotton strips, cotton swabs, gauze pads, ~~or and~~ gauze strips.;

16. ~~If~~ Celoth towels ~~which have been are used, they shall be laundered, and sanitized, and which are stored in a closed container or compartment, and there shall be a covered sanitary container for holding used cloth towels;~~

17. A clean covered container for holding used cloth towels.

~~18.17. A sterilizer which shall be either An autoclave or a dry heat sterilizer, and color change indicators for use with either sterilizer. The endodontic dry heat "glass bead sterilizer" shall not be used for instrument sterilization.;~~

~~19.18. Monthly records of spore destruction test, sterilizer biological test monitoring which shall be made available to the Agency or Department upon request;~~

~~20.19. A holding container for soaking and cleaning contaminated instruments.;~~ and

~~21.20. Non-sterile disposable examination gloves.~~

~~(g)(f) An appointment record, which lists the name of each person who has received electrolysis treatment, book shall be maintained and kept on the electrology facility premises which lists the name of each person who has received electrolysis treatment.~~

~~(h)(g) In electrology facilities wherein laser equipment is used for hair removal, the following shall be provided:~~

~~1. All requirements stated in Rule 64B8-51.006, F.A.C.~~

~~2.1. Proof of certification for of 30 hours of continuing education in laser hair removal for all electrologists using laser equipment in the facility.~~

~~3.2. Proof of certification as Certified Medical Electrologist for all electrologists using laser equipment in the facility.~~

~~4.3. Proof of registration for each of laser device located within the electrology facility as required by Section 501.122, F.S.~~

~~5.4. Written designation of laser safety officer.~~

~~6.5. Appropriate sign on door of laser room.~~

~~7.6. Lock on door of laser room.~~

~~8.7. Protective eyewear for all persons in laser room during operation of laser.~~

~~9.8. Fire extinguisher in vicinity of laser room.~~

~~10.9. Cold water and ice.~~

10. At least one piece of properly registered laser equipment located within the electrology facility.

(4) Inspections. The Department shall inspect all electrology facilities in the following manner:

(a) All licensed facilities shall be inspected once every two years per biennium.

(b) All facilities applying for initial licensure shall be inspected prior to licensure.

(5) Transfer of Ownership or Location of the Electrology Facility.

(a) No license for an electrology facility may be transferred from the name of the original licensee to another.

(b) The department may approve the transfer of a license from one facility to another ~~An electrology facility license may be transferred from one location to another only upon approval by the Department which approval shall be granted upon compliance with all requirements set out below in subparagraphs 1. through 3. Only the licenses for electrology facilities which have passed the most recent inspection at the original location are eligible for transfer to another location. In order to begin practice at the new location, the electrology facility license holder must first perform all of the following procedures:~~

1. File a completed application for transfer prior to the date of the transfer on forms prescribed by the Department, as referenced in paragraph (2)(b) of this rule, ~~which application must be processed by the Council office;~~

2. Surrender the current license with the application; and \$100 inspection fee.

3. Obtain ~~Pay \$100 to have the~~ new location inspected to determine compliance with Rule 64B8-51.006, F.A.C. The electrology facility may ~~license holder transferring the license shall be permitted to~~ perform electrolysis in the new facility; ~~only after the application has been processed by the Council office and notification provided to the licensee, prior to inspection for a period of 60 days commencing with the first day electrolysis is performed in the new facility, providing the applicant has received notification from the Electrolysis Council that the application has been processed.~~ The required inspection must be performed within the 60 day period or electrolysis services must cease until the inspection is performed.

(6) Renewal of Facility Licensure. Facility licensure shall be renewed every two years at the end of each biennium prescribed by the Department. The licensee shall receive ninety (90) days notice of the need to renew the facility license. The notice shall be sent to the licensee at the last known address of the facility. Failure to receive the notice will not excuse the licensee from the requirement to renew the facility license, and failure to renew shall result in the license becoming delinquent. If the delinquent licensee does not apply for renewal of the

license within six months of the license becoming delinquent, the license shall become null and any subsequent licensure shall be as a result of applying and meeting all requirements for new licensure. A facility may not operate without a license. To timely renew the facility license, including the six month "grace period" provided for, the licensee must pay the renewal fee of \$100 and the inspection fee of \$100.

(7) No change.

Rulemaking Specific Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-54.002
RULE TITLE: Request for Inactive or Retired Status License

PURPOSE AND EFFECT: To add language defining how applications will demonstrate competency to reactivate.

SUMMARY: This proposed rule change clarifies the means by which an active status licensee may request inactive or retired status.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: An Estimate Regulatory Costs Statement was prepared. The Board determined that the rule amendment is not expected to have an impact on Small Businesses.

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: 456.036(15), 478.43(1), (4), 478.50 FS.

LAW IMPLEMENTED: 456.036(2), (4)(b), (12), 478.50 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: Allen Hall, Executive, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-54.002 Request for Inactive or Retired Status License, Inactive and Retired Licensure Status; Reactivating of Licensure, Delinquent Renewal.

~~(1) Ninety (90) days prior to the end of the biennium, the Department shall mail a notice of renewal to the last known address of the inactive or delinquent license holder contained in the official records of the Department.~~

(2) Any person holding an inactive license eligible for reactivation may return his license to active status upon submission of a complete application as set out below, to the Department, payment of the fees indicated in Section 456.036, F.S., in the amounts indicated in Rule 64B8-54.004, F.A.C., and compliance with paragraphs (a) and (b), below:

~~(a) If the license has been inactive for less than one year after the expiration date of the last active license, the licensee shall submit proof of completion of 30 hours of the continuing education requirements pursuant to Section 478.50(4)(a), (b), F.S., and Rule Chapter 64B8-52, F.A.C.; or~~

~~(b) If the license has been inactive for more than one year after the expiration date of the last active license, the licensee shall submit proof of completion of 10 hours of continuing education for each year the license has been inactive and the 20 hours of continuing education for the last active biennium. All continuing education must comply with the requirements of Section 478.50(4)(a), (b), F.S., and Rule Chapter 64B8-52, F.A.C.~~

~~(3) If the person holds a Florida retired license eligible for reactivation, he or she may return that license to active status upon submission of a complete application to the Department, payment of the appropriate fees and compliance with the provisions of subsection 456.036(12), F.S.~~

~~(1)(4) Any person holding an active license may change the license to inactive status upon submission of a letter to the Electrolysis Council, stating the licensee's intention to change the license to inactive status. If the change is made at the time of license renewal, the licensee must pay the inactive status renewal fee, the delinquency fee if applicable, and the fee to change licensure status, in the amounts indicated in Rule 64B8-54.004, F.A.C. Active status licensees choosing inactive status at any other time than at the time of license renewal must pay the fee to change licensure status.~~

~~(2)(5) A licensee with an active or inactive license wishing to change to retired licensure status during the renewal period must pay the retired license fee. If changing to retired licensure status outside the renewal period, the change of status fee shall also be paid.~~

~~(6) Failure to renew a delinquent license to either active, inactive or retired status by the expiration date of the current renewal period shall render the license null and void without further action of the Council or Department.~~

Rulemaking Specific Authority 456.036(15), 478.43(1), (4), 478.50 FS. Law Implemented 456.036(2), (4)(b), (12), 478.50 FS. History—New 9-29-93, Formerly 61F6-79.002, 59R-54.002, Amended 4-2-98, 9-26-01, 4-25-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-55.002
RULE TITLE: Citations

PURPOSE AND EFFECT: To streamline the time for payment of fines and completion of education for improved tracking of compliance and to reconcile citation grounds with language of rules pertaining to practice standards.

SUMMARY: This proposed rule change streamlines the time for payment of fines and completion of education for improved tracking of compliance and reconciles citation grounds with language of rules pertaining to practice standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimate Regulatory Costs was prepared. The Electrolysis Council determined:

- For the fiscal year 2008-2009, the Division of Medical Quality Assurance’s Annual Report indicates that forty-one (41) applications for electrology facility licensure were received. For the previous fiscal year, 2007-2008, approximately 36 applications were received. Based on these figures, one might estimate that a little over 190 applications will be received over the next five years, subjecting that number of facility applicants to the proposed amendments.
- The Department of Health would only experience the cost of rule making.
- Newly licensed electrology facilities would only be subject to costs associated with the revised citation violations if found to be out of compliance with the rule. The broad range of penalties for these revisions range from a \$50.00 fine, for a first-time violation, up to a \$1000 fine for subsequent violations.
- The proposed amendments to the rule are not anticipated to have a significant impact on small businesses.

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: 456.077(1), (2) FS.

LAW IMPLEMENTED: 456.072(3)(b), 456.077(1), (2), 478.51, 478.52 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-55.002 Citations.

(1) through (2) No change.

(3) All citations include a requirement that the subject correct the violation, if remediable, within a specified period of time not to exceed 60 days, unless otherwise specified in this rule and impose whatever obligations necessary to remedy the offense.

(4) The Board designates the following as citation violations:

(a) through (g) No change.	
(h) <u>The presence of animals in the room wherein electrolysis is performed except those trained to assist the hearing impaired, visually impaired or physically impaired, as provided by Section 413.08, F.S.</u>	(h) First time violation – a \$150.00 fine, second time violation – a \$300.00 fine.
(64B8-51.006(3)(e)(4), F.A.C.)	
(i) Failure to have any one of the following items/equipment in the facility (the failure to have any one of the items/equipment shall constitute a separate citation):	(i) First time violation – a \$150.00 fine, second time violation – a \$300.00 fine.
1. An FDA registered needle type epilation device in working order.	
(64B8-51.006(3)(f)(e)1., F.A.C.)	
2. Clean and sterile needles (e.g. probes) and forceps (e.g. tweezers).	
(64B8-51.006(3)(f)(e)2., F.A.C.)	
3. Sanitary waste receptacles for the disposal of used gloves, paper supplies, cotton balls, and other non infectious items.	
(64B8-51.006(3)(f)(e)6., F.A.C.)	
4. A sharps container as defined in Rule 64E-16, F.A.C. for disposal of used needles.	
(64B8-51.006(3)(f)(e)8., F.A.C.)	
5. A sterilizer which shall be either an autoclave or a dry heat sterilizer and color change indicators for use with either sterilizer.	
(64B8-51.006(3)(f)18.(e)17., F.A.C.)	
6. Monthly records of <u>spore destruction tests sterilizer biological test monitoring which shall be made available to the Department upon request.</u>	
(64B8-51.006(3)(f)19.(e)18., F.A.C.)	
7. A <u>holding</u> container for soaking and cleaning contaminated instruments.	
(64B8-51.006(3)(f)20.(e)19., F.A.C.)	

(j) Failure to maintain an appointment record Which lists the name of each person who has received electrolysis treatment book. (64B8-51.006(3)(g)(f), F.A.C.)	(j) First time violation – a \$150.00 fine, second time violation – a \$300.00 fine.
(k) No change.	
(l) Failure to have any one of the following items/equipment (the failure to have any one of the items/equipment shall constitute a separate violation):	(l) First time violation – a \$50.00 fine, second time violation – a \$100.00 fine, third time violation – \$200.00 fine
1. Needle holder tips. (64B8-51.006(3)(f)(e)3., F.A.C.)	
2. A treatment table or chair with a nonporous surface capable of being disinfected. (64B8-51.006(3)(f)(e)4., F.A.C.)	
3. Disposable paper drapes or sanitary cloth drapes stored in a closed container or compartment. (64B8-51.006(3)(f)(e)5., F.A.C.)	
4. Single use disposable towels. (64B8-51.006(3)(f)(e)7., F.A.C.)	
5. A treatment lamp or magnifier lamp capable of being cleaned with disinfectant. (64B8-51.006(3)(f)(e)9., F.A.C.)	
6. A magnifying device which shall be a magnifier lamp, optical loupe or microscope capable of being cleaned and disinfected. (64B8-51.006(3)(f)(e)10., F.A.C.)	
7. Tuberculocidal hospital grade disinfectant detergent registered by the Environmental Protection Agency, household bleach or wiping cloths presaturated with disinfectant for wiping nonporous surfaces. (64B8-51.006(3)(f)(e)11., F.A.C.)	
of being cleaned with disinfectant. (64B8-51.006(3)(f)(e)12., F.A.C.)	
9. Covered containers for sterile needles and forceps which containers are capable of being cleaned and sterilized. (64B8-51.006(3)(f)(e)13., F.A.C.)	
10. Betadine, 3% U.S. pharmaceutical grade hydrogen peroxide or 70% isopropyl alcohol or mapped single use wipes saturated with 70% isopropyl alcohol. (64B8-51.006(3)(f)(e)14., F.A.C.)	
11. Clean, non-sterile materials such as Ceotton balls, cotton strips, cotton swabs, gauze pads, or and gauze strips. (64B8-51.006(3)(f)(e)15., F.A.C.)	
12. If cloth towels are used, laundered and sanitized cloth towels stored in a closed, sanitized container or (64B8-51.006(3)(f)(e)16., F.A.C.)	

13. If cloth towels are used, a covered sanitary container for holding used cloth towels. (64B8-51.006(3)(f)17.(e)16., F.A.C.)	
14. Non-sterile disposable examination gloves. (64B8-51.006(3)(f)21.(e)20., F.A.C.)	
15. An FDA registered needle-type epilation devise in working order. (64B8-51.006(3)(f)1., F.A.C.)	(m) First time violation – \$500 fine; and completion of all incomplete continuing education credits, all to be submitted within six (6) months of the citation.
(m) Failure to comply with continuing education requirements. (64B8-52.002, F.A.C.)	
(n) through (s) No change.	
(t) Failure to comply with Section 381.0098, F.S. and Chapter 64E-16, F.A.C., pertaining to biomedical waste.	(t) For first time violation, a \$250 fine

(5) The Board designates the following as electrology citations violations in laser or light based hair removal. Failure to have:

(a) Written designation of laser safety officer. (64B8-51.006(3)(h)5.(e)4., F.A.C.)	First time violation \$150, Subsequent violations \$300
(b) Appropriate sign on door of laser room as required by ANSI Standard Z136.1-2000, in effect on June 1, 2006, available from American National Standards Institute, 25 West 43rd Street, 4th Floor, New York, N.Y. 10036. (64B8-51.006(3)(h)6.(e)5., F.A.C.)	First time violation \$150, Subsequent violations \$300.
(c) No change.	
(d) Lock on door of laser room. (64B8-51.006(3)(h)7.(e)6., F.A.C.)	First time violation \$150, Subsequent violation \$300.
(e) Fire extinguisher in vicinity of laser room. (64B8-51.006(3)(h)9.(e)8., F.A.C.)	First time violation \$150, Subsequent violation \$300.
(f) through (h) No change.	
(i) Proof of registration for each At least one piece of properly registered laser devise equipment located within the electrology facility, as required by Section 501.122, F.S. (64B8-51.006(3)(h)4.(e)3., F.A.C.)	First time violation \$300, Subsequent violation \$600.
(j) Protective eyewear for all persons in laser room during operation of laser. (64B8-51.006(3)(h)8.(e)7., F.A.C.)	First time violation \$300, Subsequent violation \$600.

(k) Proof of completion of 30 hours of post-licensure education in laser hair removal for all electrologists using laser equipment in the facility. (64B8-52.004 and 64B8-51.006(3)(h)2., F.A.C.)	First time violation \$500, Subsequent violation \$1,000.
(l) Proof of certification as Certified Medical Electrologist for all persons who use laser equipment in the facility, who are not exempt and are licensed electrologists. (64B8-56.002(2)(b) and 64B8-51.006(3)(h)3., F.A.C.)	First time violation \$500, Subsequent violation \$1,000.

(6) through (7) No change.

Rulemaking Specific Authority 456.077(1), (2) FS. Law Implemented 456.072(3)(b), 456.077(1), (2), 478.51, 478.52 FS. History—New 11-16-93, Formerly 61F6-80.002, Amended 1-2-95, Formerly 59R-55.002, Amended 11-13-97, 10-12-98, 2-11-01, 2-20-02, 11-12-02, 7-16-03, 2-12-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.002
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to update its disciplinary guidelines to incorporate the new offenses set forth in Section 456.072(1), F.S., that were added by the Legislature (Ch. Law 2009-223).

SUMMARY: The rule amendment will update its disciplinary guidelines to incorporate the new offenses set forth in Section 456.072(1), F.S., that were added by the Legislature (Ch. Law 2009-223).

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: 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS.
 LAW IMPLEMENTED: 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-14.002 Disciplinary Guidelines.

(1) No change.

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

(vv) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, to any of the acts set forth in Section 456.072(1)(ii), F.S., relating to the Medicaid program, the Board shall impose a penalty ranging from suspension to revocation and a fine of \$1,000 to \$10,000.

(ww) Failing to remit the sum owed to the state for an overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement, the Board shall impose a penalty ranging from a reprimand to suspension and a fine from \$5,000 to \$10,000.

(xx) Being terminated from the state Medicaid program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored, the Board shall impose a penalty ranging from a reprimand to revocation and a fine of \$250 to \$10,000 according to the nature of the offense and the substantiating evidence.

(yy) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud, the Board shall impose a penalty ranging from suspension to revocation and a fine of \$1,000 to \$10,000.

Rulemaking Specific Authority 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS. Law Implemented 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 FS. History—New 11-21-79, Amended 8-31-81, Formerly 21T-14.02, Amended 10-14-86, 12-8-88, 1-19-92, 4-26-93, Formerly 21T-14.002, 61F12-14.002, Amended 2-25-96, 5-29-97, Formerly 59Z-14.002, Amended 11-17-97, 8-24-00, 8-13-02, 4-26-04, 6-14-06, 10-10-06, 11-25-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 6, 2009

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-16.006
 RULE TITLE: Registration Requirements of Podiatric Residents

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the form referenced.

SUMMARY: The rule amendment will update the revision date of 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: 461.005, 461.014(3) FS.

LAW IMPLEMENTED: 461.014(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-16.006 Registration Requirements of Podiatric Residents.

(1) Every podiatric resident participating in a residency program in a hospital in this state shall register with the Board within sixty (60) days of the date of commencement of residency using the Podiatric Resident Registration Form DH-MQA 1139 (revised 8/2010 ~~04/09~~), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine’s website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

(2) The Board will deny the application for examination and licensure of any resident who is obliged to register with the Board pursuant to Section 461.014(1)(c), F.S., but who fails to do so.

Rulemaking Specific Authority 461.014(3) FS. Law Implemented 461.014(3) FS. History—New 11-24-80, Formerly 21T-16.06, 21T-16.006, 61F12-16.006, Amended 1-4-96, Formerly 59Z-16.006, Amended 6-17-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 2010

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001
 RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the form referenced.

SUMMARY: The rule amendment will update the revision date of 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: 461.005, 461.0135 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 461.003(2), 461.0135 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: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-24.001 Initial Certification for Podiatric X-Ray Assistants.

(1) Each applicant for initial certification as a podiatric x-ray assistant shall submit an application, on form DH-MQA 1026, entitled, “Application for Certified Podiatric X-ray Assistant,” which is hereby incorporated by reference, effective 8/2010 ~~6/2008~~, copies of which may be obtained from the Board of Podiatric Medicine’s website http://www.doh.state.fl.us/mqa/podiatry/po_applications.html and shall include:

- (a) A certification fee of \$75.00; and
- (b) The name(s) of the applicant’s supervising Florida licensed podiatric physician(s).

(2) Any change of supervisor must be reported by the applicant/certified podiatric x-ray assistant to the Board within 30 days of the change on form DH-MQA 1118, entitled, “Update Supervisor for Certified Podiatric x-ray Assistant,” which is hereby incorporated by reference effective 2/2008, and can be obtained from the Board of Podiatric Medicine’s website http://www.doh.state.fl.us/mqa/podiatry/po_applications.html.

(3) The Board shall verify successful passage of the course and examination required by Section 461.0135, F.S., prior to issuance of the podiatric x-ray assistant certification.

Rulemaking Specific Authority 461.005, 461.0135 FS. Law Implemented 456.013(2), 456.025(1), 461.003(2), 461.0135 FS. History--New 2-16-00, Amended 8-31-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 2010

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-16.018
RULE TITLE: Adoption Benefits for Qualifying Employees of State Agencies

PURPOSE AND EFFECT: To align the rule with statutory changes made during the 2010 legislative session. Chapter 2010-158, Laws of Florida, repealed Section 409.1663, F.S. The Department no longer has the statutory authority to implement this provision of law.

SUMMARY: This proposed rule repeals Rule 65C-16.018, F.A.C., relating to the adoption benefits for qualifying adoptive employees of state agencies.

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: 409.1663 FS.

LAW IMPLEMENTED: 409.1663 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: Jane McElroy, 1317 Winewood Boulevard, Building 1, Tallahassee, Florida 32399, phone: (850)921-2917, Email: jane_mcelroy@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-16.018 Adoption Benefits for Qualifying Employees of State Agencies.

Rulemaking Specific Authority 409.1663(6) FS. Law Implemented 409.1663 FS. History--New 11-30-08, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alan Abramowitz

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George Sheldon

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2010

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-28.016
RULE TITLE: Psychotropic Medications

PURPOSE AND EFFECT: The Department promulgated Chapter 65C-35, F.A.C., in early 2010 regarding psychotropic medications. The repeal of Rule 65C-28.016, F.A.C., is necessary to remove duplicative program requirements regarding psychotropic medications.

SUMMARY: This proposed rule repeals Rule 65C-28.016, F.A.C., relating to psychotropic medications of children in out-of-home care.

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: 39.407(3)(g) FS.

LAW IMPLEMENTED: 39.407(3)(g) 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: Jane McElroy, 1317 Winewood Boulevard, Building 1, Tallahassee, Florida 32399, phone: (850)921-2917, Email: jane_mcelroy@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-28.016 Psychotropic Medications.

Rulemaking Specific Authority 39.407(3)(g) FS. Law Implemented 39.407(3) FS. History--New 5-4-06, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alan Abramowitz

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George Sheldon

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2010

FINANCIAL SERVICES COMMISSION**Office of Financial Regulation**

RULE NO.: 69V-85.006
RULE TITLE: Electronic Filing of Forms and Fees
PURPOSE AND EFFECT: Section 520.994, F.S., authorizes the Commission to require the electronic submission of any form, document, or fee, if such rules reasonably accommodate technological or financial hardships. Rule 69V-85.006, F.A.C., currently requires electronic filing of documents and fees through the Office's Regulatory Enforcement and Licensing System, and sets forth procedures for obtaining a hardship exemption from these requirements. The proposed rule amendments simplify the process of requesting a hardship exemption. In addition, the rule amendments set forth the types of technological or financial hardships that will enable a person to qualify for an exemption.

SUMMARY: The proposed rule amendments simplify the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. The amendments also set forth the types of technological or financial hardships that will enable a person to qualify for an exemption. This rule pertains to persons and businesses required to be licensed under Chapter 520, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. There are no transactional costs associated with the implementation of the proposed rule amendments. There will be no impact to small counties, cities or other state agencies. The rule currently requires applicants and licensees to file required forms and fees through the Office's Regulatory Enforcement and Licensing (REAL) system. The current rule also provides that an applicant or licensee may apply for an exemption from electronic filing requirements. The proposed rule amendments simplify the process of requesting an exemption by allowing a person seeking an exemption to submit a form to the Office's regulatory staff. The form sets forth the types of financial and technological hardships that will enable a person to qualify for an exemption.

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: 520.994(5) FS.

LAW IMPLEMENTED: 520.03, 520.32, 520.63, 520.999 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: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-85.006 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under Rules 69V-85.002 and 69V-85.003, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rule 69V-85.003, F.A.C., must be filed through the REAL System.

(4) Any person may request an exemption from the electronic filing requirements of this rule by submitting Form OFR-520-04, Request for Exemption from Electronic Filing Requirements, a ~~written request~~ to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. ~~The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number.~~ The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format. Form OFR-520-04 is hereby incorporated by reference and available on the Office's website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.03, 520.32, 520.52, 520.63, 520.999 FS. History—New 9-20-09, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 20, 2010

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.: 69V-160.036 RULE TITLE: Electronic Filing of Forms and Fees
PURPOSE AND EFFECT: Section 516.03, F.S., authorizes the Commission to require the electronic submission of any form, document, or fee, if such rules reasonably accommodate technological or financial hardships. Rule 69V-160.036, F.A.C., currently requires electronic filing of documents and fees through the Office's Regulatory Enforcement and Licensing System, and sets forth procedures for obtaining a hardship exemption from these requirements. The proposed rule amendments simplify the process of requesting a hardship exemption. In addition, the rule amendments set forth the types of technological or financial hardships that will enable a person to qualify for an exemption.

SUMMARY: The proposed rule amendments simplify the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. The amendments also set forth the types of technological or financial hardships that will enable a person to qualify for an exemption. This rule pertains to persons and businesses required to be licensed under Chapter 516, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. There are no transactional costs associated with the implementation of the proposed rule amendments. There will be no impact to small counties, cities or other state agencies. The rule currently requires applicants and licensees to file required forms and fees through the Office's Regulatory Enforcement and Licensing (REAL) system. The current rule also provides that an applicant or licensee may apply for an exemption from electronic filing requirements. The proposed rule amendments simplify the process of requesting an exemption by allowing a person seeking an exemption to submit a form to the Office's regulatory staff. The form sets forth the types of financial and technological hardships that will enable a person to qualify for an exemption.

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: 516.03 FS.

LAW IMPLEMENTED: 516.03 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: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-160.036 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under Rule 69V-160.030, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rules 69V-160.030 and 69V-160.031, F.A.C., must be filed through the REAL System.

(4) Any person may request an exemption from the electronic filing requirements of this rule by submitting Form OFR-516-02, Request for Exemption from Electronic Filing Requirements, ~~a written request~~ to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. ~~The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number.~~ The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format. Form OFR-516-02 is hereby incorporated by reference and available on the Office's website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 516.03 FS. Law Implemented 516.03 FS. History—New 9-20-09, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010

FINANCIAL SERVICES COMMISSION**Office of Financial Regulation**

RULE NOS.: RULE TITLES:
69V-560.1012 Adoption of Forms
69V-560.1013 Electronic Filing of Forms and Fees

PURPOSE AND EFFECT: Section 560.105, F.S., authorizes the Commission to require the electronic submission of any form, document, or fee, if such rules reasonably accommodate technological or financial hardships. Rule 69V-560.1013, F.A.C., currently requires electronic filing of documents and fees through the Office's Regulatory Enforcement and Licensing System, and sets forth procedures for obtaining a hardship exemption from these requirements. The proposed rule amendments simplify the process of requesting a hardship exemption. In addition, the rule amendments set forth the types of technological or financial hardships that will enable a person to qualify for an exemption.

SUMMARY: The proposed rule amendments simplify the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. The amendments also set forth the types of technological or financial hardships that will enable a person to qualify for an exemption. This rule pertains to persons and businesses required to be licensed under Chapter 560, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. There are no transactional costs associated with the implementation of the proposed rule amendments. There will be no impact to small counties, cities or other state agencies. Rule 69V-560.1013, F.A.C., currently requires applicants and licensees to file required forms and fees through the Office's Regulatory Enforcement and Licensing (REAL) system. The current rule also provides that an applicant or licensee may apply for an exemption from electronic filing requirements. The proposed rule amendments simplify the process of requesting an exemption by allowing a person seeking an exemption to submit a form to the Office's regulatory staff. The form sets forth the types of financial and technological hardships that will enable a person to qualify for an exemption.

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: 560.105 FS.

LAW IMPLEMENTED: 560.105 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: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.1012 Adoption of Forms.

(1) The following forms are incorporated by reference and readopted by this rule for the purposes of Rules 69V-560.102-.913, F.A.C.:

(a) Application for Licensure as a Money Services Business, Form OFR-560-01, effective 10-18-09.

(b) Location Notification Form, Form OFR-560-02, effective 1-13-09.

(c) Declaration of Intent to Engage in Deferred Presentment Transactions, Form OFR-560-03, effective 1-13-09.

(d) Money Services Business Quarterly Report Form, Form OFR-560-04, effective 1-13-09.

(e) Pledge Agreement, Form OFR-560-05, effective 1-13-09.

(f) Money Services Business Surety Bond Form, Form OFR-560-06, effective 1-13-09.

(g) Security Device Calculation Form, Form OFR-560-07, effective 10-18-09.

(h) Request for Exemption from Electronic Filing Requirements, Form OFR-560-08, effective _____.

~~(i)~~ Florida Fingerprint Card (FL922720Z), effective 1-13-09.

~~(j)~~ Currency Transaction Report, FinCEN Form 104, effective 1-13-09.

~~(k)~~ Suspicious Activity Report by Money Services Business, FinCEN Form 109, effective 1-13-09.

~~(l)~~ Report of International Transportation of Currency or Monetary Instruments, FinCEN Form 105, effective 1-13-09.

(2) All forms adopted by this rule are available on the Office's website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS. Law Implemented 560.118, 560.140, 560.141, 560.205, 560.2085, 560.209, 560.403, 943.053 FS. History—New 1-13-09, Amended 10-18-09, _____.

69V-560.1013 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office's website at www.flofr.com.

(2) All forms adopted under paragraphs 69V-560.1012(1)(a) through (1)(g), F.A.C., must be filed electronically with the Office through the REAL system.

(3) All fees required to be filed with the Office under Chapter 69V-560, F.A.C., must be paid electronically through the REAL System.

(4) Any person may request an exemption from the petition for a waiver of the requirement of electronic filing requirements of this rule by submitting Form OFR-560-08, Request for Exemption from Electronic Filing Requirements, to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format. Form OFR-560-08 is incorporated by reference in Rule 69V-560.1012, F.A.C. of any form or fee under Chapter 69V-560, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.

Rulemaking Specific Authority 560.105 FS. Law Implemented 560.105 FS. History--New 1-13-09, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.: 9J-5.006
RULE TITLE: Future Land Use Element

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly.

9J-5.006 Future Land Use Element.

(4)(c) through (6) No change.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 33-601.716 Visiting Record Management, 33-601.725 Permissible Items for Visitors, 33-601.731 Suspension of Visiting Privileges, 33-601.735 Non-Contact Visiting, 33-601.737 Visiting - 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. 41, October 15, 2010 issue of the Florida Administrative Weekly.

33-601.716 Visiting Record Management.

(1) through (8) No change.

(9) A visitor approved to visit as a non family inmate shall not be removed from the visiting list of the inmate for purposes of visiting another non family inmate at the same institution.

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Amended 9-29-03, _____.

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) through (h) No change.

(i) If the visitor is an authorized adult as defined in Rule 33-601.713, F.A.C. applicable, one (1) copy of a notarized authorization to supervise a minor.

(j) through (2) No change.

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 7-1-03, 12-30-03, 11-25-04, 3-29-07, 10-8-07, _____.

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of Inmate Visiting Privileges.

(a) Suspension, including indefinite suspension, of an inmate's visiting privileges shall be considered by the Institutional Classification Team (ICT) ~~ICF~~ as a management tool independent of any disciplinary action taken pursuant to Rules 33-601.301 through 33-601.314, F.A.C.

(b) through (d) No change.

(e) If an inmate is found guilty of an offense listed in paragraph (1)(c), the ICT shall suspend the inmate's visiting privileges for the length of time specified on Form NII-102, Visiting Privileges Suspension Matrix. Form NII-102 is hereby incorporated by reference. A copy of ~~any of~~ is available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____. If an inmate's visiting privileges are suspended pursuant to this Rule and the inmate receives a subsequent guilty finding for one of the offenses listed in paragraph (1)(c), the inmate is subject to an increased period of suspension as follows:

1. through (4) No change.

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, _____.

Editorial Note: Formerly 33-601.707 and 33-601.708, F.A.C.

33-601.735 Non-Contact Visiting.

(1) through (4) No change.

(5) For inmates in Administrative Confinement pursuant to Rule 33-602.220, F.A.C., Protective Management pursuant to Rule 33-602.221, F.A.C., or Disciplinary Confinement pursuant to Rule 33-602.222, F.A.C., the warden or designee shall determine whether a pre-approved visit will be contact or non-contact based on one or all of the criteria set forth in subsection (2).

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended _____.

33-601.737 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(1) through (3) No change.

(4) DC6-111B, Visitor Information Summary, effective 8-23-07.

(5) through (6) No change.

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 4-29-02, 9-29-03, 3-31-05, 7-17-05, 3-21-06, 3-29-07, 8-23-07, _____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-2.041
 RULE TITLE: Permits Required

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.002
 RULE TITLE: Policies

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.003
 RULE TITLE: Definitions

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.005
 RULE TITLE: Admission Eligibility

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.008
 RULE TITLE: Residents' Contribution to Support

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.010
 RULE TITLE: Residents' Deposits of Money

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.011
 RULE TITLE: Residents' Deposits of Personal Property

NOTICE OF WITHDRAWAL

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: 55-11.012
 RULE TITLE: Vocational Rehabilitation and Work Incentive Programs

NOTICE OF WITHDRAWAL

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: 59A-8.003, 59A-8.004, 59A-8.008, 59A-8.0095, 59A-8.0215, 59A-8.022, 59A-8.0245, 59A-8.027
 RULE TITLES: Licensure Requirements, Licensure Procedure, Scope of Services, Personnel, Plan of Care and Service Provision Plan, Clinical Records and Service Records, Advance Directives, Emergency Management Plans

NOTICE OF CORRECTION

The word "SUMMARY" was omitted from the Notice of Change to the above rules published in Vol. 36, No. 41 issue of the Florida Administrative Weekly. It should have read:

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. 28, July 16, 2010 issue of the Florida Administrative Weekly.

The changes are in response to written comments received from the staff of the Joint Administrative Procedures Committee and from testimony received in the September 9, 2010 public hearing.

SUMMARY: Rule 59A-8.0095, F.A.C., updates and adds to the requirements for various types of personnel. The administrator shall be responsible for the overall operation of the home health agency. Additional oversight by the director of nursing is added as required in Section 400.497(5), F.S., paragraph 59A-8.0095(2)(d), F.A.C., is removed because its content is now included in Section 400.476(1)(b), F.S. Rule 59A-8.0245 revises the date and web site address for the

"Health Care Advance Directives – The Patients' Right to Decide." Paragraph 59A-8.0245(3)(b) is removed because it repeats what is stated in Section 400.487(7), F.S.

The remainder of the notice reads as previously published.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.: 60BB-8.700, 60BB-8.701, 60BB-8.702, 60BB-8.703
 RULE TITLES: Low-Performing Provider; Voluntary Prekindergarten Improvement Plan and Implementation, Low-Performing Provider; Voluntary Prekindergarten Education Program First Year Probation, Low-Performing Provider; Voluntary Prekindergarten Education Program Second Year Probation, Low-Performing Provider; Removal From Voluntary Prekindergarten Education Program Eligibility

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 Rule 60BB-8.700 is revised as follows:

(1) Improvement Plans. An early learning coalition or school district, as applicable, shall require a Voluntary Prekindergarten (VPK) Education provider which fails to meet or exceed the minimum kindergarten readiness rate for a program type (school-year or summer) to submit an improvement plan designed to improve the provider's kindergarten readiness rate. An improvement plan shall include:

(a) A self assessment conducted no earlier than the previous VPK program year, which shall address, at a minimum, the manner in which the following areas of the VPK provider's program may be improved:

1. Administrative and management practices, including training, educational level, and retention of prekindergarten instructors;
2. Developmentally appropriate curricula;
3. Classroom learning environment;
4. Classroom instructional practices, which shall include an assessment of the need for instructors to attend an additional VPK Standards training and emergent literacy training course approved by the Department of Education under Section 1002.59, F.S.;
5. Child developmental screenings and assessments;
6. Social-emotional interactions among prekindergarten instructors and students;

7. Students' ability to make age appropriate progress in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities;

8. Percentage of students attending seventy (70) percent or more of the instructional hours offered by the VPK provider; and

9. Family involvement in the early childhood program.

(b) A description of strategies for improvement of the provider's VPK program which includes the following and any other additional areas at the discretion of the provider:

1. A list of target areas for the VPK provider's improvement based on the self assessment conducted under paragraph (1)(a) and any additional areas a provider deems important to its improvement;

2. A list of specific actions already taken, and/or proposed to be taken, by the VPK provider for improvement of targeted areas; and

3. An implementation schedule or timeline for the VPK provider to implement the proposed actions.

(2) Submission and Approval of Improvement Plan.

(a) A VPK provider shall submit its improvement plan electronically through the website <http://www.ImproveVPK.org> within ~~30~~ 60 days of the date of adoption of the minimum kindergarten readiness rate by the State Board of Education under Rule 6A-1.099821, F.A.C.

(b) An early learning coalition or school district, as applicable, shall approve or disapprove a VPK provider's improvement plan within 14 days of receipt of the improvement plan. The early learning coalition or school district, as applicable, shall approve the improvement plan if the plan is submitted in accordance with this rule; and addresses the criteria established in paragraph (1)(a) within this rule, and does not negatively impact the health, safety, or well being of students.

(c) If the improvement plan does not address the criteria established in paragraph (1)(a) or is not submitted in accordance with this rule ~~is not approved~~, the early learning coalition or school district, as applicable, shall disapprove the improvement plan and shall return it to the VPK provider with suggestions for revision. The VPK provider shall submit an amended improvement plan within 14 days of the receipt of notification of disapproval of its improvement plan and suggestions for revision. The early learning coalition or school district, as applicable, shall offer to work with the VPK provider to revise an insufficient improvement plan to ensure the improvement plan is sufficient.

(d) A low performing VPK provider must have an approved improvement plan in place for at least ~~30~~ 60 days prior to receiving an advance payment or offering VPK instruction for the program type for which the provider must submit an improvement plan.

(3) An early learning coalition or school district, as applicable, shall offer to give technical assistance, in a manner and schedule prescribed by the coalition or school district, in developing and implementing an improvement plan to each provider which fails to meet or exceed the minimum kindergarten readiness rate. A provider may elect to receive technical assistance by contacting the coalition or school district, as applicable, in writing. Whether or not a provider elects to receive technical assistance, improvement of the provider's kindergarten readiness rate is the sole responsibility of the provider. Compliance with technical assistance does not guarantee that the provider will improve its kindergarten readiness rate.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(3)(c)1., 1002.75(3)(a) FS. History--New_____.

Proposed Rule 60BB-8.701 is revised as follows:

(1) Probation. An early learning coalition or school district, as applicable, shall place on first year probation any Voluntary Prekindergarten Education (VPK) provider which receives kindergarten readiness rates for the same program type (school year or summer) which fail to meet or exceed the minimum rates adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S., for two consecutive years. For the purpose of this rule, consecutive years means years in which a VPK provider receives kindergarten readiness rates for the same program type (school year or summer) receives two consecutive kindergarten readiness rates for the same program type (school year or summer) which fail to meet or exceed the minimum kindergarten readiness rate. Kindergarten readiness rates which fall below the minimum readiness rate are consecutive if the provider does not receive an intervening kindergarten readiness rate which meets or exceeds the minimum readiness rate.

(2) Use of Approved Curriculum. An early learning coalition or school district, as applicable, shall require a VPK provider who has been placed on probation to use a curriculum approved in accordance with Section 1002.67(2)(c), F.S. A VPK provider shall demonstrate that it is using a curriculum approved in accordance with Section 1002.67(2)(c), F.S., including all program materials and professional development activities associated with the approved curriculum, by submitting the following to the early learning coalition or school district, as applicable:

(a) A receipt or invoice demonstrating that the VPK provider has purchased an approved curriculum and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum; or

(b) ~~An A-notarized~~ attestation that the VPK provider has received the complete approved curriculum through a donation and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum.

(3) First Year Probation Corrective Action. If a VPK provider is placed on probation under this rule, it shall submit a first year probation progress report electronically through the website <http://www.ImproveVPK.org> within ~~30~~ ~~60~~ days of the date of adoption of the minimum kindergarten readiness rate by the State Board of Education under Rule 6A-1.099821, F.A.C. The first year probation progress report shall provide information regarding the provider’s progress in implementing its improvement plan approved under Rule 60BB-8.700, F.A.C.

(a) The first year probation progress report shall contain the following information:

1. Identification of and description of the provider’s proposed use of a curriculum approved in accordance with Section 1002.67(2)(c), F.S., the VPK provider shall use in the forthcoming program type, including all associated program materials and professional development activities; and

2. A description of strategies for improvement of the VPK program that includes the following:

a. A list of target areas for the VPK provider’s improvement based on the self assessment as defined by Rule 60BB-8.700, F.A.C., and any additional areas a provider deems important to its improvement;

b. A list of those specific actions already taken, and/or proposed to be taken, by the VPK provider for improvement of the targeted areas; and

c. An implementation schedule or timeline for the VPK provider to implement the proposed actions.

(b) A provider must submit a first year probation progress report in accordance with this rule at least ~~30~~ ~~60~~ days prior to receiving an advance payment or offering VPK instruction for the same VPK program type (school-year or summer) for which the provider is required to submit an improvement plan.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(3)(c)2., 1002.75(3)(b) FS. History–New _____.

Proposed Rule 60BB-8.702 is revised as follows:

(1) Probation. An early learning coalition or school district, as applicable, shall place on second year probation any Voluntary Prekindergarten Education (VPK) provider which receives kindergarten readiness rates for the same program type (school year or summer) which fail to meet or exceed the minimum rates adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S., for three consecutive years. For the purpose of this rule, consecutive years means years in which a VPK provider receives kindergarten readiness rates for the same a program type (school year or summer) which fails to meet or exceed the minimum kindergarten readiness rate. ~~Kindergarten readiness~~

~~rates which fall below the minimum readiness rate are consecutive if the provider does not receive an intervening kindergarten readiness rate which meets or exceeds the minimum readiness rate.~~

(2) Second Year Probation Corrective Action. If a VPK provider is placed on second year probation, it shall submit a second year probation progress report electronically through the website <http://www.ImproveVPK.org> within ~~30~~ ~~60~~ days of the date of adoption of the minimum kindergarten readiness rate by the State Board of Education under Rule 6A-1.099821, F.A.C. The second year probation progress report shall provide information regarding the provider’s progress in implementing its improvement plan approved under Rule 60BB-8.700, F.A.C.

(a) The second year probation progress report shall contain the following:

1. A description of the provider’s use of a curriculum approved in accordance with Section 1002.67(2)(c), F.S., including all associated program materials and professional development activities; and

2. A description of strategies for improvement of the VPK program that includes the following:

a. A list of target areas for the VPK provider’s improvement based on the self assessment as defined by Rule 60BB-8.700, F.A.C., and any additional areas a provider deems important to its improvement;

b. A list of those specific actions already taken, or proposed to be taken, by the VPK provider for improvement of the targeted areas; and

c. An implementation schedule or timeline for the VPK provider to implement the proposed actions.

(b) A provider must submit a second year probation progress report in accordance with this rule at least ~~30~~ ~~60~~ days prior to receiving an advance payment or offering VPK instruction for the same VPK program type (school-year or summer) for which the provider is required to submit an improvement plan.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(3)(c)2., 1002.75(3)(b) FS. History–New _____.

Proposed Rule 60BB-8.703 is revised as follows:

(1) Except where a provider receives an exemption under Section 1002.69(7), F.S., an early learning coalition or school district, as applicable, shall remove a Voluntary Prekindergarten Education (VPK) Program provider from future eligibility to offer new VPK classes of the program type (school-year or summer) for which the provider receives kindergarten readiness rates for the same program type (school year or summer) four consecutive kindergarten readiness rates which fail to meet or exceed the minimum kindergarten readiness rates adopted by the State Board of Education as satisfactory under Section 1002.69(6), F.S., for four consecutive years. For the purpose of this rule, consecutive

~~years means years in which a VPK provider receives kindergarten readiness rates for the same program type (school year or summer). Kindergarten readiness rates which fall below the minimum readiness rate adopted by the State Board of Education under Rule 6A 1.099821, F.A.C., are consecutive if the provider does not receive an intervening kindergarten readiness rate which meets or exceeds the minimum readiness rate.~~

(2) ~~The Agency for Workforce Innovation shall notify the early learning coalition, in writing, to or school district, as applicable, shall~~ remove a private prekindergarten VPK provider from future eligibility to offer new VPK classes of the program type by issuing a Letter of Removal to the provider. The Letter of Removal shall be provided in writing, which may include electronic mail, within 30 days of the adoption of the minimum kindergarten readiness rate by the State Board of Education, with a copy to the Office of Early Learning of the Agency for Workforce Innovation at the following address: Caldwell Building, Suite 100, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399-4128. A Letter of Removal shall contain the following provisions:

- (a) Notice of the program type (school-year or summer) for which the provider is ineligible;
- (b) The date upon which the provider was deemed ineligible to offer the program type in the future; and
- (c) Notice of termination of provider agreements, if applicable, under which the provider would begin a new VPK class for the VPK program type for which the provider has been deemed ineligible.

(3) The Department of Education shall notify the school district, in writing, to remove a public school VPK provider from future eligibility to offer new VPK classes of the program type and shall provide a copy of such notification to the early learning coalition.

Rulemaking Authority 1002.79(2) FS. Law Implemented 1002.67(3)(c)4., 1002.75(3)(c) FS. History--New_____.

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 Dentistry

RULE NO.: 64B5-4.002 RULE TITLE: Advertising and Soliciting by Dentists

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 52, December 31, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency

RULE NO.: 65A-1.205 RULE TITLE: Eligibility Determination Process

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 37, September 17, 2010 issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT: The proposed rule amendment amends the ACCESS Florida Web Application, CF-ES 2353, and incorporates it by reference. The amended web application allows an individual to file a web application by providing only their name, address and electronic signature and contains enhanced encouraging language to complete the web application the same day it is started and to the consequences of an unfinished and un-submitted web application.

Notice of Change/Withdrawal

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-137.001 RULE TITLE: Annual and Quarterly Reporting Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 26, July 2, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-138.001 RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 26, July 2, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-54
 RULE TITLE: LUCKY LINES™

SUMMARY: This emergency rule sets forth the provisions for the conduct of LUCKY LINES™.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-54 LUCKY LINES™.

(1) How to Play LUCKY LINES™.

(a) LUCKY LINES is an instant-win, on-line lottery game in which players select seven (7) numbers from a field of one (1) to forty-nine (49).

(b) Players may make their LUCKY LINES ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip. Players can choose to play LUCKY LINES for \$1, \$2, \$3 or \$5 per panel. Players may mark their desired numbers on the play slip by selecting seven (7) numbers on each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select the seven (7) numbers in each panel played. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error has been made in his or her selections in a panel. Players must use only blue or black ink or pencil for making selections. If play slips are used, they must be processed by a retailer in order to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player. LUCKY LINES tickets cannot be cancelled.

(c) The player will receive a ticket printed with the player's number selections in the YOUR NUMBERS section and a GAME BOARD of forty-nine (49) numbers for each panel played. If the player selects his or her own numbers, the YOUR NUMBERS will be displayed in ascending numerical order and the game board will display the forty-nine (49) numbers in random numerical order. If the player uses quick pick to select his or her numbers, the YOUR NUMBERS will be displayed in random numerical order and the game board will display the forty-nine (49) numbers in ascending numerical order.

(d) In the GAME BOARD section of the ticket, in order to determine whether he or she has won a prize, a player marks the seven (7) numbers that match the seven numbers in the YOUR NUMBERS section.

(2) How to Win.

(a) A ticket is a winning ticket if the player's seven (7) numbers marked on the GAME BOARD form one of the following patterns:

1. Three (3) to seven (7) numbers together in a horizontal, vertical or diagonal line;
2. Three (3) numbers together and three (3) or four (4) different numbers together in a horizontal, vertical or diagonal line; or
3. None of the numbers touching.

(b) A number may be used only one time in a winning line per ticket. If a number is part of two winning lines, the pattern that offers the higher prize will be the winning pattern.

(c) A player may win only one (1) prize per ticket, e.g., if a player has five (5) numbers together, the player will not also win the four (4) and three (3) numbers together prizes.

(d) Prizes vary depending on the amount played. The prizes and estimated odds of winning are as follows:

<u>Numbers Together horizontal, vertical or diagonal line</u>	<u>Ticket Cost</u>				
	<u>\$1</u>	<u>\$2</u>	<u>\$3</u>	<u>\$5</u>	<u>Odds</u>
<u>7</u>	<u>\$400,000</u>	<u>\$1,000,000</u>	<u>\$1,600,000</u>	<u>\$3,000,000</u>	<u>1:5,368,787</u>
<u>6</u>	<u>\$1,000</u>	<u>\$2,500</u>	<u>\$4,000</u>	<u>\$7,500</u>	<u>1:56,663</u>
<u>4 & 3</u>	<u>\$200</u>	<u>\$500</u>	<u>\$800</u>	<u>\$1,500</u>	<u>1:11,098</u>
<u>5</u>	<u>\$40</u>	<u>\$100</u>	<u>\$160</u>	<u>\$300</u>	<u>1:1,618</u>
<u>3 & 3</u>	<u>\$8</u>	<u>\$20</u>	<u>\$32</u>	<u>\$60</u>	<u>1:366</u>
<u>4</u>	<u>\$4</u>	<u>\$10</u>	<u>\$16</u>	<u>\$30</u>	<u>1:78.89</u>
<u>3</u>	<u>\$1</u>	<u>\$3</u>	<u>\$5</u>	<u>\$9</u>	<u>1:5,438</u>
<u>None</u>	<u>\$2</u>	<u>\$4</u>	<u>\$6</u>	<u>\$10</u>	<u>1:34.58</u>
<u>Overall</u>					<u>1:4.37</u>

(3) LUCKY LINES Rules and Prohibitions.

(a) By purchasing a LUCKY LINES ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) All LUCKY LINES prizes must be claimed within 180 days from the date the ticket is sold.

(c) All prizes shall be paid in a single, lump-sum payment, less applicable withholding taxes. LUCKY LINES prize payments 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.

(d) Tickets shall not be purchased by or sold to persons under the age of eighteen (18).

Proposed Effective Date is October 11, 2010.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105 (9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.116(1), 24.124(1) FS. History—New 10-11-10.

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: October 11, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-55
 RULE TITLE: LUCKY LINES™ Retailer Bonus Sales Commission

SUMMARY: The Florida Lottery will pay double the sales commissions to retailers that sell LUCKY LINES™ tickets.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-55 LUCKY LINES™ Retailer Bonus Sales Commission.

(1) Beginning October 11, 2010 through October 31, 2010, the Florida Lottery will conduct, as a retailer sales incentive, a LUCKY LINES™ Retailer Bonus Sales Commission program in which the Florida Lottery will double the sales commissions to retailers.

(2) The Florida Lottery will pay retailers a 5% bonus sales commission on each LUCKY LINES sale in addition to the regular commission set forth in Rule 53ER05-14, F.A.C., for a total of \$.10 for each \$1.00 LUCKY LINES sale, \$.20 for each \$2.00 LUCKY LINES sale, \$.30 for each \$3.00 LUCKY LINES sale, and \$.50 for each \$5.00 LUCKY LINES sale.

(3) The bonus commission will be reflected on the retailer's weekly Settlement Report.

(4) Retailers whose Florida Lottery contracts are terminated or inactivated prior to payment of the bonus commissions shall be paid the commissions earned provided said termination or inactivation was not due to noncompliance with Chapter 24, F.S., Chapter 53, F.A.C., or contract terms.

(5) Bonus commissions will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the commission(s), if any.

Proposed Effective Date is October 11, 2010.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 10-11-10.

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: October 11, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-56
 RULE TITLE: LUCKY LINES™ Retailer Top Prize Bonus Commission Program

SUMMARY: The Florida Lottery will award bonus commissions to retailers that sell winning top prize LUCKY LINES tickets.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-56 LUCKY LINES™ Retailer Top Prize Bonus Commission Program.

(1) The Florida Lottery will conduct, as a retailer sales incentive, a LUCKY LINES™ Retailer Top Prize Bonus Commission Program in which the Florida Lottery will award bonus commissions to retailers that sell winning top prize LUCKY LINES tickets.

(2) The bonus commission amounts are as follows:

(a) For selling a \$1.00 winning ticket of a \$400,000 top prize, a bonus commission of \$1,000;

(b) For selling a \$2.00 winning ticket of a \$1,000,000 top prize, a bonus commission of \$3,000;

(c) For selling a \$3.00 winning ticket of a \$1,600,000 top prize, a bonus commission of \$6,000; and

(d) For selling a \$5.00 winning ticket of a \$3,000,000 top prize, a bonus commission of \$10,000.

(3) Award of a top prize LUCKY LINES bonus commission is not dependent upon the winning top prize ticket being claimed by the winner.

(4) Retailers whose Florida Lottery contracts are terminated or inactivated prior to payment of the bonus commissions shall be paid the commissions earned provided said termination or inactivation was not due to noncompliance with Chapter 24, F.S., Chapter 53, F.A.C., or contract terms.

(5) Bonus commissions will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the commission(s), if any.

(6) LUCKY LINES bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Proposed Effective Date is October 11, 2010.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 10-11-10.

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: October 11, 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 CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65CER10-5
 RULE TITLE: General Sanitation and Safety

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2010-161, Laws of Florida, signed into law by the Governor on June 1 and effective July 1, 2010, eliminated the Department of Health's regulatory authority over food hygiene and sanitation in licensed child caring agencies otherwise regulated by the Department of Children and Families under Section 409.175, Florida Statutes, and Chapter 65C-14, Florida Administrative Code. The effect of Chapter 2010-161, Laws of Florida, is that there are currently no administrative rules providing minimum standards for certain food storage, preparation, and service and other sanitation activities in licensed child caring agencies. This has created an immediate serious threat to the health and safety of children served in these facilities. This situation makes it necessary for the Department of Children and Families (DCF) to add language to Chapter 65C-14, Florida Administrative Code, to provide standards to be used by the Department of Health (DOH) when inspecting child-caring agencies on behalf of the Department pursuant to Section 409.175(6)(e), Florida Statutes. This emergency rule will provide the regulatory basis for continued inspections of food hygiene and sanitation to ensure client safety in licensed child caring agencies pending the Department's adoption of permanent rules.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Florida Administrative Code 65C-14 is the most efficient means of

providing guidance to protect the health, safety, and welfare of children found to be dependent as defined by Chapter 39, F.S., and who have been placed in licensed out-of-home care.

SUMMARY: The new rule provides standards for the measurement of safety and sanitation issues in child-caring agencies.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Stacey Cleveland, Statewide Licensing Specialist, 1317 Winewood Boulevard, Tallahassee, Florida 32399, Phone: (850)921-8833, Email: Stacey_Cleveland@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER10-5 (65C-14.010) General Sanitation and Safety.

(1) Prior to the issuance of a license or to relicensing, the facility shall be inspected by a representative of the department, the county health unit, and the local fire department, or persons trained by the office of the State Fire Marshall in fire prevention and safety in accordance with state or local ordinances and codes. Written approval of health and sanitary conditions and fire prevention and protection measures must be on file. The following measures shall be used to inspect the health and sanitation standards in residential child caring agencies with a capacity of up to 12 clients:

(a) Food shall be clean, wholesome, and free from spoilage and safe for human consumption.

(b) Home canned food shall not be used.

(c) Food shall be protected from dust, flies, rodents, and other vermin, unclean equipment and utensils, unnecessary handling, cough/sneezes, flooding by sewage, overhead leakage and all other sources of contamination at all times during storage, food preparation, transportation both on and off premises, and service. The kitchen shall be kept clean and in good repair, this includes the equipment and utensils.

(d) Potentially hazardous foods must be kept at safe temperatures, 41 degrees Fahrenheit or below or 140 degrees Fahrenheit or above, except during necessary period of preparation and service. Potentially hazardous food shall not have been out of temperature for more than 4 cumulative hours during the course of thawing, preparation, service and cooling.

(e) At least one sink with hot and cold potable water under pressure shall be provided in the food preparation area.

(f) Refrigeration units and hot food storage units shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(g) Food containers shall be labeled with their contents and dated. The contents shall be indentified.

(h) Water temperature shall not exceed 120 degrees Fahrenheit to avoid scalding. Adequate hot water shall be provided at a minimum of 100 degrees Fahrenheit.

(i) Agencies not served by a municipal water supply shall test the water before licensure and then annually. The test results must be submitted to the local county health department in writing by the testing laboratory. Testing can be obtained through the local county health department or a certified independent laboratory. Test results must be negative for bacteriological contamination as determined by the local county health department. Positive test results require the facility to use potable water from a source approved by law for the purpose of drinking, cooking, and oral contact, until test results are negative.

(j) A facility not on a municipal sewage system and having an on site treatment and disposal system or septic tank, shall meet standards in Chapter 64E-6, F.A.C., and Section 381.0065, F.S.

(k) Effective measures shall be utilized to minimize the presence of rodents, flies, cockroaches and other vectors and vermin on the premises. The primary means of pest control shall be the use of pest control agents in compliance with Section 482.132, F.S.

(l) There shall be at least one functioning toilet, washbasin, and tub or shower for every six children.

(m)(2) Laundry facilities shall be located in an area separate from areas occupied by children. If children are allowed to participate in the laundering of their personal items, space for sorting, drying, and ironing shall be made available. If children are using the laundry facilities they shall be supervised by a staff member.

(3) Swimming pools shall meet the requirements of Chapter 514, F.S.

(n)(4) The facility shall have telephones, centrally located and readily available for staff use in each living unit of the facility. Emergency numbers such as the fire department, police, hospital, physician, poison control center, and ambulance shall be posted by each telephone. In lieu of this requirement wilderness camps and short-term wilderness programs shall have a system in place that provides for an immediate response in case of an emergency. The system must include the ability to immediately notify appropriate agency staff, police, fire department, physician, poison control center, ambulance or other emergency services that may be needed.

(o)(5) If firearms are present in the facility, the program director shall be required to sign the Acknowledgement of Firearms Safety Requirements form, CF-FSP 5343, March 2010, which is hereby incorporated by reference and available online at www.dcf.state.fl.us/publications/. A copy of the form is also available upon request by contacting the Office of Family Safety at 1317 Winewood Boulevard, Tallahassee, Florida 32399.

(p)(6) Poisons and toxic substances shall be prominently and distinctly marked, labeled as to contents, kept stored under lock and key, and used in a manner as not to contaminate food or constitute a hazard to children.

(2) Pursuant to Section 409.175 F.S., the following measures shall be used to inspect the health and sanitation standards in a residential child caring agency with a capacity more than 12 clients:

(a) Kitchen.

1. The floor surfaces in kitchens, all the rooms and areas in which food is stored or prepared and in which utensils are washed or stored, shall be of smooth, nonabsorbent material and constructed so they can be easily cleaned and shall be kept clean and in good repair.

2. The walls and shelving of all food preparation areas, food storage areas and utensil washing areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.

3. Hot and cold running water under pressure shall be easily accessible where food is prepared and where utensils are washed.

4. A residential use dishwasher shall be provided for ware washing.

(b) Food Supplies. Food received or used in a residential child caring agency shall be from sources approved or considered satisfactory in accordance with Rule 64E-11.003, F.A.C. It shall be prepared, processed, handled, packaged, transported and stored in a sanitary manner so as to be protected from contamination and spoilage.

(c) Food Protection.

1. Food, while being transported, stored or prepared at a residential child caring agency, shall be protected from dust, flies, rodents or other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination.

2. Different types of raw animal products such as beef, fish, lamb, pork or poultry shall be separated during storage and processing by use of different containers, partitions, shelves, or by cleaning and sanitizing the equipment between product use.

3. Raw food products shall be physically separated from ready-to-eat food products during display or storage by storing the raw products below ready-to-eat food products or using other approved methods.

4. Perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be kept at safe temperatures, 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, except during necessary periods of preparation and service.

5. Potentially hazardous foods which are to be served without further cooking, such as ham salad, chicken salad, egg salad, shrimp salad, lobster salad, tuna salad, potato salad and

other mixed foods containing potentially hazardous ingredients or dressings shall be prepared from chilled products with a minimum of manual contact. The surfaces of containers and the utensils used for preparation and subsequent storage shall have been effectively cleaned and sanitized immediately prior to use. Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of 41 degrees Fahrenheit or below. The cooling period shall not exceed four hours. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled, utilizing one or more of the following methods based on the type of food being cooled:

- a. Placing the food in shallow pans;
- b. Separating the food into smaller or thinner portions;
- c. Using rapid cooling equipment;
- d. Stirring the food in a container placed in an ice water

bath;

- e. Using containers that facilitate heat transfer;
 - f. Adding ice as an ingredient; or
 - g. Other effective methods approved by the department.
6. Frozen potentially hazardous food shall be thawed:

- a. In refrigerated units at a temperature not to exceed 41 degrees Fahrenheit; or
- b. Under cold potable running water with sufficient water velocity to agitate and float off loosened food particles into the overflow and:

(I) For a period of time that does not allow thawed portions of ready-to-eat food to rise above 41°F; or

(II) For a period of time that does not allow thawed portions of a raw animal food requiring cooking to be above 41°F for more than 4 hours including the time the food is exposed to the running water and the time needed for preparation for cooking; or

- c. In a microwave oven; or
- d. As part of the conventional cooking process.

7. Raw, unprocessed fruits and vegetables shall be thoroughly washed in potable water to remove any existing contaminants before being cut, combined with other ingredients, cooked, or served.

8. Comminuted meat (such as hamburger) products shall be thoroughly cooked to heat all parts of the meat to a minimum temperature of 155 degrees Fahrenheit for at least 15 seconds.

9. Stuffings, poultry, stuffed meats and stuffed poultry shall be heated throughout to a minimum temperature of 165 degrees Fahrenheit for at least 15 seconds.

10. Raw animal products such as eggs, fish, lamb, pork or beef, except roast beef, and foods containing these raw ingredients, shall be cooked to an internal temperature of 145 degrees Fahrenheit or above for at least 15 seconds. Fresh,

frozen, or canned fruits and vegetables that are cooked for hot holding shall be cooked to a minimum temperature of 140 degrees Fahrenheit.

11. Microwave Cooking. Raw animal food cooked in a microwave oven shall be:

- a. Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;
- b. Covered to retain surface moisture;
- c. Heated to a temperature of at least 165°F throughout all parts of the food; and
- d. Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

12. Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross contamination. Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to a minimum of 165 degrees Fahrenheit for 15 seconds throughout all parts of the food before being served or before being placed in a hot food storage equipment. Remaining un-sliced portions of roast beef and corned beef that are cooked as specified in subparagraph 8. shall be reheated for hot holding using the requirements of subparagraph 8. Ready-to-eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant, shall be heated to a temperature of a least 140 degrees Fahrenheit. Precooked, pre-packaged food from approved sources shall be exempt from this rapid reheating requirement when the food is initially removed from the original package, prepared for service, and not cooked for hot holding. Steam tables, bainmaries, warmers and similar hot food holding equipment are prohibited for the rapid reheating of potentially hazardous foods.

13. Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent, except that linens or napkins may be used for lining or covering bread or roll serving containers. Solid cuts of meat shall be protected by being covered in storage. Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by fire safety rules. The storage of food in toilet rooms, locker rooms, dressing rooms, garbage rooms, or vestibules is prohibited. Unless its identity is unmistakable, bulk food such as cooking oil, syrup, salt, sugar or flour not stored in the product container or package in which it was obtained, shall be stored in a container identifying the food by common name. Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross contamination from food requiring washing or cooking. Packaged food shall not be stored in contact with water or undrained ice. Food shall

be stored a minimum of 6 inches above the floor, on clean shelves, racks, dollies or other clean surfaces in such a manner as to be protected from splash and other contamination provided that:

a. Metal pressurized beverage containers and cased food packaged in cans, glass or other waterproof containers need not be elevated when the food container is not exposed to floor moisture; or

b. Racks and dollies used for food storage are easily movable.

14. Potentially hazardous food, date marking requirements.

a. Refrigerated, ready-to-eat, potentially hazardous food prepared and held for more than 24 hours in a facility shall be clearly marked with the date of preparation.

b. When ready to eat, potentially hazardous food is to be subsequently frozen, in addition to the date of preparation, the food shall comply with the following:

(I) Prior to the food being placed into the freezer, the container must be clearly marked to indicate the date of freezing; and

(II) The container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing.

(III) When the food is removed from the freezer, the container must be clearly marked to indicate the date of thawing.

15. Ready-to-eat, potentially hazardous food, disposition. Refrigerated, ready-to-eat, potentially hazardous food, shall be discarded if not served within 7 calendar days from the date of preparation, excluding the time that the product is frozen.

16. All food shall be served in such a manner as to minimize contamination as follows:

a. To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by staff or provided to residents who serve themselves.

b. Food within containers such as bins of sugar or flour, with the dispensing utensil handle extended out of the food; must be clean and dry.

17. Ice obtained from outside the residential child caring agency shall be from an approved source and shall be handled, transported and stored in a sanitary manner.

18. Food while being transported between residential child caring agencies or while being transported from a residential child caring agency to another location shall be in covered containers or otherwise wrapped or packaged to ensure protection from contamination. Potentially hazardous foods shall be kept at safe temperatures during all periods of transportation and delivery. Food utensils shall be completely wrapped or packaged to protect them from contamination.

19. No poisonous or toxic materials shall be present in residential child caring agencies except those used for maintaining the establishment, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.

a. Containers of poisonous or toxic materials shall be prominently and distinctly labeled for easy identification of contents.

b. Poisonous or toxic materials shall be stored separate from food, food equipment, utensils, or single-service articles.

c. The use of sanitizers, cleaning compounds or other compounds intended for use on food-contact surfaces shall not leave a toxic residue on such surfaces or constitute a hazard to employees or consumers.

d. Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, or utensils, nor in any way that constitutes a hazard to staff or other persons, nor in a way other than in full compliance with the manufacturer's labeling.

e. First-aid supplies and personal medications shall be stored in a way which prevents their contaminating food or food-contact surfaces.

f. Sanitizers, detergents, or other cleaning compounds shall be stored separately from insecticides, rodenticides and other poisonous or toxic materials using methods such as different storage cabinets or separate areas of a room.

(3) The following measures shall be used to inspect recreational areas in all residential child caring agencies.

(a) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.

(b) Outdoor recreational areas shall be well drained and kept free of litter and trash.

(c) If swimming pools, spas, hot tubs or open water hazards are located on the property of a community based residential facility, the facility shall provide direct supervision by an adult employee when in use or when the area is occupied by minors and other residents that cannot swim. The individual responsible for supervision during water activities or near water hazards must have successfully completed the community water safety course specified in paragraph (b) below.

1. A wading or kiddie pool is not allowed.

2. All community based residential facilities with swimming pools, spas, or open water hazards must have a person on staff who has completed a community water safety course administered by the American Red Cross or the YMCA.

3. A community based residential facility with a pool or spa has a barrier on all sides at least four feet high. All access through the barrier shall have one of the following safety features: alarm, key lock, self-locking doors, bolt lock or other lock that is not accessible to children. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.

4. Water safety devices shall be provided for residential pools. A shepherd's hook shall be provided securely attached to a one piece pole not less than 16 feet in length, and at least one 18 inch diameter lifesaving ring with sufficient rope attached to reach all parts of the pool from the pool deck. Safety equipment shall be mounted in a conspicuous place and be readily available for use.

Rulemaking Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 7-1-87, Formerly 10M-9.019, Amended 10-11-10.

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: October 11, 2010

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on October 6, 2010, the South Florida Water Management District (District), received a petition for Variance (Application 101006-15) from the City of Port St. Lucie Public Works Department for irrigation of all city roadways located in St. Lucie County. The petition seeks relief from provisions in Chapter 40E-24, F.A.C., pertaining to mandatory year-round landscape irrigation conversation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911; by e-mail: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page. 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, West Palm Beach, FL 33401, Attn.: District Clerk.

For additional information, contact: Jesus Rodriguez at (561)682-6060 or email: jerodrig@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on August 11, 2010, the South Florida Water Management District (District) has issued an order.

The South Florida Water Management District (District) issued an Order Granting Temporary Variance under Section 120.542, Florida Statutes (Order No.: 2010-149-DAO WU), dated August 11, 2010, to Walt Disney Parks and Resorts U.S., Inc., located in Orange and Osceola Counties. The Petition for Variance (Application No.: 100428-8) was received by the District on April 28, 2010. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 25, June 25, 2010. This Order provides a temporary variance for Walt Disney Parks and Resorts U.S., Inc. Specifically, the Order grants a temporary variance from subsection 40E-24.201(6), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the Executive Director's decision to grant the temporary variance as follows: 1) the Petitioner has demonstrated that the use of the ET-based irrigation control system is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Florida Administrative Code; 2) the Petitioner has demonstrated that it will experience substantial economic and technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this temporary variance will be consistent with statutory requirements; and 4) the granting of this temporary variance will not prevent the Petitioner from meeting all permit conditions necessary to assure compliance with all of the District rules assuring protection of the water resources.

A copy of the Order can be obtained by contacting: The Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by email: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

NOTICE IS HEREBY GIVEN THAT on August 11, 2010, the South Florida Water Management District (District) has issued an order.

The South Florida Water Management District (District) issued an Order Granting Temporary Variance under Section 120.542, Florida Statutes (Order No.: 2010-150-DAO WU) to Reedy Creek Improvement District, located in Orange and Osceola Counties. The Petition for Variance (Application No.: 100428-9) was received by the District on April 28, 2010. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 25, on June 25, 2010. This Order provides a temporary variance for Reedy Creek Improvement District. Specifically, the Order grants a temporary variance from subsection 40E-24.201(6), Florida Administrative Code, which states that irrigation of existing

landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the Executive Director's decision to grant the temporary variance as follows: 1) the Petitioner has demonstrated that the use of the ET-based irrigation control system is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Florida Administrative Code; 2) the Petitioner has demonstrated that it will experience substantial economic and technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this temporary variance will be consistent with statutory requirements; and 4) the granting of this temporary variance will not prevent the Petitioner from meeting all permit conditions necessary to assure compliance with all of the District rules assuring protection of the water resources.

A copy of the Order can be obtained by contacting: The Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by email: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

NOTICE IS HEREBY GIVEN that on October 06, 2010, the South Florida Water Management District (District), received a petition for waiver from Mirtha Marshall, Application No.: 10-0702-4, for utilization of Works or Lands of the District known as the Hillsboro Canal, for an existing lawn light pole that is within 40 feet from top of bank within the north right of way of the Hillsboro Canal, Section 33, Township 47 South, Range 42 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the use of the District's Right of Way for placement of above ground facilities within 40 feet from top of 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 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on September 17, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from subsection 59A-1.005(35), Florida Administrative Code, from Alphatec Spine, Inc. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is

sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT on September 30, 2010, the Agency for Health Care Administration has issued an order.

A Final Order granting the Petition for Variance or Waiver from subparagraph 59A-1.005(35)(a)2., F.A.C., filed by Tissue Banks International, Inc. on June 30, 2010 and advertised in Vol. 36, No. 30, Florida Administrative Weekly on July 30, 2010 has been issued. The Petition was assigned Agency Case Number 2010007132. The following is a summary of the agency's Order granting a temporary waiver from the rule: The Agency for Health Care Administration has issued a Final Order granting a temporary waiver from subparagraph 59A-1.005(35)(a)2., F.A.C., to Tissue Banks International, Inc. for a period of 2 years upon a finding that the purpose of the underlying statute will be achieved by other means and that an application of the rule would create a substantial hardship.

A copy of the Order may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Hudson Center, filed August 16, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 until September 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-534).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Pierson Bldg., filed August 13, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 until August 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-535).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Lee Memorial Hospital, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 until July 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-544).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Lee Memorial Hospital, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 until July 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-545).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Club II Condo, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-546).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Mansions by the Sea, filed September 9, 2010, and advertised in Vol. 36, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, 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 until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-576).

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

NOTICE IS HEREBY GIVEN THAT on September 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lake Side Village Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4 and 3.10.4(t), 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 restricted door openings and platform guards 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 (VW 2010-605).

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

NOTICE IS HEREBY GIVEN THAT on October 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Town and Country Hospital. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 (VW 2010-606).

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

NOTICE IS HEREBY GIVEN THAT on October 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from UCF Physical Science Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, 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 sump pumps 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 (VW 2010-607).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Concourse Tower II. Petitioner seeks a variance of the requirements of ASME 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 (VW 2010-609).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Wachovia Financial Center. Petitioner seeks a variance of the requirements of ASME 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 (VW 2010-610).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Concourse Tower I. Petitioner seeks a variance of the requirements of ASME 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 (VW 2010-611).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lynn University. Petitioner seeks a variance of the requirements of an unspecified rules, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 (VW 2010-612).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lake Destiny. Petitioner seeks a variance of the requirements of ASME 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 (VW 2010-613).

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

NOTICE IS HEREBY GIVEN THAT on October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 341 Maitland Ave., Office Bldg. Petitioner seeks a variance of the requirements of ASME 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 (VW 2010-614).

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

NOTICE IS HEREBY GIVEN THAT on October 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received

a petition from Peninsula Inn. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.2.2, 2.7.4, 3.3.2, 3.10.4(v) and of ASME A17.1, Section 210.4, 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 elevators for a spring locked machine room door, restricted door openings, platform guards, stop switch in the pit and electrical equipment to meet the requirements of NFPA 70 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 (VW 2010-616).

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

NOTICE IS HEREBY GIVEN THAT on October 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Professional Office Complex. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.11.1(a)(2), 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, restricted door openings and two-way communication 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 (VW 2010-617).

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

NOTICE IS HEREBY GIVEN THAT on October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lakeview Center. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, 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 platform guards 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 (VW 2010-618).

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

NOTICE IS HEREBY GIVEN THAT on October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Baymont Inn. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 (VW 2010-619).

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

NOTICE IS HEREBY GIVEN THAT on October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from KIPP Impact Middle School. Petitioner seeks a variance of the requirements of unspecified rules, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, 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 (VW 2010-620).

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Bud Bar @ 319, Miami, FL. The above referenced F.A.C. addresses the requirements the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize a mopsink and dishwashing facility located within another licensed establishment.

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 October 1, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Carvery #1, #2, #3, Cavery-Terrace level, Latin Food-Concourse level, Noodle Cart-Terrace level, Nacho Cart-Concourse level, Sausage Cart-Concourse level, Soul Food Cart-Concourse level and BBQ Cart-Concourse level, Orlando, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code from East Plaza #5, Miami, FL. The above referenced F.A.C. addresses the requirements that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

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 October 7, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Evey's Mobile Soft Serve Palace, Melbourne, FL. The above referenced F.A.C. addresses the

requirements that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Hot Dog @ 313, Miami, FL. The above referenced F.A.C. addresses the requirements the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and utilize dishwashing facilities located within another licensed establishment. They are requesting to share the mop sink and tree-compartment sink located within another licensed facility at the same location and under the same ownership.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Hot Dog @ 329 & 304, Miami, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Papa John, Nacho & Mexi, Miami, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 6, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(6) and (7), Florida Administrative Code from Pizza Brew, Coral Springs, FL. The above referenced F.A.C. addresses the requirements that at least one accessible bathroom be provided for use by customers. They are requesting to share bathrooms located within another business for use by customers only.

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 October 8, 2010, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Subway, Cape Coral, FL. The above referenced F.A.C. addresses the requirements that at least one service sink is

provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize a mopsink and dishwashing facility located within another establishment.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on October 1, 2010, the Department of Environmental Protection, received a petition for variance from certain Department rules regarding a construction permit for a proposed Class I landfill in Nassau County, Florida. The petitioner, Smurfit-Stone Container Corporation, has requested a variance from subsection 62-701.320(9), Florida Administrative Code, which requires that the time period for permits be no longer than five years from the date of issuance by the Department. The petitioner is requesting the permit expiration date be extended another five years to allow time to determine if the construction of the landfill will be necessary. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

NOTICE IS HEREBY GIVEN THAT on September 27, 2010, the Department of Environmental Protection, Northwest District, received a petition for a variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-601.500(2), Florida Administrative Code (F.A.C.). The petitioner, Malcolm Thomas, Superintendent of Schools, Escambia County School Board, for the Northview High School Wastewater Treatment Plant, located at 4100 W. Highway 4, Bratt, FL 32535, seeks relief from the domestic wastewater treatment plant minimum schedule for sampling and testing of monitoring parameters required by subsection 62-601.500(2), Figure 2, F.A.C. The petitioner is requesting that the wastewater treatment plant sample and test for the parameters total suspended solids and fecal coliform one sample per month. Rule 62-601.500, Figure 2, Note 4, F.A.C., specifies the minimum sampling and testing for these parameters for reuse systems of 50,000 gallons or less,

requiring high-level disinfection, as three (3) days per week. The petition has been assigned OGC File No.: 10-2741 and PA File No.: FLA010033-007-DWF/VO. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allan Karrer, Department of Environmental Protection, Domestic Wastewater Section, Northwest District, 160 Governmental Center, Pensacola, Florida 32502, email: allan.karrer@dep.state.fl.us, (850)595-0601.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on September 17, 2010, the Board of Chiropractic Medicine has issued an order.

The Order is regarding the Petition for Waiver or Variance, which was filed on June 17, 2010, by Julia Golod. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 26, of the July 2, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of Rule 64B2-13.0045, Florida Administrative Code, entitled, "Continuing Education Course Required for Initial Licensure, Renewal, or Reactivation," which requires that each applicant for licensure shall attend and certify attending a Board-approved two hour course relating to the prevention of medical errors. The Board considered the instant Petition at a duly-noticed meeting, held August 27, 2010, in Orlando, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from Rule 64B2-13.0045, F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 3, 2010, the Board of Clinical Laboratory Personnel has issued an order. The Order is regarding the Petition for Waiver or Variance, which was filed on July 2, 2010, by Michelle H. Forman. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 28, of the July 16, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of paragraph 64B3-5.002(1)(b), Option 4, Florida Administrative Code, entitled, "Supervisor", which requires for a specialty in Cytology that the applicant have an Associate's degree. The Board considered the instant Petition at a duly-noticed meeting, held August 13, 2010, in Ft. Lauderdale, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.002(1)(b), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 3, 2010, the Board of Clinical Laboratory Personnel has issued an order. The Order is regarding the Petition for Waiver or Variance, which was filed on June 10, 2010, by Margarita Sosa. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 25, of the June 25, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of Rule 64B3-5.003, Florida Administrative Code, entitled "Technologist", which sets forth the requirements for a specialty licensure as a technologist in microbiology, serology/immunology, clinical chemistry, hematology, and immunohematology. The Board considered the instant Petition at a duly-noticed meeting, held August 13, 2010, in Ft. Lauderdale, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.004(3)(a), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 29, 2010, the Electrolysis Council, received a petition for waiver or variance from National Laser Institute, seeking a waiver or variance of subparagraph 64B8-52.004(1)(b)6., F.A.C., with respect to: A copy of the electrology facility license and the most recent Department of Health inspection sheet from the location where the continuing education training course is offered demonstrating compliance with paragraph 64B8-51.006(3)(g), F.A.C.

Comments on this petition should be filed with the: Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, at the above-referenced address or at telephone number (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Board of Medicine, received a petition for waiver or variance filed by Jamuna Sivakanthan, 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 the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

Section VI Notices of Meetings, Workshops and Public Hearings

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

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
 - Office of Insurance Regulation
 - Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: November 9, 2010, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds

at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the **Office of Insurance Regulation** concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Agency for Enterprise Information Technology** will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The **Department of Veterans' Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

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

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

The **Board of Trustees of the Internal Improvement Trust Fund** will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters; rulemaking under Title 18 of the Florida Administrative Code and other matters within its authority.

The **Department of Environmental Protection** will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee

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

DEPARTMENT OF LEGAL AFFAIRS

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

DATE AND TIME: November 4, 2010, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: November 9, 2010, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards and Recognition Task Force.

DATE AND TIME: November 10, 2010, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: November 18, 2010, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 4th Quarterly Meeting of 2010 of the Florida Commission on the Status of Women.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATES AND TIMES: Tuesday, November 9, 2010, 9:00 a.m. until the Commission adjourns; Wednesday, November 10, 2010, 8:30 a.m. – 2:00 p.m.

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

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

A copy of the agenda may be obtained by contacting: The Commission Clerk at (850)922-4539, ext. 103, by email: patsy.rushing@myfloridalegal.com, by writing: 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050 or by viewing the website of the Commission at www.fec.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: The Commission Clerk. If you are 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 AGRICULTURE AND CONSUMER SERVICES

NOTICE OF CANCELLATION – This is to announce the cancellation of a previous announced meeting of the **Florida Agricultural Center and Horse Park Authority**.

DATE AND TIME: Tuesday, October 19, 2010, 5:00 p.m.

PLACE: The Holiday Inn and Suites, Ocala Conference Center, 3600 S. W. 38th Avenue, Ocala, Florida 34474

Has been cancelled.

If you have any further questions, you can contact: Richard Gunnels at (850)488-3022 or email: gunnelr@doacs.state.fl.us.

The Florida **Department of Agriculture and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 2, 2010, 9:00 a.m. (EDT)

PLACE: Teleconference Participants: 1(888)808-6959. then enter the Conference Code: 4873444#

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 **Board of Professional Surveyors and Mappers** announces a public meeting to which all persons are invited.

DATES AND TIMES: November 16, 2010, 1:00 p.m., Probable Cause Panel, including but not limited to consideration of Agency Case Numbers: 2009-026666 and 2009-026711. Although this meeting is open to the public, portions may be closed consistent with law; November 17, 2010, 8:30 a.m., Committee Meetings and General Session if time allows; November 18, 2010, 8:30 a.m., General Session

PLACE: The Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

Pursuant to the provisions of 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: Leon M. Biegalski at (850)410-3833. If you are 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: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

The **Board of Professional Surveyors and Mappers** announces a workshop to which all persons are invited.

DATE AND TIME: November 17, 2010, 1:30 p.m.

PLACE: The Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: With the exception of three rules, the Board proposes new rules or amends existing rules to incorporate forms. Regarding Rule 5J-17.026, F.A.C.: Foreign Degree Evaluation, the Board proposes to amend the entities that may evaluate foreign degrees. Regarding Rule 5J-17.044, F.A.C.: Obligations of Continuing Education Providers, the Board proposes to modify the obligations of continuing education providers to permit providers to present live or delayed continuing education courses via the internet. Regarding Rule 5J-17.087, F.A.C.: Headquarters of the Board, the Board proposes to define by rule the mailing address of the Board.

A copy of the agenda may be obtained by contacting: Bennett M. Miller, Board Counsel, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500, (850)410-3834.

Pursuant to the provisions of 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: Leon M. Biegalski at (850)410-3833. If you are 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: Bennett M. Miller, Board Counsel, Board of Professional Surveyors and Mappers at (850)410-3834.

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

DATE AND TIME: Wednesday, November 3, 2010, 8:30 a.m.

PLACE: Senator George Kirkpatrick Marine Lab, 11350 S. W. 153rd Court, Cedar Key, FL 32625; If unable to attend in person, may access the meeting by dialing the telephone conference number which is 1(888)808-6959 and enter Conference Code: 4884033# when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss all aspects and vote on recommendations to file industry or industry section claims for oil spill impacts.

A copy of the agenda may be obtained by contacting: Mark E. Berrigan at (850)488-5471.

Pursuant to the provisions of 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: Anne Cerwin at (850)488-5471. If you are 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: Mark Berrigan at (850)488-5471.

DEPARTMENT OF EDUCATION

The Audit and Compliance Committee, Strategic Planning Committee and the Academic and Student Affairs Committee of the **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: President's Room, Emerson Alumni Hall, University of Florida, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, Audit and Compliance Committee Handbook; Presentations, Compliance; Discussion, Preliminary Inquiry and Investigation process; Board of Governors Operational Audit; Discussion, Board Compliance Program Model; New Florida 2010 State University Research Competitive Grant Awards, and Recommendations for "Clustering" and "Scholars Boost" Awards; Public Notice of Intent to Amend Board of Governors Regulation 8.009, Educational Sites; Consideration of Proposal to Implement a Ph.D., Biochemistry, FIU; Public Notice of Intent to Promulgate Board of Governors Regulation, Access to Certain Electronic Library Resources by Accelerated Secondary Students; Update, System Coordination of Academic Programs; Student Affairs Reports and Updates; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 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 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532. If you are 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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The Facilities Committee and the Budget and Finance Committee of the **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 8:30 a.m. – 11:30 a.m.

PLACE: President's Room, Emerson Alumni Hall, University of Florida, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Resolution of the Board of Governors requesting the Division of Bond Finance of the State Board of Administration of Florida to issue Revenue Bonds on behalf of the Florida State University to finance construction of a Parking Garage, Main Campus, FSU; A Resolution of the Board of Governors requesting the Division of Bond Finance of the State Board of Administration of Florida to issue Revenue Bonds on behalf of the University of North Florida to finance construction of a Student Wellness Center, UNF; A Resolution of the Board of Governors authorizing the Issuance by the University of West Florida Foundation, Inc., of Tax-exempt Debt to Finance the construction of a Student Residence Facility, Main Campus, UWF; Consideration, New University Fees; Public Notice of Intent to Amend Board Regulation 7.001, Tuition and Associated Fees (Market Rate Tuition); Workshop, Financial Aid; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 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 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, 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).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 11:30 a.m. – 4:00 p.m.
PLACE: President's Room, Emerson Alumni Hall, University of Florida, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Florida 2010 State University Research Competitive Grant Awards and recommendations for "Clustering" and "Scholars Boost" Awards; Public Notice of Intent to Amend Board of Governors Regulation 8.009, Educational Sites; Proposed Ph.D., Biochemistry, FIU; Public Notice of Intent to Promulgate Board of Governors Regulation, Access to Certain Electronic Library Resources by Accelerated Secondary Students; Approval, New Board Regulation 2.003, Equity and Access; Approval, New Board Regulation 6.019, Theodore R. and Vivian M. Johnson Scholarship Program; Limited Access Requests for Baccalaureate Programs, College of Business, FIU: B.A., Accounting; B.B.A., Management; B.B.A., Finance; B.B.A., International Business Management; B.B.A., Management Information Systems; B.B.A., Business Marketing Management; B.B.A., Real Estate; B.B.A., Human Resource Management; Limited Access Request, Bachelor, Health Services Administration, FIU; Limited Access Request, B.A. and B.F.A., Theatre, FIU; Limited Access Request, B.S., Social Work, FIU; Limited Access Request, B.A., Music, FIU; Limited Access Request, B.S., Communication, FIU; Limited Access Request, B.S., Hospitality Management, FIU; Termination of the Ed.D., Education of Specified Learning Disabilities, FAU; Resolution of the Board of Governors requesting the Division of Bond Finance of the State Board of Administration of Florida to issue Revenue Bonds on behalf of Florida State University to finance construction of a Parking Garage, Main Campus, FSU; Resolution of the Board of Governors requesting the Division of Bond Finance of the State Board of Administration of Florida to issue Revenue Bonds on behalf of the University of North Florida to finance construction of a Student Wellness Center, UNF; Resolution of the Board of Governors authorizing the issuance by the University of West Florida Foundation, Inc., of Tax-exempt Debt to finance the construction of a Student Residence Facility, Main Campus, UWF; Public Notice of Intent to Amend Board Regulation 7.001, Tuition and Associated Fees (Market Rate Tuition); Approval, Board Regulation 7.001, Tuition and Associated Fees (New Fees); Approval, Board Regulation 7.003, Fees, Fines and Penalties; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 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 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, 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).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The Board of Governors Foundation, Inc., **Board of Governors**, State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 3:00 p.m. – 4:00 p.m.
PLACE: President's Room, Emerson Alumni Hall, University of Florida, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Election, Board of Governors Foundation Officers, 2011; Approval, 2011 Operating Budget; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 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 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, 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).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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

DATE AND TIME: November 3, 2010, 10:00 a.m. – Completion

PLACE: Florida Department of Education, 325 W. Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will be hearing the termination of Care Charter School of Excellence vs. Jefferson County School Board.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of 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: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

The **Education Practices Commission** announces a workshop to which all persons are invited.

Training for the New Commission Member

DATE AND TIME: November 4, 2010, 2:00 p.m. or as soon thereafter

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: To train a newly appointed Commission Member in the duties and responsibilities of the Education Practices Commission and to orient and familiarize the appointee with the hearing process.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

A Teacher Hearing Panel

DATE AND TIME: November 5, 2010, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards.

The **Florida State College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: November 2, 2010, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Campus Highlights.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: November 2, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Administrative Offices, Board Room 405, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS:

DATE AND TIME: November 2, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: Administrative Offices, Room 403A, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED:
College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, October 26, 2010, and copies will be provided upon written request and the payment of approved duplicating charges.

Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida State College at Jacksonville, on or before November 2, 2010. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of November and December 2010, the Board will hold informal meetings each Thursday from 12:00 Noon to 4:00 p.m., at the Administrative Offices, Room 403A, for the purpose of discussing College business as appropriate. The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

FLORIDA STATE COLLEGE AT JACKSONVILLE

Dr. Steven R. Wallace

College President

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs**, Housing and Community Development, Community Assistance Section announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2010, 2:00 p.m. (Eastern Time)

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100, (850)488-7541; Conference Call: 1(888)808-6959, Conference Code: 3701948#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is amending the American Recovery and Reinvestment Act (ARRA)

Weatherization Assistance Program (WAP) 2009-2012 State Plan to include additional funding received from the U.S. Department of Energy (DOE) through the Weatherization and Intergovernmental Program Office of Energy Efficiency and Renewable Energy (EERC). This funding will support a DOE Sustainable Energy Resources for Consumers (SERC) Project which has been awarded to the Pinellas County Urban League, Incorporated (PCUL).

A copy of the agenda may be obtained by contacting: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Department of Community Affairs at (850)488-7541. If you are 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 **State Emergency Response Commission**, Training Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 10, 2010, 2:00 p.m. – 4:00 p.m. (EDT)

PLACE: This is a telephone conference call which can be attended via the internet and telephone. Go to the web site: <https://www2.gotomeeting.com/join/659489034>, then dial 1(888)808-6959, Password: 4861938, Meeting ID: 659-489-034

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review and update projects on the Training Task Force Project Board.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399,

(850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: November 4, 2010, 3:00 p.m. – until conclusion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Planning Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of 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: Lisa O. Stone at (850)414-4316. If you are 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIME: November 5, 2010, 8:30 a.m. – until conclusion of business

PLACE: Florida Department of Transportation, Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of 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: Lisa O. Stone at (850)414-4316. If you are 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIME: November 9, 2010, 4:30 p.m. – 6:30 p.m.
PLACE: Duval County School Board, 1701 Prudential Drive, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 213304-3, otherwise known as the I-95 Overland Bridge Replacement Project. The purpose of the proposed project is to replace the Overland Bridge, which carries both northbound and southbound traffic on I-95 and spans Hendricks Avenue, Kings Avenue, and Montana Avenue in downtown Jacksonville, FL. The bridge is being replaced due to structural deterioration which is causing the need for frequent repairs. Previous public meetings have been held to discuss this project and receive input. Based on the input received, changes are being proposed to the project. These changes will require additional right of way. This public workshop is being held to present and discuss the Department's proposed changes and to receive input. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, M.S. 2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873.

Pursuant to the provisions of 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: Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, M.S. 2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873. If you are 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 Transportation**, District One announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 16, 2010, 5:30 p.m. – 7:30 p.m.

PLACE: RiverLife Church, 1012 Morgan Johnson Road (57th Street East), Bradenton, FL 34208

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is being held to inform interested persons about the proposed improvements to State Road 64 between Carlton Arms Boulevard and Interstate 75 in Manatee County. The improvements consist of widening State Road 64, within existing right-of-way, to three lanes in each direction and closing select median openings to improve safety and traffic operations.

Financial Project ID No.: 416120-1-52-01

A copy of the agenda may be obtained by contacting: Cindy Clemmons, Public Information Director, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, 1(800)292-3368 or (863)519-2363 or cindy.clemmons@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 7 days before the workshop/meeting by contacting: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, 1(800)292-3368, (863)519-2675 or email: robin.parrish@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: Ray Porter, Project Manager, at address listed above or call: 1(800)292-3368 or email: jray.porter@dot.state.fl.us.

The **Department of Transportation**, District One announces a public hearing to which all persons are invited.

DATE AND TIMES: November 16, 2010, Open House, 6:00 p.m.; Formal Presentation, 7:00 p.m.

PLACE: LaBelle Civic Center, 481 W. Hickpochee Avenue, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is held to afford interested people an opportunity to express their views regarding the location, conceptual design, and social, economic, and environmental effects of Financial Project ID: 417878 2 22 01, otherwise known as the State Road (S.R.) 29 Project Development and Environment (PD&E) Study. The project limits include S.R. 29 from north of S.R. 82 to south of County Road 80A in Collier and Hendry Counties. Proposed improvements include widening the existing two lanes to four lanes. Project information will be on display for public comment. The no-build alternative is a viable alternative and will remain so throughout the remainder of the PD&E Study. Right-of-way will be required to construct the proposed widening and related stormwater ponds. Design, right-of-way acquisition and construction phases of this project are currently unfunded.

A copy of the agenda may be obtained by contacting: Tony Sherrard, Project Manager at (863)519-2304 or e-mail: antone.sherrard@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least seven (7) days before the hearing by contacting Mr. Sherrard. If you are 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 Tony Sherrard, Project Manager at (863)519-2304 or e-mail: antone.sherrard@dot.state.fl.us.

The Florida **Department of Transportation**, District VII announces a hearing to which all persons are invited.

DATE AND TIME: November 18, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: Pinellas Suncoast Transit Authority (PSTA) Headquarters, Auditorium and Boardroom, 3201 Scherer Drive, St. Petersburg, Florida 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the 118th Avenue (C.R. 296/Future S.R. 690) Design Change Reevaluation, Financial Project ID 413622-2-32-01, Pinellas County, Florida to which all persons are invited.

This Hearing is being held to allow interested persons to provide comments concerning the design changes to and the associated social, economic, and environmental effects of the proposed improvements along the 118th Avenue corridor from US 19 to east of the planned Roosevelt Boulevard/C.R. 296 Connector. These proposed design changes have occurred since the Public Hearing on August 18, 2005. The proposed improvements include two single-lane flyover ramps from US 19 (one from southbound US 19 to eastbound 118th Avenue, and one from westbound 118th Avenue to northbound U.S. 19), connecting west of 49th Street to form mainline express lanes. These mainline express lanes (future S.R. 690) will be constructed as a multilane elevated roadway (or viaduct) with frontage roads (existing 118th Avenue) from the 49th Street intersection east to the planned Roosevelt Boulevard/C.R. 296 Connector.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

The Department will receive verbal and written comments at the Public Hearing. Written comments may also be mailed to: Timothy Drawhorn, PE, Design Project Manager, FDOT District Seven, 11201 McKinley Drive, M.S. 7-600, Tampa, Florida 33612-6456. Comments should be postmarked by December 1, 2010, to be included in the official public hearing record.

Pursuant to the provisions of 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: Timothy Drawhorn, P.E., Design Project Manager, at 1(800)226-7229, (813)975-6000 or timothy.drawhorn@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: or persons who require translation services (free of charge) should contact: Timothy Drawhorn, P.E., Design Project Manager at 1(800)226-7229, (813)975-6000, timothy.drawhorn@dot.state.fl.us.

The **City of Deerfield Beach** in cooperation with the Florida **Department of Transportation**, District Four announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 6:00 p.m.

PLACE: City of Deerfield Beach Commission Chambers, 150 N. E. Second Avenues, Deerfield Beach, Florida 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: The City of Deerfield Beach and the Florida Department of Transportation District Four is holding a public hearing for the State Road (SR) A1A Project Development and Environment Study, Financial Management Number: 420416-1-28-01. This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements of SR A1A from S. E. Third Street to N. E. Seventh Street for a distance of approximately 0.8 mile and in accordance with Federal Executive Orders 11990 and 11988. The project consists of replacing the existing substandard two-lane roadway with a new two-lane road with bike lanes; curb and gutter; and a complete sidewalk system. Other improvements involve intersection improvements at SR A1A and Hillsboro Boulevard; intersection improvements at SR A1A and N. E. 20th Terrace; and water quality and water quantity treatment required by the South Florida Water Management District. This project will enhance mobility, safety, emergency access and truck movement within and through the City of Deerfield Beach.

The draft project documents and other information will be available for review from Thursday, October 28, 2010, to Thursday, November 18, 2010, at the Deerfield Beach Percy White Branch Library, 837 E. Hillsboro Boulevard in Deerfield Beach, as well as at the Deerfield Beach City Hall, 150 N. E. Second Avenue, Deerfield Beach, Florida from 8:00 a.m. – 5:00 p.m. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to the: City's Project Manager, Mr. Bernard Buxton-Tetteh, 200 Goolsby Boulevard, Deerfield Beach, FL. All exhibits or statements postmarked on or before November 28, 2010, will become part of the public hearing record.

A copy of the agenda may be obtained by contacting: The City Project Manager, Mr. Bernard Buxton-Tetteh at (954)480-4432. Mr. Buxton-Tetteh may also be contacted via email: bbuxton-tetteh@deerfield-beach.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. If you are 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: Mr. Buxton-Tetteh or visit the City website: www.deerfield-beach.com.

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

The Florida **Public Service Commission** will consider at its November 9, 2010, Commission Conference, Docket No.: 100417-EI, Application by Progress Energy Florida, Inc., for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue, sell or otherwise incur during 2011 up to \$1.0 billion of any combination of equity securities and long-term debt securities and other long-term obligations. Additionally, the Company requests authority to issue, sell or otherwise incur during 2011 and 2012 up to \$1.0 billion outstanding at any time of short-term debt securities and other obligations, which amount shall be in addition to and in excess of the amount the Company is authorized to issue pursuant to Section 366.04, Florida Statutes, which permits the Company to issue short-term securities aggregating to not more than five percent of the par value of the Company's other outstanding securities.

DATE AND TIME: Tuesday, November 9, 2010, Commission Conference, 9:30 a.m. although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No.: 100417-EI.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring some accommodation at this hearing because of a physical impairment should call the: Office of Commission Clerk, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

For additional information, please contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** will consider at its November 9, 2010, Commission Conference, Docket No.: 100418-EI, Application by Gulf Power Company (Gulf) for authority to issue and sell securities and to receive common equity contributions during the 12 months ending December 31, 2011. Pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, Gulf seeks authority to receive equity funds from and/or issue common equity securities to the Southern Company (Southern), Gulf's parent company; issue and sell long-term debt and equity securities; and issue and sell short-term debt securities. The maximum amount of common equity contributions received from and common equity issued to Southern, the maximum amount of equity securities issued and the maximum principal amount of long-term debt securities issued will total not more than \$700 million. The maximum principal amount of short-term debt outstanding at any one time will total not more than \$300 million.

DATE AND TIME: Tuesday, November 9, 2010, Commission Conference, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action on Docket No.: 100418-EI.

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

Any person requiring some accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-085, (850)413-6770. Any person who is hearing or speech impaired, should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

For additional information, please contact Katherine Fleming, Office of the General Counsel, (850)413-6218.

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

DATE AND TIME: November 9, 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.

The agenda and recommendations are accessible on the PSC Website: <http://www.floridapsc.com> at no charge or can be purchased by contacting the: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770, at a cost of 15 cents per single sided page or 20 cents per duplexed page.

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: November 9, 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 the 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: <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a prehearing and hearing in the following dockets to which all persons are invited.

Docket No.: 100176-TP – In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Sprint Communications Company L.P.

Docket No.: 100177-TP – In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Sprint Spectrum L.P., Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners.

PREHEARING CONFERENCE:

DATE AND TIME: Wednesday, November 10, 2010, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

HEARING:

DATES AND TIME: December 1, 2, 3, 6, 2010, 9:30 a.m. (The starting times on December 2, 3, and 6, 2010, will be announced at the conclusion of the hearing on December 1, 2, and 3, 2010, respectively)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is to permit parties to present testimony and exhibits relative to the arbitration of certain terms and conditions of interconnection in the dockets named above and

for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on Wednesday, November 10, 2010.

EMERGENCY CANCELLATION OF HEARING: If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 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).

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

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: November 3, 2010, 10:30 a.m.

PLACE: Suwannee Valley Transit Authority Board Room, 1907 Voyles Street, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Suwannee County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 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 contacting: (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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2010, 1:30 p.m.

PLACE: Santa Fe Meeting Room, Florida Department of Transportation, District 2, Jeffery Maintenance Complex, 710 Lake Jeffery Road, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Columbia County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 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 contacting: (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 **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, November 4, 2010, Personnel, Budget & Finance Committee, 9:00 a.m.; Planning & Growth Management Committee, 8:30 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee immediately following the Board Meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.org.

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

DATE AND TIME: November 9, 2010, 9:30 a.m.

PLACE: State Farm Insurance Office, 7401 Cypress Gardens Boulevard, Winter Haven, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning and Community Right-to-Know Program. Additionally, items pertaining to the State Emergency Response Commission and its subcommittee for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at (863)534-7130 or email: ccarter@cfrpc.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: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

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

DATE AND TIME: November 10, 2010, 9:30 a.m.

PLACE: Highlands County Health Department Conference Room, 7205 South George Boulevard, 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, Program Coordinator at email: khall@cfrpc.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.

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

DATE AND TIME: November 5, 2010, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Advisory 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 or email: wren@tbrpc.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: Avera Wynne at email: avera@tbrpc.org.

The **Southwest Florida Regional Planning Council**, Lee County MPO announces a workshop to which all persons are invited.

DATE AND TIME: October 26, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: Three Oaks Banquet and Conference Center, 20991 Three Oaks Parkway, Estero. This location is accessible through transit: LeeTran Route 60, and for more information go to website: www.rideleetrans.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Metropolitan Planning Organization will be holding a 2035 Long Range Transportation Plan (LRTP) Workshop to receive public input on the Cost Feasible Plan for Lee County through the year 2035.

A copy of the agenda may be obtained by contacting: Ms. Meghan Marion at (239)338-2550, ext. 219 or by email: mmarion@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 48 hours before the workshop/meeting by contacting: Ms. Meghan Marion at (239)338-2550, ext. 219 or by email: mmarion@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: Ms. Meghan Marion at (239)338-2550, ext. 219 or by email: mmarion@swfrpc.org.

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

DATE AND TIME: Monday, November 8, 2010, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Hialeah. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Proposed Local Government Comprehensive Plan Amendment for Miami Beach. Any Adopted Public Education Facilities

Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Local Government Comprehensive Plan Amendments for Davie, Broward County and Hallandale Beach. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call: The Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Tuesday, October 26, 2010, 10:30 a.m.

PLACE: Reception and Medical Center, Regional Director's Conference Room, 7765 South CR 231, Lake Butler, FL 32054
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the RMC Hospital Governing Body.

A copy of the agenda may be obtained by contacting: Gerda Godwin at (386)496-6074.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Gerda Godwin at (386)496-6074. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerda Godwin at (386)496-6074.

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

DATE AND TIME: November 4, 2010, 10:00 a.m.

PLACE: Florida Department of Corrections, Building B, 2nd Floor, Classroom B, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general subject matter of the hearing will be the Department's processing of and response to complaints related to sanitary conditions in correctional facilities, which is addressed in proposed Rule 33-108.201, F.A.C., Sanitary Practices Relating to Correctional Facilities, as noticed in the Florida Administrative Weekly, Vol. 36, No. 38 (September 24, 2010). A copy of the agenda may be obtained by contacting: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

METROPOLITAN PLANNING ORGANIZATIONS

The **Hillsborough MPO Transportation Disadvantaged Coordinating Board (TDCB)** announces a public meeting to which all persons are invited.

DATES AND TIMES: October 28, 2010, 9:15 a.m., TDCB Board Meeting; November 2, 2010, 10:00 a.m. – 12:00 Noon, TDCB Planning Sub Committee; November 16, 2010, 10:00 a.m. – 12:00 Noon, TDCB Planning Sub Committee; December 9, 2010, 9:15 a.m., TDCB Board Meeting

PLACE: 601 East Kennedy Boulevard, 18th Floor, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The TDCB Planning Sub Committee will be discussing the Community Transportation Coordinator Evaluation currently underway at each meeting. At the Board Meetings, the TDCB will consider matters pertaining to the transportation disadvantaged community in Hillsborough County.

A copy of the agenda may be obtained by contacting: Michele Ogilvie at 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 at 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).

For more information, you may contact: Michele Ogilvie at ogilviem@plancom.org or by calling (813)273-3774, ext. 317.

The **Collier Metropolitan Planning Organization (MPO)** announces a workshop to which all persons are invited.

DATE AND TIME: October 27, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: St. Elizabeth Seton Parish Center, 5260 28th Avenue, S. W., Naples, FL 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to receive public input on the Long Range Transportation Plan's (LRTP) Cost Feasible Plan for Collier County through the year 2035. Drop in at any time during the two-hour workshop – a formal PowerPoint Presentation on the Cost Feasible Plan is planned at 5:30 p.m. and 6:30 p.m. to provide a project overview.

This location is accessible to transit, Collier Area Transit Routes 3A and 3B, for more information on the bus route call: (239)596-7777. For further information about the workshop, please contact MPO Principal Planner, Sue Faulkner at (239)252-8192 or by e-mail: SueFaulkner@colliergov.net.

All meetings of the Collier MPO are open to the public. Your attendance at this public workshop is encouraged and any comments made will be included in the project record. If you cannot attend the workshop, please visit the LRTP's Web site to provide your comments at: http://mpo-swfl.org/lrtp-public_comment.cfm.

The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. Any person or beneficiary who believes that he or she has been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with the: Florida Department of Transportation District One Title VI Coordinator Robin Parrish at (863)519-2675 or by writing: Ms. Parrish, Post Office Box 1249, Bartow, FL 33831.

A copy of the agenda may be obtained by contacting: MPO Principal Planner Sue Faulkner at (239)252-8192.

Pursuant to the provisions of 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: MPO Principal Planner, Sue Faulkner at (239)252-8192. If you are 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: MPO Principal Planner, Sue Faulkner at (239)252-8192.

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 6:30 p.m.

PLACE: Morgan Field Station Office, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss the development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Business Resource Specialist at (386)362-1001 or email: pff@srwmd.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 2 days before the workshop/meeting by contacting: Pennie Flickinger, Business Resource Specialist at (386)362-1001 or email: pff@srwmd.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: Brian Kauffman, Facilities Director at (386)362-1001, email: bck@srwmd.org.

The Suwannee River Water Management District (District) announces a public meeting to which all persons are invited.

DATES AND TIMES: November 9, 2010, 10:00 a.m.; November 10, 2010, 8:00 a.m.

PLACE: Cedar Key Library, 460 2nd Street, Cedar Key, Florida 32625

GENERAL SUBJECT MATTER TO BE CONSIDERED: On November 9, 2010: Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters. A workshop will begin at 1:30 p.m. following the Board meeting. The workshop continues on November 10, 2010.

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 can be found 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 public meeting to which all persons are invited.

LAND MANAGEMENT REVIEW TEAM MEETING/ REVIEW

DATE AND TIME: Wednesday, November 3, 2010, 12:00 Noon – 3:00 p.m.

PLACE: Hal Scott Regional Preserve and Park, Dallas Blvd., Wedgefield Subdivision, Orlando, FL. Information and directions to Hal Scott Regional Preserve and Park are also available at: <http://floridaswater.com/recreationguide>. The review participants will meet at the Hal Scott public parking area at 12:00 Noon. The District will provide transportation to specific locations around the site. If interested in attending the meeting/review, please contact: Jay Anderson at (386)329-4855, email: janderson@sjrwmd.com by November 1, 2010.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting/review will include a review of the resource and recreation management accomplishments since 2007. One or more Governing Board Members may attend.

CENTRAL RECREATIONAL PUBLIC MEETING (CRPM)
DATE AND TIME: Wednesday, November 3, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Florida Division of Forestry Little Big Econ State Forest office, 1350 Snow Hill Road, Geneva, FL 32732

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Central Recreational Public Meeting will include presentations covering the resource and recreation management accomplishments since the previous CRPM in May, 2010. One or more Governing Board Members may attend.

A copy of the agenda may be obtained by contacting: Jay Anderson at (386)329-4855 or janderson@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 7 days before the workshop/meeting by contacting: Jay Anderson at (386)329-4855 or email: janderson@sjrwmd.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.

The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 4, 2010, 4:00 p.m., Projects and Land Committee Business Meeting

PLACE: Oakland Nature Preserve, 747 Machete Trail, Oakland, Florida 34787

DATE AND TIME: Friday, November 5, 2010, 8:00 a.m., Projects and Land Committee Tour

PLACE: Tour of Harris Chain of Lakes & Lake Apopka, Oakland Dock, North Tubb Street, Oakland, Florida 34787

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates and discussion on the Lake Apopka Basin Restoration Program by David Walker, Basin Program Manager, St. Johns River Water Management District.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

Pursuant to the provisions of 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: Heather Barnes at (386)329-4347. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Tuesday, November 9, 2010, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory committee followed by Governing Board meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external 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, Attention: Missy McDermont, 4049 Reid Street, Palatka, Florida 32177, (386)329-4214 or by visiting the District's 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 **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 2, 2010, 9:00 a.m.

PLACE: Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, FL 33619

GENERAL SUBJECT MATTER TO BE CONSIDERED: Permit No. and Project Name:

20004669.008 Hudson Water Works

20004219.012 Ranch Block

43031900.004 Evansville Western Railway & Terminal Facility

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, FL 34609-6749 or by visiting the District's website: www.watermatters.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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) or 1(800)231-6103, 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).

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

DATE AND TIME: Wednesday, November 3, 2010, 9:00 a.m.

PLACE: Cracker Barrel Restaurant Parking Lot, 636 – 67th Street Circle East, Bradenton, FL 34208 (I-75 Exit 220)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Myakka River Watershed Tour. Visit areas of resource protection interest in the watershed including Flatford Swamp and Myakka River State Park. Governing and Basin Board 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).

For more information, you may contact: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0087).

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

DATE AND TIME: Thursday, November 4, 2010, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint meeting of the Green Industry and Agricultural Advisory Committees to discuss committee business.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar or The Planning Department at 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 or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD order #42669).

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

DATE AND TIME: Thursday, November 4, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: Duette Elementary School, 40755 State Road 62, Duette, Florida 34219

GENERAL SUBJECT MATTER TO BE CONSIDERED: to conduct wetland restoration activities on the 5,800-acre Edward W. Chance Reserve-Gilley Creek Tract located in central Manatee County, Florida. The District will hold a public meeting with adjacent property owners and interested parties.

For more information, you may contact: Philip Rhinesmith at (352)796-7211, extension 4266.

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

DATE AND TIME: November 4, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517, website: <http://my.swfwmd.gov/wrac>.

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

REGIONAL UTILITY AUTHORITIES

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 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.

For more information, you may contact: (941)316-1776.

SPACE FLORIDA

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

DATE AND TIME: Thursday, December 2, 2010, 8:30 a.m. – 11:30 a.m. (Eastern Time)

PLACE: Kennedy Space Center Visitor Center, Kurt H. Debus Conference Facility, Post Office Box 656, Cape Canaveral, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at jkirkendoll@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: Juanell Kirkendoll at jkirkendoll@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: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov.

DEPARTMENT OF MANAGEMENT SERVICES

The **Agency for Workforce Innovation**, Early Learning Information System Project Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 1, 2010, 3:00 p.m. – 4:30 p.m.

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399; Conference Call: 1(888)808-6959, Conference Code: 9997256#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/earlylearning/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 by contacting: Dianne Corbett at (850)245-7285. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Management Services, Division of Telecommunications** meeting of the Technical and Standard Operating Procedure Committee of the Joint Task Force Board announces a workshop to which all persons are invited.

DATE AND TIME: November 4, 2010, 8:30 a.m. – 4:30 p.m.

PLACE: Woodcrest Office Complex, Building K, 325 John Knox Road, Tallahassee, Florida 32303; Conference Call: 1(888)808-6959, Passcode: 9227435#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

Pursuant to the provisions of 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: Department of Management Services at (850)922-7435. If you are 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: Todd Preston, Fish & Wildlife Conservation Commission at (850)410-0656.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: November 1, 2010, 9:00 a.m.

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Architecture and Interior Design announces a public meeting to which all persons are invited to attend.

DATE AND TIME: November 1, 2010, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103

The following cases are open to the public:

AEC Services, Inc.
Ron Fair

AKEA, Inc.
Anthony J. Kwan

Lionel Dausa
JM Development Group

Marc Geftman
Turnkey Concepts

Lee Projects, LLC
Gal Levy

McHarris Planning & Design
Joseph M. McHarris

Juan Carlos Rosas
JCR Originals, Inc.

Michael G. Schardt
MGS Architecture Designs

Silverelement, Inc.
Javier Sergio

Ingrid H. Triplett

David K. Minacci
Smith, Thompson, Shaw & Manausa, PA
3520 Thomasville Road, Fourth Floor
Tallahassee, Florida 32309
(850)402-1570

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

Pursuant to the provisions of 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. If you are 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309, (850)402-1570.

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2010, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business including disciplinary cases, if time allows to be followed by General Business discussion items – architect profession, interior design profession, rules, and reports.

DATE AND TIME: November 3, 2010, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business item continued – architect profession, interior design profession, rules, reports, and review of applications.

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103, (239)659-3150

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)922-5012.

Pursuant to the provisions of 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)922-5012. If you are 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)922-5012.

The **Florida Engineers Management Corporation**, Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 3, 2010, 10:00 a.m. (EST)

PLACE: Conference Call: 1(866)895-8146, Passcode: 30295716#; Florida Board of Professional Engineers Office, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at (850)523-1614.

Pursuant to the provisions of 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: Rebecca Sammons at (850)523-1614. If you are 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: Rebecca Sammons at email: rsammons@fbpe.org.

The **Building Code Administrators and Inspectors** announces a public meeting to which all persons are invited.

DATES AND TIME: December 1-3, 2010, 9:00 a.m. each day
PLACE: Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions may be closed to the public), and general board business.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N. Monroe St., Tallahassee, FL 32399-2211.

Pursuant to the provisions of 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 **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: November 16, 2010, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61J2-3.013, Distance Education Courses for Hardship Cases, F.A.C.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, 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 10 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. If you are 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 **State Boxing Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 2, 2010, 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4137430#

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

A copy of the agenda may be obtained by contacting: Mary Horne at (850)488-8500.

Pursuant to the provisions of 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: Mary Horne at (850)488-8500. If you are 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: Mary Horne at (850)488-8500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection**, Clean Marina Program announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, November 4, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Room 502, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Clean Marina/Clean Vessel Act program workshop for new and existing marine and freshwater marinas, boatyards, and retailers. Participants can learn how to apply for grant funding to install a pumpout at their facility and how to qualify to become designated as a clean facility.

A copy of the agenda may be obtained by contacting: Brenda Leonard, 3900 Commonwealth Blvd., MS 30, Tallahassee, FL 32399, (850)245-2847 or Brenda.Leonard@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: Brenda Leonard, 3900 Commonwealth Blvd., MS 30, Tallahassee, Florida 32399, (850)245-2847 or email: Brenda.Leonard@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brenda Leonard, 3900 Commonwealth Blvd., MS 30, Tallahassee, FL 32399, (850)245-2847 or Brenda.Leonard@dep.state.fl.us.

The **FDEP, Division of Waste Management**, Bureau of Waste Cleanup, Voluntary Cleanup Tax Credit Program announces a workshop to which all persons are invited.

DATE AND TIME: Friday, November 5, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Voluntary Cleanup Tax Credit Program has been expanded and clarified by statute, and the department proposes to clarify some existing requirements based on experience in implementing the program since the rule was initially adopted. The Chapter 62-788, F.A.C., rules names are amended as follows: Rule 62-788.100, F.A.C.: Applicability and Limitations; Rule 62-788.150, F.A.C.: Referenced Guidelines; Rule 62-788.200, F.A.C.: Definitions; Rule 62-788.300, F.A.C.: Site Rehabilitation Voluntary Cleanup Tax Credit Application Process; Rule 62-788.310, F.A.C.: Affordable Housing Voluntary Cleanup Tax Credit Application Process; Rule 62-788.320, F.A.C.: Health Care Voluntary Cleanup Tax Credit Application Process; Rule 62-788.330, F.A.C.: Solid Waste Removal Voluntary Cleanup Tax Credit Application Process; Rule 62-788.400, F.A.C.: Eligibility Determination; and Rule 62-788.900, F.A.C.: Forms. The changes to Chapter 62-788, F.A.C., will incorporate or introduce the following at eligible sites: an increase in the per-site tax credit award amount and percentage for site rehabilitation; the requirements for issuance of a one-time tax credit award for affordable

housing, for a health care facility or health care provider, and for solid waste removal; the tax credit application submittal and review requirements, and the corresponding deadlines; the tax credit application supporting documentation and payment requirements and the process for correcting a completeness deficiency; new definitions; updates to terminology and to existing definitions; and clarification about the useful life of issued tax credit certificates.

A copy of the agenda may be obtained by contacting: Teresa Booeshaghi, Department of Environmental Protection, 2600 Blair Stone Road, MS 4505, Tallahassee, FL 32399, (850)245-8933, email: teresa.booeshaghi@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: Teresa Booeshaghi, Department of Environmental Protection, 2600 Blair Stone Road, MS 4505, Tallahassee, FL 32399, (850)245-8933, email: teresa.booeshaghi@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Teresa Booeshaghi, Department of Environmental Protection, 2600 Blair Stone Road, MS 4505, Tallahassee, FL 32399, (850)245-8933, email: teresa.booeshaghi@dep.state.fl.us.

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 9, 2010, 9:30 a.m. – 5:00 p.m.

PLACE: Nova Southeastern University Oceanographic Center, 8000 North Ocean Drive, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Southeast Florida Coral Reef Initiative (SEFCRI) Maritime Industry and Coastal Construction Impacts (MICCI) Focus Team will hold its annual meeting to update all team members and the public on the progress and status of projects conducted over the past year.

A copy of the agenda may be obtained by contacting: Lauren Waters by e-mail: Lauren.Waters@dep.state.fl.us, by phone: (305)795-1203, mail: 1277 N. E. 79th St/JFK Causeway Miami, FL 33138-4206.

Pursuant to the provisions of 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: Lauren Waters at Lauren.Waters@dep.state.fl.us. If

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

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, November 18, 2010, 8:30 a.m. – 5:15 p.m.; Friday, November 19, 2010, 8:30 a.m. – 12:30 p.m.

PLACE: Nova Southeastern University Oceanographic Center, 8000 North Ocean Drive, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Southeast Florida Coral Reef Initiative (SEFCRI) Land Based Sources of Pollution (LBSP) Technical Advisory Committee will hold its bi-annual meeting to update committee members and the public on the progress and status of projects currently being conducted. They will also assess the existing data, make recommendations as to what additional information is necessary/required, prioritize data gaps and recommend management action strategies for the future.

A copy of the agenda may be obtained by contacting: Katharine Tzadik by e-mail: Katharine.Tzadik@dep.state.fl.us, (305)795-1223, mail: 1277 N. E. 79th St/JFK Causeway Miami, FL 33138-4206.

Pursuant to the provisions of 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: Katharine Tzadik at Katharine.Tzadik@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 **Division of Air Resource Management** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, November 23, 2010, 10:00 a.m.

PLACE: Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection (DEP) announces that a public hearing pursuant to the requirements of 40 C.F.R. 60.23 will be held, if requested, at the date, time and place given above. Any person wishing to request the public hearing must do so by notifying: Ms. Lynn Scarce, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, FL 32399-2400 or lynn.scarce@dep.state.fl.us, by letter or e-mail no later than November 12, 2010. The purpose of the public hearing is to receive comments on DEP's proposal to submit to the U.S. Environmental Protection

Agency (EPA) a Designated Facility Plan under section 111(d) of the federal Clean Air Act for implementation of the hospital/medical/infectious waste incinerator regulations adopted by EPA on October 6, 2009. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed plan. Persons may submit comments by letter or e-mail to Ms. Scarce prior to the scheduled hearing date. The hearing agenda and materials comprising the proposed plan are posted at http://www.dep.state.fl.us/air/rules/public_meeting_notice.htm. These materials may also be inspected during normal business hours at: Division of Air Resource Management Offices, 111 S. Magnolia Dr., Suite 23, Tallahassee, Florida or accessed through any DEP District Air Section or DEP-approved local air pollution control office.

For more information on how to inspect or access these materials, please contact Ms. Scarce at the mailing or e-mail address given above, or by calling (850)921-9551. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted by 5:00 p.m., November 16, 2010, at http://www.dep.state.fl.us/air/rules/public_meeting_notice.htm. Persons also may contact Ms. Scarce to find out if the hearing has been cancelled.

A copy of the agenda may be obtained by contacting: Ms. Lynn Scarce at (850)921-9551 or lynn.scarce@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Florida Coordinating Council for the Deaf and Hard of Hearing Technology Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 29, 2010, 3:00 p.m. – 4:00 p.m. (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5221678031#; Computer-assisted real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The principle subject of the meeting will be publication/PSA planning by the Council for the coming fiscal year.

A copy of the agenda may be obtained by contacting: website: info@fccdhh.org, email: MaryGrace_Tavel@doh.state.fl.us, phone: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

Pursuant to the provisions of 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: website: info@fccdhh.org, email: MaryGrace_Tavel@doh.state.fl.us, Phone: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. If you are 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: MaryGrace_Tavel@doh.state.fl.us

The **Florida Coordinating Council for the Deaf and Hard of Hearing** announces a public meeting to which all persons are invited.

DATES AND TIMES: November 4, 2010, 9:00 a.m. – 6:00 p.m. (EDT); November 5, 2010, 9:00 a.m. – 12:00 Noon (EDT)

PLACE: The Hilton Hotel, Tampa Westshore Airport, 2225 North Lois Avenue, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General policy recommendations for accessibility, supports and service for persons who are deaf, hard of hearing, late-deafened or deaf-blind in the State of Florida and committee reports. There will be a live presentation entitled “Building for the Future: Capacity Building for Meeting the needs of Florida’s Deaf and Hard of Hearing Citizens” by Terry Chisolm, Ph.D., Chair, Department of Communication Sciences and Disorders, University of South Florida, on Friday morning from 9:15 a.m. to 11:00 a.m., with discussion, to which the public is cordially invited.

A copy of the agenda may be obtained by contacting: marygrace_tavel@doh.state.fl.us, (850)245-4913 (Voice) or 1(800)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY).

Pursuant to the provisions of 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: marygrace_tavel@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).

For more information, you may contact: marygrace_tavel@doh.state.fl.us.

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

DATE AND TIME: November 4, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959 (Toll Free), Conference Code: 5391969#; 4040 Esplanade Way, Building 4040, Room 301, Tallahassee, FL 32399

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

A copy of the agenda may be obtained by contacting: The Correctional Medical Authority at (850)245-4557.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Correctional Medical Authority at (850)245-4557. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Correctional Medical Authority at (850)245-4557.

The Florida **Department of Health** announces a hearing to which all persons are invited.

DATE AND TIME: November 15, 2010, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Conference Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to a request for a hearing, the rule hearing is being held to hear public comment on the above rule regarding Pain Management Clinic Registration Requirements.

A copy of the agenda may be obtained by contacting: Larry Mcpherson, Executive Director, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3253, (850)245-4130.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Whitney Bowen at (850)245-4131, extension 3517 or via email: Whitney_Bowen@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).

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

DATE AND TIME: Friday, November 5, 2010, 9:00 a.m.

PLACE: Renaissance Orlando Airport, 5445 Forbes Place, Orlando, Florida 32812, (407)240-1000

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

A copy of the agenda may be obtained by contacting: Shaila Washington, Acting Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin #C076, Tallahassee, FL 32399-3258.

Pursuant to the provisions of 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: Shailla Washington, Acting Medical Compliance Officer at (850)245-4268. If you are 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: Shailla Washington, Acting Medical Compliance Officer at (850)245-4268.

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

DATE AND TIME: Friday, November 19, 2010, 9:00 a.m.

PLACE: Marriott Tampa Airport, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, 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 by contacting: Sherra Causey at (850)245-4444, ext. 3617. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Division of Environmental Health**, Bureau of Onsite Sewage Programs announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2010, 9:30 a.m. (EDT)

PLACE: Florida Department of Health Southwood Complex, Betty Easley Center, 4075 Esplanade Way, Room 178, Tallahassee, FL 32399; Or via conference call/web conference: Conference Call: 1(888)808-6959, Conference Code: 1454070; Website: <http://connectpro22543231.ma5.acrobat.com/rrac/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and guide current, proposed, and potential future onsite sewage research projects. This meeting will include an update on the Florida Nitrogen Reduction Strategies study, including a discussion on the draft progress report due in February 2011. Other ongoing and possible future research projects will also be discussed. Part of this meeting may be accessible via web conference with details to be posted on the Bureau website: <http://www.doh.state.fl.us/environment/ostds/research/index.html>.

A copy of the agenda may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070 or by e-mail: Susan_Polangin@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 7 days before the workshop/meeting by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070 or by e-mail: Susan_Polangin@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).

For more information, you may contact: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070, or by e-mail: Susan_Polangin@doh.state.fl.us.

The **Department of Health**, Bureau of Water Programs announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, January 12, 2011, Conference Room D, S. Tower; Wednesday, March 9, 2011, Conference Room A, S. Tower; Wednesday, May 11, 2011, Conference Room A, S. Tower; Wednesday, July 13, 2011, Conference Room A, S. Tower; Wednesday, September 14, 2011, Conference Room A, S. Tower; Wednesday, November 9, 2011, 9:30 a.m. – 3:00 p.m., Conference Room A, S. Tower

PLACE: Hurston Building, 1st Floor, 400 West Robinson Street, Orlando, FL 32801, (407)317-7172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these meetings will be for the board to make recommendations to the department for agency action on variance requests, rule and policy development, and other technical review problems.

A copy of the agenda may be obtained by contacting: Robert S. Pryor, Environmental Engineering, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-7017.

Pursuant to the provisions of 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. If you are 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 S. Pryor, Environmental Engineering, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-7017.

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

DATE AND TIME: November 4, 2010, 9:30 a.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

The agenda will be placed on the Drug, Devices, and Cosmetics website: www.doh.state.fl.us/mqa/ddc seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Drug, Devices, and Cosmetics Program at (850)245-4292. If you are 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: The Drug, Devices, and Cosmetics Program at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3256, (850)245-4292.

The Florida **Department of Health**, Office of Trauma announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, February 16, 2011, 10:00 a.m. (Central Time) 11:00 a.m. (Eastern Time)

PLACE: Pensacola Civic Center, 201 E. Gregory Street, Pensacola, FL 32502; DIRECTIONS: Please contact the Civic Center at (850)432-5104, press 6 and ask for directions. The hearing will also be held via conference call for those individuals who cannot attend in person. The conference call information will be provided at a later date.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second rule hearing to Rule 64J-2.010, F.A.C., consider changing the number of trauma center positions in Trauma Service Area One from two to three, and increasing the statewide total number of trauma center positions from 42 to 43.

If you plan to provide public comment during the hearing via conference call, please obtain a speaker's card from the Office of Trauma website under the Rule Notice for this hearing at the following link: <http://doh.state.fl.us/demo/Trauma/notices.htm>. Please complete the speaker's form and email the completed form to: Janet Collins at janet_collins@doh.state.fl.us or Fax: (850)488-2512.

A copy of the agenda may be obtained by contacting: Susan McDevitt, Department of Health, Office of Trauma, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Fax: (850)488-2512; Email: susan_mcdevitt@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 2 days before the workshop/meeting by contacting: Susan McDevitt, Department of Health, Office of Trauma, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Fax: (850)488-2512; email: susan_mcdevitt@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).

For more information, you may contact: Susan McDevitt, Department of Health, Office of Trauma, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760, Fax: (850)488-2512, email: susan_mcdevitt@doh.state.fl.us.

The Florida **Department of Health** announces a hearing to which all persons are invited.

DATE AND TIME: November 9, 2010, 2:30 p.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room #152, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The rules hearing is being held to hear public comments on the above rules regarding the Prescription Drug Monitoring Program, Rules 64K-1.001, .003, .004, .005, .006, F.A.C.

A copy of the agenda may be obtained by contacting: Rebecca R. Poston, Bpharm, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, Florida 32399, (850)245-4797.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: (850)245-4292. If you are 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).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: November 3, 2010, 2:30 p.m.

PLACE: 2117 S.W. Highway 484, Ocala, FL 34473

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 5th Negotiation Session, regarding ITN# C5CBCITN2010.

A copy of the agenda may be obtained by contacting: John Pridham at email: John_Pridham@dcf.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 7 days before the workshop/meeting by contacting: John Pridham at: John_Pridham@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 **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 10, 2010, 2:30 p.m.

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

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

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)534-7100.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diane Dvorak, DCF at (863)534-7100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Dvorak, DCF at (863)534-7100.

The **Substance Abuse and Mental Health Office** announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Department of Children and Families (Tampa Regional Office), Auditorium, 9393 North Florida Avenue, Tampa, Florida 33612; Members of the public can also participate via phone by calling: 1(888)808-6959, Conference Code: 4139532#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be an organizational meeting of the Substance Abuse and Mental Health Advisory Council. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Ellen Piekalkiewicz at (850)410-1576.

Pursuant to the provisions of 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: Ellen Piekalkiewicz at (850)410-1576. If you are 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 **Child Care Standards and Improvements Work Group** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 1, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: 1317 Winewood Boulevard, Building 4, Conference Room, Tallahassee, Florida 32301; Conference Call: 1(888)808-6959, Conference Code: 4884900#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work group will meet to assess and make recommendations for legislative, administrative rule, process, or procedural enhancements to Florida's child care standards.

A copy of the agenda may be obtained by contacting: Cindy Bull, Department of Children and Families, Executive Staff, 1317 Winewood Boulevard, Building 2, Room 205, Tallahassee, FL 32399-0700, (850)488-4306.

Pursuant to the provisions of 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: Cindy Bull at (850)488-4306. If you are 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 **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2010, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Workforce, 7300 Corporate Center Drive, Suite 500, Conference room 3, Miami, Florida 33126

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Adria Dilme-Bejel at (305)377-7518 or Lourdes Leconte at (305)376-1947.

Pursuant to the provisions of 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: Adria Dilme-Bejel at (305)377-7518 or Lourdes Leconte at (305)376-1947. If you are 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: Adria Dilme-Bejel at (305)377-7518 or Lourdes Leconte at (305)376-1947.

The **Shared Service Alliance of Okeechobee and the Treasure Coast** announces a public meeting to which all persons are invited.

DATE AND TIME: October 22, 2010, 8:30 a.m. – 10:30 a.m.
PLACE: Children’s Services Council, SLC, 546 N.W. University Blvd, Suite 201, Port St. Lucie, FL 34986

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting.

A copy of the agenda may be obtained by contacting: Ellen Higinbotham (772)467-4176.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: November 1, 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:

Journet Place Apartments, a 108-unit multifamily residential rental development located on or about the south side of Ridge Road, approximately 500 feet west of Regency Park Boulevard in unincorporated Pasco County, Florida 34668. The owner and operator of the development is Journet Place Limited Partnership, 4110 Southpoint Boulevard, #206, Jacksonville, Florida 32216 or such successor in interest in which JPM Development L.L.C. and/or Westbrook Housing Development 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 Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, Florida 32405. The tax-exempt bond amount is not to exceed \$10,000,000.

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), October 29, 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.

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, Multifamily Bond Administrator, Florida Housing Finance Corporation 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, Multifamily Bond Administrator, Florida Housing Finance Corporation 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: November 1, 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:

Fort King Colony Apartments, a 120-unit multifamily residential rental development located on or about 37730 Daughtery Road and 6830 Jeter Lane, Zephyrhills, Pasco County, Florida 33541. The owner and operator of the development is Fort King Colony, Ltd., 340 Pemberwick Road, Greenwich, Connecticut 06831 or such successor in interest in which The Richman Group of Florida, Inc. and/or Corporation to Develop Communities of Tampa, 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.

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), October 29, 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.

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, Multifamily Bond Administrator, Florida Housing Finance Corporation 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, Multifamily Bond Administrator, Florida Housing Finance Corporation 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.

DATES AND TIMES: Tuesday, November 9, 2010, 2:00 p.m.; Wednesday, November 17, 2010, 10:00 a.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The two Review Committee meetings will be held regarding the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals #2010-12 for Predevelopment Loan and Demonstration Loan Technical Assistance Services for Florida Housing Finance Corporation. The first Review Committee meeting will be to discuss and answer any questions the review committee may have and any other subject the Review Committee deems necessary. The second Review Committee meeting will be to give final scores, rank the proposals and to submit a recommendation to the Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.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: Sherry Green at (850)488-4197 or sherry.green@floridahousing.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.

DEPARTMENT OF FINANCIAL SERVICES

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

DATE AND TIME: Tuesday, November 9, 2010, 9:00 a.m.

PLACE: 1801 Hermitage Blvd., The Hermitage Centre, Treasury Conference Room 440-C, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Deferred Compensation Advisory Council will hold its regular meeting on matters concerning the Program to which all persons are invited.

A copy of the agenda may be obtained by contacting: Kandi Winters, Administrator, Deferred Compensation Program, 200 E. Gaines Street, Tallahassee, FL 32399-0346, (850)413-3162 or Fax: (850)488-7186.

Pursuant to the provisions of 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 Bureau of Deferred Compensation office at

1(877)299-8002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: November 9, 2010, during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 69M-236.001, .002, .003, .004, .005, Florida Administrative Code, published on August 13, 2010 in Vol. 36, No. 32, of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website: <http://www.myflorida.com/myflorida/cabinet/mart.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 5 days before the workshop/meeting by contacting: Debra Seymour, Office of Insurance Regulation, email: Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debra Seymour, Office of Insurance Regulation, email: Debra.Seymour@flor.com.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: November 9, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-149.303, Florida Administrative Code, published on April 9, 2010 in Vol. 36, No. 14, of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.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 5 days before the workshop/meeting by contacting: Gerry Smith, Life and Health Product Review,

Office of Insurance Regulation, email: Gerry.Smith@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, email: Gerry.Smith@flor.com.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: November 9, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 69O-200.004, .005, .006, .009, .014, .015, Florida Administrative Code, published on July 9, 2010 in Vol. 36, No. 27, of the Florida Administrative Weekly. One notice of change was published.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.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 5 days before the workshop/meeting by contacting: Steve Szygula, Office of Insurance Regulation, email: Steve.Szygula@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steve Szygula, Office of Insurance Regulation, email: Steve.Szygula@flor.com.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology**, Chief Information Officers Council Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 5, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Collins Building, Room 201, 107 W. Gaines Street (Public Entrance on Bloxham Street), Tallahassee, FL

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

A copy of the agenda may be obtained by contacting: Margie (Rainey) Drury, Florida Department of Legal Affairs, Office of Information Technology at (850)414-3525 or email: margie.rainey@myfloridalegal.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: Margie (Rainey) Drury at (850)414-3525. If you are 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 E-FILING AUTHORITY

The **Florida E-Filing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2010, 10:00 a.m.

PLACE: Florida Association of Court Clerks, 3544 Maclay Blvd., Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Authority Board of Directors will hold a meeting for the purpose of establishing a budget and discussing statutory convenience fees.

A copy of the agenda may be obtained by contacting: Beth Allman at (850)921-0808 or allman@flclerks.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: Beth Allman at (850)921-0808. If you are 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: Beth Allman at (850)921-0808 or allman@flclerks.com.

CANCER CONTROL RESEARCH ADVISORY COUNCIL

The **Cancer Control Research Advisory Council (CCRAB)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 19, 2010, 9:00 a.m. 4:00 p.m.

PLACE: Moffitt Cancer Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Membership Meeting: Membership Updates, Legislative Updates & Statute Revision, Florida Cancer Plan Updates, Open Government Guidelines

A copy of the agenda may be obtained by contacting: Kimberley Buccini at (813)745-1522 or kimberley.buccini@moffitt.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: (813)745-1522 or kimberley.buccini@moffitt.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: Kimberley Buccini at (813)745-1522 or kimberley.buccini@moffitt.org.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 11, 2010, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

NORTHWOOD SHARED RESOURCE CENTER

The **NSRC Technical Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 3:00 p.m.

PLACE: Department of Juvenile Justice, Knight Building, Room 1134, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Executive Director Hiring Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 10, 2010, 2:00 p.m.

PLACE: Department of State, 1949 N. Monroe Street, Suite 79, Room 115, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hiring of the Executive Director for the Northwood Shared Resource Center.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Administration Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 11, 2010, 1:30 p.m.

PLACE: Department of State, 1949 N. Monroe Street, Suite 79, Room 115, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Finance Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2010, 9:30 a.m.

PLACE: Agency for Persons with Disabilities, Southwood, Building 4030, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Board of Trustees** announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 2010, 1:30 p.m.

PLACE: Department of Business and Professional Regulation, DBPR Professions Board Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Administration Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 25, 2010, 1:30 p.m.

PLACE: Department of State, 1949 N. Monroe Street, Suite 79, Room 115, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

The **NSRC Finance Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 26, 2010, 10:30 a.m.

PLACE: Agency for Person with Disabilities, Southwood Building 4030, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

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: Monday, November 1, 2010, 3:00 p.m.

PLACE: Capitol Center Office Center, Betty Easley Building, Suite 180, 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: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

Pursuant to the provisions of 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: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 2, 2010, 1:30 p.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Blvd., Room 250-L Tallahassee, FL 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Customers and Services Committee.

A copy of the agenda may be obtained by contacting: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.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: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.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: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.state.fl.us.

CITIZENS BOARD OF GOVERNORS

The **Citizens Board of Governors** announces a public meeting to which all persons are invited.

DATE AND TIME: November 8, 2010, 8:00 a.m. (EDT)

PLACE: Teleconference Only: 1(888)295-6211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the HRA Boundaries.

A copy of the agenda may be obtained by contacting: Barbara Walker at 1(800)807-7647, extension 3744.

Pursuant to the provisions of 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: Barbara Walker at 1(800)807-7647, extension 3744. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 4, 2010, 3:00 p.m. (EDT)

PLACE: Preserve Conference Room, Ritz Carlton Golf Resort, 2600 Tiburon Drive, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting & Biennial Strategic Planning Session.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator at ssgfc@embarqmail.com or at the Commission's web site at: www.ssgfc.com.

HERNANDO COUNTY PLANNING DEPARTMENT

The **Hernando County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2010, 10:00 a.m.

PLACE: Hernando County Government Complex, 20 N. Main Street, County Commission Chambers (Room 160), Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Transportation Disadvantaged Local Coordinating Board. Included in this meeting is a discussion on the approval of the Annual Operations Report of the Community Transportation Coordinator, and the CTC's regular quarterly report.

A copy of the agenda may be obtained by contacting: Steve Diez, Transportation Planner II, Hernando County Metropolitan Planning Organization, 20 N. Main Street, Room 262, Brooksville, Florida 34601, (352)754-4057 or email: StevenD@hernandocounty.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Steve Diez, Transportation Planner II at (352)754-4057 or email StevenD@hernandocounty.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.

ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

The **Escambia County Board of County Commissioners** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 9, 2010, 5:30 p.m. – 7:00 p.m.

PLACE: Beulah Baptist Church Fellowship Hall, 5805 Beulah Church Road, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the recommendations and proposals resulting from an I-10/Beulah Road Interchange Justification Study, which is evaluating the feasibility of adding an interchange at the junction of Beulah Road and I-10.

A copy of the agenda may be obtained by contacting: Greg Allen, PBS&J Project Manager at (850)478-9844 or Eugene Harris, Escambia County Project Manager at (850)595-3434.

Pursuant to the provisions of 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: Greg Allen, PBS&J Project Manager at (850)478-9844 or Eugene Harris, Escambia County Project Manager at (850)595-3434. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SOIL AND WATER CONSERVATION DISTRICT

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 1, 2010, 1:00 p.m.

PLACE: Clay County Extension Office, 6423 SR 16 W. Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

For more information, you may contact: Sally Doyle at (904)284-6355.

ENTERPRISE FLORIDA, INC.

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

DATE AND TIME: November 3, 2010, 9:00 a.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Juliana Pena at (407)956-5624.

For more information, you may contact: Juliana Pena at (407)956-5624.

The **Enterprise Florida, Rural/Urban Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2010, 10:00 a.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Bridget Merrill at (850)298-6626.

The **Enterprise Florida, Competitiveness Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2010, 1:00 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Marty Wilson at (407)956-5633.

For more information, you may contact: Marty Wilson at (407)956-5633.

The **Enterprise Florida, Marketing Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2010, 3:00 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes at (407)956-5628.

For more information, you may contact: Kim Wilmes at (407)956-5628.

The **Enterprise Florida, Stakeholders Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 8:30 a.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Liefke Cox at (407)956-5688.

For more information, you may contact: Liefke Cox at (407)956-5688.

The **Enterprise Florida, Technology, Entrepreneurship & Capital Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 1:00 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Sena Black at (407)956-5650.

For more information, you may contact: Sena Black at (407)956-5650.

The **Enterprise Florida, Global Commerce & Investment Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 2:30 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ivan Barrios at (305)808-3390.

For more information, you may contact: Ivan Barrios at (305)808-3390.

The **Enterprise Florida, Florida Life Sciences Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 3:00 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes at (407)956-5628.

For more information, you may contact: Kim Wilmes at (407)956-5628.

The **Enterprise Florida, Legislative Policy Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2010, 4:00 p.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Michael Preston at (850)288-6630.

For more information, you may contact: Michael Preston at (850)288-6630.

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

DATE AND TIME: November 5, 2010, 8:30 a.m. (Central Time)

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Rachel Benash at (407)956-5647.

For more information, you may contact: Rachel Benash at (407)956-5647.

FLORIDA INSURANCE GUARANTY ASSOCIATION

The Finance and Audit Committee of the **Florida Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 8, 2010, 2:30 p.m. (Eastern)

PLACE: Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet for presentations of RFP Investment Management finalists.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. If you are hearing or

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

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA Producer Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 1, 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 the agency authorization process, application submission process, and Operations Manual.

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.

AMERICAN GUARANTY FUND GROUP

The **American Guaranty Fund Group**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 8, 2010, 11:30 a.m. (Eastern)

PLACE: Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet regarding general business of the organization. The agenda will include but not limited to: Approval of Minutes, Financial Report and 2011 Budget.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs has received the petition for declaratory statement from St. Johns County Board of County Commissioners on August 27, 2010. It has been assigned the number DCA10-DEC-175. The petition seeks the agency's opinion as to the applicability of section 3109.4.2, Florida

Building Code, Construction Volume (2007, with 2009 supplement) as it applies to the petitioner, a building inspector, in the course of his duties. as it applies to the petitioner.

The petitioner asks if the exceptions provided in section 3109.4.2(8.) and (9.) allow the following to be located below the 100 year storm elevation in a single family structure located seaward of the Coastal Construction Line: General receptacle and lighting wiring; heated and air conditioned spaces; a bathroom, kitchen, and laundry room; and finished habitable rooms in general, if they are built with break-away or frangible wall design.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford. Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs has received the petition for declaratory statement from Jeffrey C. Friant and Jeff Bedard on behalf of Sunesta Products, LLC, on September 10, 2010. It has been assigned the number DCA10-DEC-182. The petition seeks the agency's opinion as to the applicability of section 3105.4.1, Florida Building Code, Construction Volume (2007, with 2009 supplement) as it applies to the petitioner. as it applies to the petitioner.

The petitioner asks for clarification of how section 3105.4.1, which states: "Design of the framing members shall not be based on removal or repositioning of parts, or the whole, during periods of 75 mph wind velocity," applies to the petitioner's product. The petitioner manufactures retractable awnings.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford. Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from David D. Eastman, Esq. on behalf of Emerald Lake, SPE d/b/a Emerald Lake, Docket No.: 2010050399 on October 6, 2010. The

petition seeks the agency's opinion as to the applicability of Section 723.059(3), Florida Statutes, as it applies to the petitioner.

Whether Emerald Lake, SPE, LLC, a mobile home park owner, may require the purchaser of an existing mobile home in the park to accept a new prospectus when entering into a lot rent agreement and whether it must include the disclosure language required by the agency under Section 723.059(3), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Wayne Holt, Unit Owner/Petitioner, In re: Regency Towers Condominium Association, Inc., Docket No.: 2010049886 on October 4, 2010. The petition seeks the agency's opinion as to the applicability of Section 718.113(2), Florida Statutes, as it applies to the petitioner.

Whether the Regency Towers Condominium Association, Inc.'s reconstruction of the common element clubhouse destroyed by a hurricane requires a unit owner vote under Section 718.113(2), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Construction Industry Licensing Board has received the petition for declaratory statement from Devon B. Higginbotham. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(c), Florida Statutes, as it applies to the petitioner.

The Construction Industry Licensing Board hereby gives notice that on July 30, 2010, it received a Petition for Declaratory Statement filed by Devon B. Higginbotham. The

petition seeks the Board's interpretation of Section 489.105(3)(c), Florida Statutes, and whether the Petitioner is properly licensed, according to construction industry licensing requirements pursuant to Section 489.105, Florida Statutes, to construct an accessory use structure on a lot that does not have, and will not have a residential structure on it.

A copy of the Petition for Declaratory Statement may be obtained by contacting: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN THAT the Construction Industry Licensing Board has received the petition for declaratory statement from Sandy Robinson, Compliance Administrator, Putnam County Planning and Development Services, Building Division. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(m), Florida Statutes, as it applies to the petitioner.

The Construction Industry Licensing Board hereby gives notice that on October 6, 2010, it received a Petition for Declaratory Statement filed by Sandy Robinson, Compliance Administrator, Putnam County Planning and Development Services, Building Division. The petition seeks the Board's interpretation of Section 489.105(3)(m), Florida Statutes, and whether Plumbing Contractors are properly licensed, according to construction industry licensing requirements pursuant to Section 489.105, Florida Statutes, to run L.P. Piping.

A copy of the Petition for Declaratory Statement may be obtained by contacting: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Chiropractic Medicine has issued an order disposing of the petition for declaratory statement filed by Silvia Rosen Halpern, D.C. on July 28, 2010. The following is a summary of the agency's disposition of the petition: The Notice of Petition for Declaratory Statement published on August 6, 2010, in Vol. 36, No. 31, of the Florida Administrative Weekly. Petitioner

sought the Board's interpretation of Section 460.403, Florida Statutes, entitled, "Definitions," concerning whether petitioner is permitted to provide nutritional services/counseling to her patients for the purpose of weight loss/weight management wellness services. Petitioner also seeks clarification concerning whether a licensed chiropractic physician may market and sell herbal supplements, natural foods and over-the-counter food supplements for weight loss/weight management wellness services. The Board of Chiropractic Medicine considered the Petition at its meeting held on August 27, 2010, in Orlando, Florida. The Board's Order filed on September 17, 2010, answered the petitioner's question in the affirmative. It is the Board's opinion that providing nutritional services/counseling to the public for the purpose of weight loss, weight management and wellness falls within the scope of the practice of chiropractic medicine.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT the Board of Chiropractic Medicine has issued an order disposing of the petition for declaratory statement filed by Edward J. Leonard, D.C. on June 18, 2010. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on July 2, 2010, in Vol. 36, No. 26, of the Florida Administrative Weekly. Petitioner sought the Board's interpretation of Section 460.403, Florida Statutes, entitled "Definitions," concerning whether petitioner is permitted to provide acupuncture injection therapy of vitamin supplements and other non-legend substances services to his patients. The Board of Chiropractic Medicine considered the Petition at its meeting held on August 27, 2010, in Orlando, Florida. The Board's Order filed on September 17, 2010, stated that the Board declined to answer the petition based on the lack of information that would demonstrate there has been in a change in the governing statutes that would cause the Board to alter the 2001 finding.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT the Board of Clinical Laboratory Personnel has issued an order disposing of the petition for declaratory statement filed by Lucinda Ann Olivio on August 4, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on September 25, 2009, in Vol. 35, No. 38, of the Florida Administrative Weekly. The petition seeks the Board's interpretation of Rule 64B3-10.005, F.A.C., entitled, "Scope of Practice Relative to Specialty of Licensure," concerning the type of license that a Medical Technologist must have in order to perform the tests listed in the petition and also if a "Blood Bank" specialty license can be substituted for the required license. The Board of Clinical Laboratory Personnel considered the Petition at a duly noticed telephone conference call held on October 16, 2009. The Board's Order filed on October 21, 2009, stated that the Board denied the petition for declaratory statement because the petition failed to specify or describe petitioner's specific or particular circumstances.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT the Board of Clinical Laboratory Personnel has issued an order disposing of the petition for declaratory statement filed by Daniel Sauerteig on May 25, 2010. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on June 4, 2010, in Vol. 36, No. 22, of the Florida Administrative Weekly. The petition seeks the Board's interpretation of subsection 64B3-10.005(7), F.A.C., entitled, "Scope of Practice Relative to Specialty of Licensure," asking if the performance of hemoglobinopathy is within the scope of practice of a supervisor licensed only in the specialty of clinical chemistry. The Board of Clinical Laboratory Personnel considered the Petition at its meeting held on August 13, 2010, in Ft. Lauderdale, Florida. The Board's Order filed on September 3, 2010, stated that the Board's opinion is hemoglobinopathy testing using electrophoretic or chromatographic methods is within the scope of practice of a person licensed only in the specialty of clinical chemistry.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT the Board of Clinical Laboratory Personnel has issued an order disposing of the petition for declaratory statement filed by Linda Valdes on September 1, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on September 25, 2009, in Vol. 35, No. 38, of the Florida Administrative Weekly. The petition seeks the Board's

interpretation of subsection 64B3-2.003(19), F.A.C., entitled, "Definitions," asking if laboratory assistants (unlicensed laboratory personnel) can create a slide for cytology procedures or FNA's at the patient's bedside. The Board of Clinical Laboratory Personnel considered the Petition at a conference call held on October 16, 2009. The Board's Order filed on October 21, 2009, stated that the Board's opinion is that unlicensed persons cannot take a specimen and create a slide from that specimen.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, pursuant to Section 120.565, Florida Statutes, has issued an order disposing of the petition for declaratory statement filed by AmeriLoss Public Adjusting Corporation on November 19, 2009. The following is a summary of the agency's disposition of the petition:

The petition sought the agency's opinion as to the applicability of Sections 626.854 and 626.878, Florida Statutes and subsection 69B-220.201(5), Florida Administrative Code, as they apply to the Petitioner. On February 16, 2010, the Department issued a Declaratory Statement in Case No.: 107950-09. The Declaratory Statement concluded that the cited rule is applicable to public adjusting contracts entered into between September 3, 2006 and October 1, 2008, and that the cited statute applies to public adjusting contracts entered into on and after October 1, 2008. The Declaratory Statement further concluded that neither the statute nor the rule create a private right of action for a consumer. The Declaratory Statement declined to address a question regarding compensation to appraisers since neither the statutes or the rule addresses appraisers.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Heather Lewis, Division of Legal Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333 or Heather.Lewis@myfloirdacfo.com or (850)413-4256.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has received the petition for declaratory statement from Direct General Financial Services, Inc. The Office received the Petition from Direct General Financial Services, Inc. on October 5, 2010. The petition is unclear as to the statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Catharine Schoenecker at catharine.schoenecker@flor.com.

Please refer all comments to: Catharine Schoenecker at catharine.schoenecker@flor.com.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

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 EDUCATION

NOTICE TO CONSTRUCTION MANAGERS

The Florida International University Board of Trustees announces that construction management services are required for the project identified below:

PROJECT NAME & NUMBER: BT-882 Student Academic Support Center

PROJECT LOCATION: Modesto A. Maidique Campus (MMC), Miami, Florida

PROJECT DESCRIPTION: This project will provide the construction of a multi-purpose student support complex to create, facilitate and promote student interaction, campus engagement and academic success. The Center will provide the university with an attractive new welcome center and an integrated service facility to enable students to conduct university business—from recruitment to graduation—in a single location. The primary focus of this new facility is to build student affinity and promote student success from the first visit at the welcome center to the last pro-active and positive service encounter at the one-stop facility. This new Center represents an opportunity for the university to create a "culture of service" by assisting students in a single location with professional and support staff uniquely trained to render full service assistance and excellent customer service. No longer will students need to traverse the campus to find the right office and/or staff member for assistance but rather they will need only to visit the support facility for full-service assistance with a one-stop specialist.

Included in the Center will be a number of University functions, included but not limited to orientation, counseling and advising, admissions, bursar and registration. The Center will include office space for advising and student support, lecture halls, flexible classroom space, computer study rooms and meeting areas. The building site as indicated in the building program dated October 15, 2008 is under evaluation to be moved to an area adjacent to the E.R. Graham University Center. Additional information will be posted at <http://facilities.fiu.edu/projects/BT-882.htm> once the site revision is finalized.

The total building construction cost is estimated to be approximately \$22,300,000 with a total gross square footage of 74,354 GSF. Total currently available funding for the total project is in the amount of \$20,146,926. An additional \$10,740,500 future funding has been requested and is subject to appropriation by the Florida legislature. In the event additional funds are not appropriated, the project scope may be amended to match available funding.

INSTRUCTIONS: Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Construction Manager Qualifications Supplement (CMQS) form. Proposals must not exceed 80 pages, including the CMQS and letter of application. Pages must be numbered consecutively. Submittals, which do

not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

Submit seven (7) bound copies of the required proposal data and one CD copy of the complete proposal in Adobe Acrobat PDF format of the above requested data bound in the order listed. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

The Construction Manager Qualifications Supplement (CMQS) form and the Project Fact Sheet, which describes the selection process schedule for this Project and additional information regarding the Project scope, may be obtained from the web-site <http://facilities.fiu.edu/projects/BT-882.htm>. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to: Real Estate Development and Planning at (305)348-4090 or via email: griffith@fiu.edu.

GENERAL REQUIREMENTS: All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

FIU STANDARD CONTRACT FORMS, GENERAL TERMS AND CONDITIONS OF THE CONTRACT FOR CONSTRUCTION AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO CM SERVICES PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW, AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>.

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

SUBMIT QUALIFICATIONS TO: Selection Committee, Florida International University, Real Estate Development and Planning, Campus Support Complex, 11555 S. W. 17th St., Room 142, Modesto A. Maidique Campus, Miami, Florida

33199. Submittals must be received between 8:30 a.m. and 12:30 p.m. or 1:30 p.m and 4:00 p.m. (Local Time), Friday, November 19, 2010.

Submittals will not be accepted before or after the times and date stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE FOR CONSTRUCTION MANAGEMENT SERVICES

**Request for Qualifications – RFQ 11-08
CM Services – Osprey Dining Facility**

The University of North Florida – Board of Trustees, a public body corporate, announces that Construction Management Services will be required for the project termed Osprey Dining Facility, University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

The scope of work for this project is anticipated to include a facility of approximately 30,000 gross square feet, configured as either a single or two-story structure. The facility’s first floor will be dedicated to a new UNF dining facility and the remaining space will be either partially or fully built-out, depending on available project funding plus other UNF program requirements. The new facility will be located on the same site as the current UNF dining facility. The existing UNF dining facility (Osprey Café – Building 14C) will need to be demolished as part of the scope of this project and is approximately 13,000 GSF in area footprint. The new building is expected to meet or exceed USGBC LEED Silver Certification.

The tentative solicitation schedule for this RFQ:

Submissions due	November 22, 2010, 2:00 p.m.
Evaluation/Short listing	December 2010
Interviews (TBD)/Award	December 2010/January 2011
Existing facility demolition	May 2011
Construction substantial completion	August 2012

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application with all of the appropriate documents from the RFQ 11-08 CM Services – Osprey Dining Facility.

The letter of application should have attached:

1. The most recent version of the “UNF Construction Manager Qualifications Supplement Form,” completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant’s current Florida Contractor’s License from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Submit seven (7) complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions will be disqualified. Application materials will not be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The UNF Construction Manager Qualifications Supplemental form, additional information, required forms and the selection criteria may be obtained electronically online at the UNF Purchasing department website http://www.unf.edu/anf/purchasing/Bids_and_Notices.aspx or by emailing:

Dianna White	AND	Angela Dyal
Dianna.white@unf.edu	University of North Florida	angela.dyal@unf.edu
(904)620-1731	Purchasing Dept.	(904)620-1733
	Bldg. 53, Suite 2950	
	1 UNF Drive	
	Jacksonville, FL 32224	

Submit one (1) original six and (6) complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2:00 p.m. (Local Time), on November 22, 2010. Facsimile (FAX) or email submittals are not acceptable and will not be considered.

NOTICE FOR ENGINEERING SERVICES

Request for Qualifications – RFQ 11-09

Engineering Services – North Satellite Plant

The University of North Florida, Board of Trustees, a public body corporate, announces that Engineering Services will be required for the project termed North Satellite Plant to be located at 1 UNF Drive, Jacksonville, FL 32224.

The scope of work for this project is anticipated to include a new modular satellite central energy plant (CEP) to provide chilled and heating hot water service to the facilities north of UNF Drive, including the new Student Wellness Center currently in design. The plant cooling capacity is estimated to be approximately 1,000 tons; and heating capacity is estimated to be approximately 8,000 MBH. Also included is site distribution piping between the new plant and the new Student Wellness Center. The plant will be located just south of Hodges Stadium.

The tentative solicitation schedule for this RFQ:

Submissions due	November 22, 2010, 3:00 p.m.
Evaluation/Short listing	December 2010
Interviews (TBD)/Award	December 2010/January 2011

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application with all of the appropriate documents from the RFQ 11-09 Engineering Services – North Satellite Plant.

The letter of application should have attached:

1. The most recent version of the “UNF Professional Qualifications Supplement Form,” completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant’s current Florida Contractor’s License from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Submit seven (7) complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions will be disqualified. Application materials will not be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The UNF Professional Qualifications Supplemental form, additional information, required forms and the selection criteria may be obtained electronically online at the UNF Purchasing department website: http://www.unf.edu/anf/purchasing/Bids_and_Notices.aspx or by emailing:

Dianna White	AND	Angela Dyal
Dianna.white@unf.edu	University of North Florida	angela.dyal@unf.edu
(904) 620-1731	Purchasing Dept.	(904)620-1733
	Bldg. 53, Suite 2950	
	1 UNF Drive	
	Jacksonville, FL 32224	

Submit one (1) original six and (6) complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 3:00 p.m. (Local Time), November 22, 2010. Facsimile (FAX) or email submittals are not acceptable and will not be considered.

WATER MANAGEMENT DISTRICTS

Notice of Bid/Request for Proposal

RFP 10111-002 LM Pine Seedling Production

The Suwannee River Water Management District (District or SRWMD) is requesting proposals for pine seedling production to reforest approximately 1,500 acres during December 2011 through January 2012. The District is interested in planting bare root slash and longleaf pine and containerized longleaf pine. The purpose of planting is to reforest or augment existing areas with pine tree seedlings to meet the District's Desired Future Conditions (DFC). Barring unanticipated delays, all pine seedling planting will be completed no later than January 31, 2012. Seedling quality must comply with the quality standards shown in the Request for Proposals.

Proposers are required to complete and submit one original and five copies of the Proposal Response Form included in Section 6 of the Request for Proposals. Proposals are due prior to 4:00 p.m., District Headquarters, Live Oak, FL. Opening will occur at this time. The Selection Committee will meet at 9:00 a.m., November 12, 2010.

Additional information and request for proposal packages may be obtained by logging on to: www.mysuwanneeriver.com or by contacting: Gwen Lord, Business Resource Specialist at (386)362-1001, email: gal@srwmd.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified General Contractors by the Department of Children and Families, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 07240900
 ADA Restroom Renovations
 Belle Glade Service Center
 2990 North Main Street
 Belle Glade, Florida

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated herein before and in the project specifications.

The work includes but is not limited to Selective Demolition as indicated and as required to complete the construction work. Construction of a new Women's single station accessible restroom. Construction of a new Men's single station accessible restroom. New plumbing fixtures, vanity, toilet accessories, lighting, patching, painting and cleaning of existing floors in Women's Employee Restroom. Additive Alternate No. 1: New plumbing fixtures, vanity, toilet accessories, lighting, patching, painting and cleaning of existing floors in Women's Public Restroom. Additive Alternate No. 2: New plumbing fixtures, vanity, toilet accessories, lighting, patching, painting and cleaning of existing floors in Men's Public Restroom. Other work which may be performed concurrently by Owner.

BID GUARANTEE: On projects where the base bid and sum of all additives exceeds \$100,000.00, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

PUBLIC CONSTRUCTION BOND: If the construction award is \$100,000.00 or more, a Public Construction Bond, Exhibit 4, is required.

BID DATE AND TIME: Sealed bids will be received at the Architects Office, The Russell Partnership, Inc., 7428 S. W. 48th Street, Miami, Florida 33155, Tuesday, November 16, 2010, until 1:30 p.m. (EST), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: The pre-bid inspection will be held at the Belle Glade Service Center, 2990 North Main Street, Belle Glade, Florida 33430, on Thursday, November 4, 2010, 2:00 p.m. (EST). All questions pertaining to this project must be addressed to the architect.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$50.00 non-refundable from the architect:

Mr. Terry Holt, Architect
 The Russell Partnership, Inc.
 7428 S. W. 48th Street
 Miami, Florida 33155

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 3:00 p.m. (Local Time), November 17, 2010, at the office of the Architect, The Russell Partnership, Inc., 7428 S. W. 48th Street, Miami, Florida 33155. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results.

“Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.” If no protest is filed per Section B-21 of the Instructions to Bidders, “Notice and Protest Procedures: the Owner will award the contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C.

SARASOTA MEMORIAL HOSPITAL

Request for Statements of Qualifications to Contract for Architectural and Engineering Professional Services for Medical Walk-In Clinic on S. Tamiami Trail for the Sarasota County Public Hospital Board

Request for Statements of Qualifications
 TO CONTRACT FOR ARCHITECTURAL AND
 ENGINEERING
 PROFESSIONAL SERVICES FOR MEDICAL WALK-IN
 CLINIC ON S. TAMIAMI TRAIL
 FOR THE SARASOTA COUNTY PUBLIC HOSPITAL
 BOARD SARASOTA MEMORIAL HOSPITAL
 SARASOTA, FLORIDA

The Sarasota County Public Hospital Board of Sarasota County, Florida is accepting statements of qualifications from Architectural/Engineering Consulting firms. The scope of work may include programming, demolition drawings, schematic design, design development, construction documents, and construction administration for all architectural, civil, site work, mechanical, electrical, plumbing, fire protection, and structural design work for the exterior renovation and interior construction of a 5,700 square foot, plus or minus, 1 story walk-in clinic building to be sited on a parcel located on S. Tamiami Tr. north of Stickney Point Road in Sarasota County. Firms to submit include Architectural/Engineering firms or an association of firms under the direction of the Architect. Services required may include architectural, civil, mechanical, electrical, plumbing, fire protection, and structural. Firms are required to submit 5 bound qualification statements that include at least the following data, in the order listed below:

1. A copy of Florida Professional and Corporate Registration certificates.
2. Proof of General and Professional Liability Insurability.
3. Proof if the firm or any of the associations are a Minority Business Enterprise.
4. Proposed design team with resumes.
5. Completed medical walk-in center projects.
6. Additional information the respondent considers relevant for this submittal.

Comments:

1. The Hospital reserves the right to reject any or all submittals and to discontinue the selection process at any time.

2. The Hospital reserves the right to request information or the submittal of documentation in addition to that set forth above.
3. Questions regarding submissions shall be directed to:
 Tom Perigo
 (941)685-9066
4. Only the person listed as the contact person shall be contacted. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

Submissions shall be titled
 Sarasota Memorial Health Care System
 Statement of Qualifications for the Walk-in Clinic on South
 Tamiami Trail

Qualification Statements shall be received no later than Thursday, November 4, 2010, 2:00 p.m. Submittals received after this time will remain unopened and available for pick up.

Attention:
 Tom Perigo
 Sarasota Memorial Health Care System
 1515 S. Osprey, Ave., Building A
 Sarasota, Florida 34239-3555

A public meeting will be held at Sarasota Memorial Hospital main campus, Tuesday November 23, 2010, 12:00 Noon – 2:00 p.m., in the main campus auditorium. The top three firms will be ranked.

Negotiations with the number one ranked firm shall begin Monday November 29, 2010. Sarasota Memorial Health Care System (SMHCS) will have 15 working days to negotiate an agreement with the number one ranked firm. If unsuccessful within 15 working days SMHCS will begin negotiations with the number two ranked firm, and have 15 working days to reach an agreement. If unsuccessful within 15 working days SMHCS will begin negotiations with the number three ranked firm and have 15 working days to reach an agreement. If SMHCS cannot reach agreement with any of the top three ranked teams, this Request for Qualifications will be deemed terminated.

Announcement of Request for Statements of Qualifications for General Contracting work for The Sarasota Memorial Hospital Walk-In Clinic on S. Tamiami Trail for the Sarasota County Public Hospital Board

REQUEST FOR STATEMENTS OF QUALIFICATIONS
 FOR GENERAL CONTRACTING WORK FOR THE
 SARASOTA MEMORIAL HOSPITAL WALK-IN CLINIC

**ON S. TAMIAMI TRAIL FOR THE SARASOTA COUNTY
PUBLIC HOSPITAL BOARD, SARASOTA MEMORIAL
HOSPITAL, SARASOTA, FLORIDA**

The Sarasota County Public Hospital Board of Sarasota County, Florida is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to the construction and construction management services for a 5,700 sq. ft. plus or minus medical walk-in clinic located on S. Tamiami Trail and north of Stickney Point Road, Sarasota County. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. Proof as to whether the firm is a certified Small/or Minority Business Enterprise.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on this project.
7. Past experience of a successfully completed medical walk-in clinic projects.
8. Location of firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals.
2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Any general contracting firm previously engaged in phasing, scheduling or pricing on this project is excluded from participating in the selection of or providing general contracting work on this project.

Submissions shall be titled
GENERAL CONTRACTING WORK
for

The Sarasota Memorial Hospital
Medical Walk-in Clinic at S. Tamiami Trail
SARASOTA, FLORIDA

4. Submittals shall not contain pricing information.

5. Submittals must be received by the Hospital no later than 2:00 p.m., Thursday, November 4, 2010 and submitted to Thomas Perigo, Sarasota Memorial Hospital, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, Level One, Tuesday November 23, 2010, 2:00 p.m. – 4:00 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.
7. Interested persons should contact: Tom Perigo at (941)685-9066 with any project related questions.
8. No attempts shall be made to contact Administrators, Board Members or any SMH staff other than the contact name listed, under the potential penalty of disqualification from the process.

HERNANDO COUNTY PLANNING DEPARTMENT

RFP 11-0002, Management and Operations of a Public
Transportation System in Hernando County

Agency: Hernando County Board of County Commissioners
Body: Qualified firms and/or individual(s) are invited to submit proposals for The Management and Operations of a Fixed-Route Mass Transit System and ADA Services in Hernando County. The Contractor will be responsible for the management and day-to-day operation of the Hernando County public transit system in an efficient and effective manner. Proposals must be received by Hernando County no later than 3:00 p.m., Friday, November 19, 2010. Late proposals will not be considered, regardless of the reason.

A MANDATORY PRE-SUBMISSION CONFERENCE and tour will be conducted on November 4, 2010, Planning Department Conference Room 262, 9:00 a.m., for the purposes of discussing the proposal requirements and answering any questions from interested parties. The areas described in the RFP will be inspected during the tour to acquaint Offerors as to the conditions. Furthermore, potential Offerors are encouraged to obtain and review the complete RFP before the scheduled conference.

The RFP contains instructions governing the proposals to be provided, and the requirements for submission of proposals including general evaluation criteria. The cost for the services to be rendered will be negotiated with the firm selected, and said firm will be required to enter into a formal agreement with Hernando County. The initial term of the contract resulting from the RFP will commence upon approval and execution of the contract with the Board of County Commissioners and shall be for a minimum period of five (5) years (sixty months)

with an optional one year renewal for a total eligible contract period of 72 months. Annual operating budgets will be approved by the County annually.

Copies of the RFP can be downloaded from Hernando County's website at <http://www.hernandocounty.us/pur/PDF/nob/notice.asp>. For general questions please contact: Shaun Kusnierczak, Hernando County Planning Department at (352)754-4057. If you need any further assistance in regards to obtaining the proposal, please contact: Kathleen Buffum, CPPB, Hernando County Purchasing and Contracts Department at (352)754-4020.

The County reserves the right to delete or amend any of the services listed and described in this RFP.

GILBANE BUILDING COMPANY

ADVERTISEMENT FOR BIDS

University of North Florida (UNF)
 Student Wellness and Sports Education Center (SWSEC)
 Demolition, Site Work, Concrete & Structural Steel Bid Packages

Gilbane Building Company
 700 Ponte Vedra Lakes Blvd.
 Ponte Vedra Beach, FL 32082
 Dirk van Luling
 T: (904)473-1142
 F: (904)280-7110

Gilbane Building Company, Construction Manager, will receive subcontractor bids at the above address for:

- BP-02A – Demolition
- BP-03A – Concrete
- BP-05A – Structural Steel
- BP-31A – Sitework

on the University of North Florida Student Wellness and Sports Education Center project. All original copies of bids must be completed on Gilbane's proposal form, and delivered to the above address on or before November 12, 2010.

The Wellness Center is a 2 story + track level, metal panel and glass exterior, steel structure approximately 70,000 SF in area. It will contain administrative office space, group fitness rooms, track, and exercise equipment area. The project is currently scheduled for completion in December 2011.

Drawings and specifications will be made available through Gilbane Building Company on October 22, 2010 at <ftp://transfer.gilbaneco.com>.

Username: unf
 Password: ftpunf!

There will be a non-mandatory pre-bid meeting held at the address listed below on November 3, 2010, 1:00 p.m.

UNF Hall (Bldg. 53), Room 1420
 4892 First Coast Technology Parkway
 Jacksonville, FL 32224

Prospective Trade Contractors shall complete an online prequalification form at www.ibidpro.com. A tutorial with step by step instructions on how to complete the online prequalification form is available on the ftp site. Contact: Brian Wilson at email: bwilson@gilbaneco.com for additional information.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA10-OR-196

In Re: CITY OF MARATHON LAND
 DEVELOPMENT REGULATIONS
 ADOPTED BY ORDINANCE NO.: 2010-07

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2009), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon ("City") is a local government within the Florida Keys Area.
2. On August 27, 2010, the Department received for review City of Marathon Ordinance No. 2010-07 ("Ord. 2010-07") that was adopted by the City of Marathon Board of City Commissioners on July 27, 2010. The purpose of Ord. 2010-07 is to amend Sections 6-52(a) and 6-52(b) of the Code of Ordinances of the City of Marathon, Florida. The amendment proposes to allow fill on property including fill on a narrow band of shoreline fringe mangroves along man made water bodies and canals that does not have a building permit or a principle structure if specific review criteria are met and a boundary survey with existing and proposed elevations, flood zones, the area to be filled and a stormwater management plan is submitted.
3. Ord. 2010-07 is consistent with the City's 2010 Comprehensive Plan including Policy 4-1.2.1 Establish Regulations to Protect and Manage Conservation Lands and Natural Resource Systems; Policy 4-1.2.2 Protect

Plant and Animal Species; Policy 4-1.3.1 Protect, Conserve and Enhance Coastal Resources, Wetlands, Water Resources, Living Marine Resources, Wildlife Habitats and Other Natural Resources and the Environmental Health of Florida Bay, the Atlantic Ocean and All Surface and Ground Waters; Policy 4-1.5.2 Require Removal of Invasive Exotic Vegetation; Policy 4-1.5.4 Limit Clearing of Native Vegetation; and Policy 4-1.5.13 Protect Natural Resources through Development Review.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2009).
5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2009) and Rule 31-31.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 2010-07 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 2010-07 is consistent with the following Principle:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

9. Ord. 2010-07 is neutral with respect to the remaining Principles. Ord. 2010-07 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2010-07 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 31-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 12th day of October, 2010.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Ginger Snead, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Diane Clavier, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

John R. Herin, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator
Richard E. Shine, Assistant General Counsel

DCA Final Order No.: DCA10-OR-190

In Re: A LAND DEVELOPMENT
REGULATION ADOPTED
BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO.: 10-10

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2009), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On September 13, 2010, the Department received for review Islamorada, Village of Islands Ordinance No. 10-10 (“Ord. No.: 10-10”) adopted by the Village on August 12, 2010.
3. Ord. No.: 10-10 amends Chapter 30, Article IV Administrative Procedures, Division 11 Building Permit Allocation System, Section 30-477 Administrative Relief to allow administrative relief through the issuance of a building permit in Florida Forever targeted acquisition areas if the land is not purchased by a county, state, or federal agency for conservation purposes.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2009).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2009), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-10 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Florida Statutes (2009). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 10-10 promotes and furthers the following Principle:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
9. Ord. 10-10 is not inconsistent with the remaining Principles. Ord. 10-10 is consistent with the Principles for Guiding Development as a whole.

10. Ord. 10-10 is consistent with the Village Comprehensive Plan Policy 1-3.1.6.

WHEREFORE, IT IS ORDERED that Ord. 10-10 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

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CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 12th day of October, 2010.

/s/ _____
 Paula Ford, Agency Clerk

By U.S. Mail:
 Honorable Don Achenberg, Mayor
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Beverly Raddatz, Village Clerk
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036
 Nina Boniske, Esq.
 James White, Esq.
 Weiss Serota Helfman Pastoriza
 Guedes Cole & Boniske, P.A.
 2525 Ponce De Leon Blvd., Suite 700
 Coral Gables, Florida 33134-6045

By Hand Delivery or Interagency Mail:
 Rebecca Jetton, ACSC Administrator
 Richard E. Shine, Assistant General Counsel

Notice of Application Period

The FLORIDA COMMUNITIES TRUST (Trust) announces an application period for receiving applications from local governments and non-profit environmental organizations requesting funding awards from the Trust's Parks and Open Space Florida Forever Program.

DEADLINE: Applications will be accepted beginning on October 25, 2010 and ending at 5:00 p.m. (EDT), February 23, 2011. Applications must be received in the Trust's office by the above stated deadline. Applications received in the Trust's office after the published deadline shall be deemed late and will not be considered by the Trust.

Applicants are advised that the ranking list derived from this application cycle may be used with future Florida Forever appropriations.

APPLICATION FORMS: Applications for funding must be made on Application Form FCT-5 following procedures in Rule Chapter 9K-7, F.A.C. Copies of the rule chapter and application form may be obtained by visiting the Trust website: <http://www.floridacommunitiestrust.org>, phone (850)922-2207 or by writing: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

ADDRESS: For mail and carrier service deliveries, the delivery address is: Florida Communities Trust, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is: Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL.

LIMITS ON AWARDS: Under the provisions of subsection 9K-7.003(7), F.A.C., the total amount of any award or combination of awards applied for by any local government or nonprofit environmental organization under any application(s) or partnership application(s) for any project(s) shall not exceed five million dollars (\$5,000,000.00) during any one cycle. All awards for partnership applications, for the purposes of calculating award limits, shall be divided equally among the local government or nonprofit environmental organization.

MORE INFORMATION: Interested parties may obtain more information from the Trust website: <http://www.floridacommunitiestrust.org> or contact: Florida Communities Trust at (850)922-2207 or by writing the above stated address.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Gorilla Motor Works, LLC, intends to allow the establishment of Mojo Power Sports, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd., (ZHNG) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after November 21, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Power Sports, Inc., are dealer operator(s): Michael Fisher, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Michael Fisher, 707 West Bay Drive, Largo, Florida 33770.

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: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Clearwater, Florida 33762.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- County: Miami-Dade District: 11
ID # E1000013 Decision: A Issue Date: 9/24/2010
Facility/Project: Larkin Community Hospital
Applicant: Larkin Community Hospital, Inc.
Project Description: Add four adult inpatient psychiatric beds
Proposed Project Cost: \$200,000.00
- County: Pinellas District: 5
ID # E1000014 Decision: A Issue Date: 9/27/2010
Facility/Project: Largo Medical Center – Indian Rocks
Applicant: Largo Medical Center, Inc.
Project Description: Add 12 adult inpatient psychiatric beds
Proposed Project Cost: \$1,700,000.00
- County: Pinellas District: 5
ID # E1000015 Decision: A Issue Date: 10/4/2010
Facility/Project: Lexington Health and Rehabilitation Center
Applicant: Colonial Care NH, L.L.C.
Project Description: Transfer four community nursing home beds from North Rehabilitation Center to Lexington Health and Rehabilitation Center
Proposed Project Cost: \$3,000.00

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
City of LaBelle

The Florida Department of Environmental Protection has determined that the City of LaBelle's project involving construction of a new well field, new WTP building, pretreatment facilities, two membrane softening units, chemical feed facilities, a new finished water storage tank, high service pumps, and concentrate disposal system will not adversely affect the environment. The total cost of the project is estimated to be \$15,300,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Josh Thomas, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-7546.

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.

Florida Coastal Management Program

On September 30, 2010, the State received concurrence from the Federal Office of Ocean and Coastal Resource Management (OCRM) that the proposed changes to the approved Florida Coastal Management Program (FCMP), as noted in the routine program change submission located at http://www.dep.state.fl.us/cmp/federal/fedconv_09.htm and noticed in the F.A.W. on June 11, 2010, constitute routine changes as defined by 15 C.F.R. 923.84, implementing the Federal Coastal Zone Management Act (16 U.S.C. ss. 1451 et seq.). Sections 288.984 and .985, F.S.; Sections 377.807, .809, and .6015, F.S.; and Sections 377.801-.804 and .806, F.S., are incorporated into the FCMP, but do not contain enforceable policies that can be used for Federal Consistency.

These incorporated changes do not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization or coordination, public involvement, and national interest.

As of the date of this notice, these changes are incorporated into the FCMP and federal consistency applies to these statutory and rule changes. This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 C.F.R. 923.84(b)(4).

For more information on this Routine Program Change and the list of persons and organizations notified, please contact: Ms. Mayte Santamaria, Department of Environmental Protection, Florida Coastal Management Program, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)245-2161.

DEPARTMENT OF HEALTH

On October 7, 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 James Joseph, C.N.A. License #CNA 37668. 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 October 11, 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 Jaymi Patricia Keppel, L.P.N. License #PN 5158243. 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 October 11, 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 Angelia Karol Wakeman, R.N. License #RN 9179791. 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 October 6, 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 Kristen Catherine Garruto, C.R.T. License #TT 10902. 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.

DEPARTMENT OF FINANCIAL SERVICES

DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280, FLORIDA STATUTES: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ANDALUSIA
CCB COMMUNITY BANK

ATMORE
UNITED BANK

BIRMINGHAM
COMPASS BANK
REGIONS BANK

MOBILE
BANKTRUST

ARKANSAS

CONWAY
CENTENNIAL BANK

DELAWARE

WILMINGTON
TD BANK, N.A.

FLORIDA

ARCADIA
FIRST STATE BANK OF ARCADIA

BELLE GLADE
BANK OF BELLE GLADE

BOCA RATON
1ST UNITED BANK
FIRST SOUTHERN BANK
LEGACY BANK OF FLORIDA *
PARADISE BANK 06/23/2010

BRADENTON
FIRST AMERICA BANK

BRANDON
PLATINUM BANK

CARRABELLE
GULF STATE COMMUNITY BANK 02/19/2011

CHIEFLAND

DRUMMOND COMMUNITY BANK

CHIPLEY

ONE SOUTH BANK

CLEWISTON

FIRST BANK

CORAL GABLES

BAC FLORIDA BANK
GIBRALTAR PRIVATE BANK & TRUST COMPANY
THE BANK OF MIAMI, N.A. **10/03/2010**

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

DADE CITY

FIRST NATIONAL BANK OF PASCO
FLORIDA TRADITIONS BANK

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

FLORIDIAN COMMUNITY BANK, INC. *
REGENT BANK

DAYTONA BEACH

FLORIDIAN BANK
GATEWAY BANK OF FLORIDA

DESTIN

FIRST FLORIDA BANK
GULFSOUTH PRIVATE BANK *

ENGLEWOOD

ENGLEWOOD BANK *

EUSTIS

FIRST GREEN BANK

FERNANDINA BEACH

CBC NATIONAL BANK

FORT LAUDERDALE

BANKATLANTIC **04/01/2014**
LANDMARK BANK, N.A.
STONEGATE BANK
VALLEY BANK *

FORT MYERS

EDISON NATIONAL BANK
FINEMARK NATIONAL BANK & TRUST
FLORIDA GULF BANK
IRONSTONE BANK
PREFERRED COMMUNITY BANK
RELIANCE BANK, F.S.B.
SOUTHWEST CAPITAL BANK, N.A.

FORT PIERCE

OCULINA BANK

FORT WALTON BEACH

BEACH COMMUNITY BANK **09/19/2011**
FIRST CITY BANK OF FLORIDA *
FNBT.COM BANK

FROSTPROOF

CITIZENS BANK & TRUST **11/08/2012**

GAINESVILLE

FLORIDA CITIZENS BANK
MERCHANTS & SOUTHERN BANK

GRACEVILLE

BANK OF JACKSON COUNTY *
PEOPLES BANK OF GRACEVILLE

HALLANDALE

DESJARDINS BANK, N.A.

HOMESTEAD

1ST NATIONAL BANK OF SOUTH FLORIDA *
COMMUNITY BANK OF FLORIDA

INDIANTOWN

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

INVERNESS

BRANNEN BANK

JACKSONVILLE

AMERICAN ENTERPRISE BANK OF FLORIDA
EVERBANK
FIRSTATLANTIC BANK

JACKSONVILLE BEACH

OCEANSIDE BANK *

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

LAKE CITY

COLUMBIA BANK
FIRST FEDERAL BANK OF FLORIDA
PEOPLES STATE BANK

LAKELAND

BANK OF CENTRAL FLORIDA
COMMUNITY SOUTHERN BANK

LARGO

USAMERIBANK

LONGWOOD

OLD FLORIDA NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MARIANNA

FIRST CAPITAL BANK *

MAYO

LAFAYETTE STATE BANK

MERRITT ISLAND

COMMUNITY BANK OF THE SOUTH

MIAMI

CITY NATIONAL BANK OF FLORIDA
COCONUT GROVE BANK
CONTINENTAL NATIONAL BANK OF MIAMI
EASTERN NATIONAL BANK **04/05/2011**
ESPIRITO SANTO BANK
EXECUTIVE NATIONAL BANK
GREAT FLORIDA BANK **10/07/2009**
INTERAMERICAN BANK, F.S.B.
JGB BANK, N.A. *
NAFH NATIONAL BANK

NORTHERN TRUST, N.A.
OCEAN BANK **01/16/2013**
PREMIER AMERICAN BANK, N.A.
SABADELL UNITED BANK, N.A.
SUNSTATE BANK
TOTALBANK
U.S. CENTURY BANK **07/26/2010**

MIAMI LAKES

BANKUNITED

MILTON

FIRST NATIONAL BANK OF FLORIDA *

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

NAPLES

FIRST NATIONAL BANK OF THE GULF COAST
SHAMROCK BANK OF FLORIDA
TIB BANK **01/03/2012**

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE BANK OF FLORIDA

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK
COMMUNITY BANK & TRUST OF FLORIDA
GATEWAY BANK OF CENTRAL FLORIDA

OLDSMAR

JEFFERSON BANK OF FLORIDA

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA *

ORLANDO

CNLBANK

FLORIDA BANK OF COMMERCE *

ORANGE BANK OF FLORIDA

SEASIDE NATIONAL BANK & TRUST

URBAN TRUST BANK

OVIEDO

CITIZENS BANK OF FLORIDA

PALATKA

PUTNAM STATE BANK 10/16/2009

PALM COAST

INTRACOASTAL BANK

PANAMA CITY

BAY BANK & TRUST COMPANY

FIRST NATIONAL BANK NORTHWEST FLORIDA

SUMMIT BANK, N.A.

VISION BANK

PENSACOLA

BANK OF THE SOUTH

GULF COAST COMMUNITY BANK *

PERRY

CITIZENS STATE BANK

PINELLAS PARK

FIRST COMMUNITY BANK OF AMERICA 12/24/2013

POMPANO BEACH

FLORIDA SHORES BANK – SOUTHEAST

PORT CHARLOTTE

CHARLOTTE STATE BANK *

PORT RICHEY

REPUBLIC BANK

PORT ST. LUCIE

FIRST PEOPLES BANK *

ST. AUGUSTINE

BANK OF ST. AUGUSTINE

PROSPERITY BANK 10/04/2011

SARASOTA

LANDMARK BANK OF FLORIDA 11/25/2009

SEBRING

HEARTLAND NATIONAL BANK

HIGHLANDS INDEPENDENT BANK *

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK

STUART

GULFSTREAM BUSINESS BANK

SEACOAST NATIONAL BANK *

TALLAHASSEE

CAPITAL CITY BANK

PREMIER BANK *

PRIME MERIDIAN BANK

TAMPA

AMERICAN MOMENTUM BANK

CENTRAL BANK

FIRST CITRUS BANK 11/16/2010

FLORIDA BANK

NORTHSTAR BANK

SUPERIOR BANK

THE PALM BANK *

THE VILLAGES

CITIZENS FIRST BANK

TRINITY

PATRIOT BANK *

UMATILLA

UNITED SOUTHERN BANK

VENICE

FLORIDA SHORES BANK SOUTHWEST

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA

WAUCHULA STATE BANK

WEST PALM BEACH

FIRST BANK OF THE PALM BEACHES

FLAGLER BANK *

GRAND BANK & TRUST OF FLORIDA *

WILLISTON

PERKINS STATE BANK

WINTER HAVEN

CENTERSTATE BANK OF FLORIDA, N.A.

WINTER PARK

BANKFIRST
FIRST NATIONAL BANK OF CENTRAL FLORIDA *
UNITED LEGACY BANK

ZEPHYRHILLS

CENTERSTATE BANK, N.A.

GEORGIA

ALBANY

HERITAGEBANK OF THE SOUTH

ATLANTA

SUNTRUST BANK

COLQUITT

PEOPLESOUTH BANK

COLUMBUS

SYNOVUS BANK

DARIEN

SOUTHEASTERN BANK

MOULTRIE

AMERIS BANK

IOWA

FORT DODGE

FIRST AMERICAN BANK

LOUISIANA

LAFAYETTE

IBERIABANK

NEW ORLEANS

WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON

ONEUNITED BANK

MISSISSIPPI

GULFPORT

HANCOCK BANK

JACKSON

TRUSTMARK NATIONAL BANK

STARKVILLE

CADENCE BANK, N.A. *

TUPELO

BANCORPSOUTH BANK

MISSOURI

CREVE COEUR

FIRST BANK

NEVADA

LAS VEGAS

CITIBANK, N.A.

NEW YORK

NEW YORK CITY

BANCO POPULAR NORTH AMERICA 07/17/2012
INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE

BANK OF AMERICA, N.A.

RALEIGH

FIRST-CITIZENS BANK & TRUST COMPANY
RBC BANK (USA)

WINSTON-SALEM

BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI
FIFTH THIRD BANK

WILMINGTON
LIBERTY SAVINGS BANK, F.S.B. **07/14/2010**

PENNSYLVANIA

PITTSBURGH
PNC BANK, N.A.

SOUTH DAKOTA

SIOUX FALLS
WELLS FARGO BANK, N.A.

TEXAS

HOUSTON
ENCORE BANK, N.A.

WISCONSIN

MILWAUKEE
M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

BAYSIDE SAVINGS BANK
PORT ST. JOE
BAYSIDE SAVINGS BANK LOCATED IN PORT ST. JOE
FAILED ON JULY 30, 2010. CENTENNIAL BANK, A QPD
LOCATED IN CONWAY, ARKANSAS ENTERED INTO AN
AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF
BAYSIDE SAVINGS BANK'S DEPOSITS AND MOST OF
THEIR ASSETS.

CAROLINA FIRST BANK
GREENVILLE, SOUTH CAROLINA
CAROLINA FIRST BANK LOCATED IN GREENVILLE,
SOUTH CAROLINA WAS ACQUIRED BY/MERGED INTO
TD BANK, N.A. LOCATED IN WILMINGTON,
DELAWARE EFFECTIVE SEPTEMBER 30, 2010.

COASTAL COMMUNITY BANK
PANAMA CITY BEACH
COASTAL COMMUNITY BANK LOCATED IN PANAMA
CITY BEACH FAILED ON JULY 30, 2010. CENTENNIAL
BANK, A QPD LOCATED IN CONWAY, ARKANSAS
ENTERED INTO AN AGREEMENT WITH THE FDIC AND
ACQUIRED ALL OF COASTAL COMMUNITY BANK'S
DEPOSITS AND MOST OF THEIR ASSETS.

COMMUNITY NATIONAL BANK AT BARTOW
BARTOW
COMMUNITY NATIONAL BANK AT BARTOW
LOCATED IN BARTOW FAILED ON AUGUST 20, 2010.
CENTERSTATE BANK OF FLORIDA, N.A. A QPD
LOCATED IN WINTER HAVEN ENTERED INTO AN
AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF
COMMUNITY NATIONAL BANK AT BARTOW'S
DEPOSITS AND MOST OF THEIR ASSETS.

INDEPENDENT NATIONAL BANK
OCALA
INDEPENDENT NATIONAL BANK LOCATED IN OCALA
FAILED ON AUGUST 20, 2010. CENTERSTATE BANK OF
FLORIDA, N.A., A QPD LOCATED IN WINTER HAVEN
ENTERED INTO AN AGREEMENT WITH THE FDIC AND
ACQUIRED ALL OF INDEPENDENT NATIONAL
BANK'S DEPOSITS AND MOST OF THEIR ASSETS.

METRO BANK OF DADE COUNTY
MIAMI
METRO BANK OF DADE COUNTY LOCATED IN MIAMI
FAILED ON JULY 16, 2010. NAFH NATIONAL BANK
LOCATED IN MIAMI ENTERED INTO AN AGREEMENT
WITH THE FDIC AND ACQUIRED ALL OF METRO
BANK OF DADE COUNTY'S DEPOSITS AND MOST OF
THEIR ASSETS. NAFH NATIONAL BANK, A NON-QPD,
AUTOMATICALLY BECAME A QPD WITH THE
ACQUISITION OF METRO BANK OF DADE COUNTY'S
PUBLIC DEPOSITS AND HAS INDICATED THEIR
INTENTION TO COMPLETE THE NECESSARY
PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC
DEPOSITS PROGRAM.

OLDE CYPRESS COMMUNITY BANK
CLEWISTON
OLDE CYPRESS COMMUNITY BANK LOCATED IN
CLEWISTON FAILED ON JULY 16, 2010. CENTERSTATE
BANK OF FLORIDA, N.A. A QPD LOCATED IN WINTER
HAVEN ENTERED INTO AN AGREEMENT WITH THE
FDIC AND ACQUIRED ALL OF OLDE CYPRESS
COMMUNITY BANK'S DEPOSITS AND MOST OF THEIR
ASSETS.

STERLING BANK

LANTANA

STERLING BANK LOCATED IN LANTANA FAILED ON JULY 23, 2010. IBERIABANK, A QPD LOCATED IN LAFAYETTE, LOUISIANA ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF STERLING BANK'S DEPOSITS AND MOST OF THEIR ASSETS.

SUPERIOR BANK

BIRMINGHAM, ALABAMA

SUPERIOR BANK LOCATED IN BIRMINGHAM, ALABAMA HAS CHANGED ITS HOME OFFICE LOCATION TO TAMPA, FLORIDA.

TRANSATLANTIC BANK

MIAMI

TRANSATLANTIC BANK LOCATED IN MIAMI WAS MERGED WITH AND INTO SABADELL UNITED BANK, N.A. ALSO LOCATED IN MIAMI EFFECTIVE AUGUST 9, 2010.

WAKULLA BANK

CRAWFORDVILLE

WAKULLA BANK LOCATED IN CRAWFORDVILLE FAILED ON OCTOBER 1, 2010. CENTENNIAL BANK, A QPD LOCATED IN CONWAY, ARKANSAS ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF WAKULLA BANK'S DEPOSITS AND MOST OF THEIR ASSETS.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Division 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 Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		General Counsel's Office
Tallahassee, Florida		The Fletcher Building
32314-8050		Suite 118
Phone (850)410-9800		101 East Gaines Street,
Fax: (850)410-9548		Tallahassee, Florida
		32399-0379
		Phone: (850)410-9896

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 12, 2010):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Sanibel Captiva Community Bank, Sanibel, Florida

Proposed Purchaser: David W. Raisbeck, Sanibel, Florida

Received: October 6, 2010

APPLICATION FOR CONVERSION OF A FEDERAL SAVINGS ASSOCIATION TO A STATE BANK

Applicant and Location: IronStone Bank, 13525 Bell Tower Drive, Fort Myers, Lee County, Florida 33907

With Title: IronStone Bank

Correspondent: Bowman Brown, Esquire, Shutts & Bowen LLP, 1500 Miami Center, 201 S. Biscayne Boulevard, Miami, Florida 33131

Received: October 7, 2010

APPLICATION TO EXPAND FIELD OF MEMBERSHIP

Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>

Name and Address of Applicant: Florida Transportation Credit Union, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309

Expansion Includes: Geographic Area

Received: October 4, 2010

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN October 4, 2010
 and October 8, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.043	10/7/10	10/27/10	36/32	
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DEPARTMENT OF EDUCATION

State Board of Education

6A-1.0404	10/5/10	10/25/10	36/33	
6A-1.0955	10/5/10	10/25/10	36/33	
6A-1.099821	10/5/10	10/25/10	36/33	
6A-6.03315	10/5/10	10/25/10	36/33	
6A-6.0786	10/5/10	10/25/10	36/33	
6A-6.0960	10/5/10	10/25/10	36/33	
6A-10.041	10/5/10	10/25/10	36/33	
6A-18.042	10/5/10	10/25/10	36/33	
6A-18.0421	10/5/10	10/25/10	36/33	
6A-20.027	10/5/10	10/25/10	36/33	

DEPARTMENT OF TRANSPORTATION

14-1.020	10/5/10	10/25/10	36/35	
14-1.021	10/5/10	10/25/10	36/35	
14-15.012	10/5/10	10/25/10	36/27	36/35

DEPARTMENT OF CORRECTIONS

33-601.202	10/8/10	10/28/10	35/48	36/35
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DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

60FF-5.002	10/7/10	10/27/10	36/34	
60FF-5.003	10/7/10	10/27/10	36/33	
60FF-5.005	10/7/10	10/27/10	36/33	
60FF-5.006	10/7/10	10/27/10	36/33	
60FF-5.007	10/7/10	10/27/10	36/33	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Pilot Commissioners

61G14-19.001	10/5/10	11/1/10	36/29	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Nursing

64B9-3.0025	10/5/10	10/25/10	36/34	
64B9-6.003	10/5/10	10/25/10	36/35	

Board of Nursing Home Administrators

64B10-11.001	10/4/10	10/24/10	35/38	36/33
64B10-11.012	10/4/10	10/24/10	35/38	
64B10-16.002	10/4/10	10/24/10	36/33	
64B10-16.0025	10/4/10	10/24/10	36/33	

School Psychology

64B21-504.001	10/8/10	10/28/10	36/34	
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Council of Licensed Midwifery

64B24-8.002	10/8/10	10/28/10	36/34	
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Dental Laboratories

64B27-2.001	10/8/10	10/28/10	36/34	
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Division of Environmental Health

64E-19.002	10/7/10	10/27/10	36/30	
64E-19.004	10/7/10	10/27/10	36/30	
64E-19.006	10/7/10	10/27/10	36/30	
64E-19.007	10/7/10	10/27/10	36/30	

**DEPARTMENT OF CHILDREN AND FAMILY
 SERVICES**

Agency for Persons with Disabilities

65G-11.001	10/4/10	10/24/10	36/20	36/25
65G-11.002	10/4/10	10/24/10	36/20	36/25
65G-11.003	10/4/10	10/24/10	36/20	36/27

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Marine Fisheries

68B-14.0038	10/8/10	10/8/10	36/37	
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