

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Animal Industry

RULE NO.:                   RULE TITLE:  
5C-13.004                   Schedule of Fees

PURPOSE AND EFFECT: The purpose and effect of this rule is to add new diagnostic tests that have been developed and are now the standard testing protocol for animal disease diagnostics, delete obsolete tests and add charges for existing tests.

SUBJECT AREA TO BE ADDRESSED: This rule proposes the following: Delete obsolete tests, add new diagnostic tests and revise test charges.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4) FS.

LAW IMPLEMENTED: 585.61(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leigh Humphreys, Assistant Division Director, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

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

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-14.001	Purpose
5M-14.002	Approved Best Management Practices
5M-14.003	Presumption of Compliance
5M-14.004	Notice of Intent to Implement
5M-14.005	BMP Record Keeping

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt the "Water Quality/Quantity Best Management Practices for Florida Equine" manual by rule and associated regulations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address the development of practices that protect water resources, the procedures for filing a Notice of Intent, and associated recordkeeping requirements necessary for producers

to receive a presumption of compliance with state water quality standards. The draft manual can be reviewed at: <http://www.floridaagwaterpolicy.com/BestManagementPractices.html>

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(10), (23) FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE NO.:                   RULE TITLE:  
6A-2.0010                   Educational Facilities

PURPOSE AND EFFECT: Due to changes in rulemaking and implementing authority, the requirements relating to school sanitation formerly found in Department of Health rules must now be included in the State Board of Education rules. Additionally, discussion will be held relating to changes that may be recommended by educational facilities experts to the Florida Building Code. The effect of this development is to recommend the amendment to Rule 6A-2.0010, F.A.C., relating to school sanitation and to provide input to staff on changes that could be made to the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: State Requirements for Educational Facilities.

RULEMAKING AUTHORITY: 1(a) Article IX, State Constitution., 1001.02(1), 1001.02(2), 1013.37 FS.

LAW IMPLEMENTED: 1(a) Article IX, State Constitution., 381.006(16), 1001.02, 1013.03, 1013.12, 1013.37, 1013.371, 1013.372, 1013.38, 1031.01 FS.

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

DATE AND TIME: November 22, 2010, 9:00 a.m.

PLACE: Osceola District Schools Transportation Department, 401 Simpson Road, International Room, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jon Hamrick, Construction Planning & Design Manager, Office of Educational Facilities, 325 W. Gaines Street, Suite 1054, Tallahassee, FL 32399, (850)245-9230. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or 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-4.0021	Florida Teacher Certification Examinations

PURPOSE AND EFFECT: The purpose of this rule development is to review and update the competencies and skills for the FTCE Health K-12 and Physical Education K-12 examinations, to specify the effective dates for implementation of the new competencies and skills, update processes related to the test delivery format, as well as other obsolete terminology present within the rule. The effect will be the proposed adoption of the revised competencies and skills.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.

RULEMAKING AUTHORITY: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 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: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

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

**DEPARTMENT OF REVENUE**

**Division of Child Support Enforcement**

RULE NO.:	RULE TITLE:
12E-1.0051	Undistributable Collections

PURPOSE AND EFFECT: Section 409.2558(3), F.S., requires the Department to establish by rule a method to determine a collection or refund to be undistributable to the final intended recipient. The law provides that before determining a collection or refund undistributable, the Department must make reasonable efforts to locate individuals to whom collections or refunds are owed. The law also directs the Department to process, as program income, payments the Department disburses that are less than \$1.00 by paper check and the check is not cashed after 180 days, or if less than \$1.00 is owed on a closed Title IV-D case. The purpose of creating proposed Rule 12E-1.0051, F.A.C., is to provide guidance to the public about the Department's procedures for locating individuals to whom collections or refunds are owed, processing undistributable collections, how an individual can reclaim an undistributable collection, and processing payments that are less than \$1.00 as program income. The effect is to provide the public with information on how the Department will: (1) try to locate individuals to whom collections or refunds are owed; (2) determine a collection or refund to be undistributable; (3) process undistributable collections; (4) allow an individual to reclaim a collection applied as program income; and (5) process payments that are less than \$1.00 as program income.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is to develop procedures for locating individuals to whom collections or refunds are owed, processing undistributable collections, reclaiming collections applied as program income, processing payment refund requests, and processing payments that are less than \$1.00 as program income.

RULEMAKING AUTHORITY: 409.2557(3)(j), 409.2558(3), 409.2558(9) FS.

LAW IMPLEMENTED: 409.2558(3), 409.2558(5) FS.

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

DATE AND TIME: November 22, 2010, 11:00 a.m.

PLACE: Building 2, Room 2-4103, 2450 Shumard Oak Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)717-7532. If you are 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: Phil

Scruggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, telephone (850)617-8035, e-mail address scruggsp@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

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

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Board of Accountancy

RULE NO.: 61H1-23.001  
 RULE TITLE: Confidential Client Information  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to correct rule citations.

SUBJECT AREA TO BE ADDRESSED: Confidential Client Information.

RULEMAKING AUTHORITY: 473.304, 473.315, 473.316 FS.

LAW IMPLEMENTED: 473.315, 473.316 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-23.001 Confidential Client Information.

A certified public accountant shall not disclose any confidential information obtained in the course of a professional engagement except with the consent of the client. This rule shall not be construed to relieve a certified public accountant of his or her obligation under Rules 61H1-20.008 ~~61H1-22.002~~ and 61H1-20.007 ~~22.003~~, F.A.C. or to contravene or contradict any of the provisions of Chapter 473, F.S. Furthermore, this rule shall not prohibit a confidential review of a certified public accountant's professional practice as a part of a quality review program.

Rulemaking Specific Authority 473.304, 473.315, 473.316 FS. Law Implemented 473.315, 473.316 FS. History—New 12-4-79, Formerly 21A-23.01, 21A-23.001, Amended \_\_\_\_\_.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

### DEPARTMENT OF HEALTH

#### Board of Nursing

RULE NO.: 64B9-7.001  
 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose of this amendment is to include renewal fees for persons who are licensed as CNS and ARNP's.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 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 IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (9) No change.

(10) For renewal of an RN/CNS/ARNP license certificate, two hundred five dollars (\$205.00).

(10) through (11) renumbered (11) through (12) No change.

~~(13)(12)~~ No change.

(a) through (c) No change.

(d) For renewal of an RN/CNS/ARNP license certificate, one hundred thirty (\$130.00).

~~(14)(13)~~ No change.

(a) through (c) No change.

(d) For an RN/CNS/ARNP license certificate, ninety-five dollars (\$95.00).

(14) through (18) renumbered (15) through (19) No change.

Rulemaking Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, 5-20-07, 12-21-08,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

**RULE NO.:** 64B13-4.001 **RULE TITLE:** Examination Requirements  
**PURPOSE AND EFFECT:** The purpose of this amendment is to correct the title of the examination necessary for certification by Florida licensed optometrists. The NBEO no longer gives the TMOD exam standing on its own, but has incorporated it into part II of the examination.  
**SUBJECT AREA TO BE ADDRESSED:** Examination Requirements.  
**RULEMAKING AUTHORITY:** 456.017(1), 463.005, 463.006(2) FS.

**LAW IMPLEMENTED:** 456.017(1), 463.006(2) FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

- 64B13-4.001 Examination Requirements.
- (1) through (3) No change.
- (4) Certification Examination. A licensee applying for certification must obtain a passing score on ~~the TMOD~~ part II of the NBEO or must have obtained a passing score on the state certification examination.

Rulemaking Authority 456.017(1), 463.005, 463.006(2) FS. Law Implemented 456.017(1), 463.006(2) FS. History—New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02, 3-8-04, 4-22-10, 10-13-10,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

**RULE NO.:** 64B13-5.002 **RULE TITLE:** Criteria for Approval  
**PURPOSE AND EFFECT:** The purpose of this amendment is to update references to other rules.  
**SUBJECT AREA TO BE ADDRESSED:** Criteria for Approval.  
**RULEMAKING AUTHORITY:** 463.005(1) FS.  
**LAW IMPLEMENTED:** 463.007(4) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

- 64B13-5.002 Criteria for Approval.
- (1) In determining whether to approve a program of continuing professional education, the Board shall consider whether the program contributes to the improvement, advancement, and extension of one’s professional skill and knowledge to the benefit of the patient he or she serves. Continuing education courses in Florida jurisprudence as stated in paragraphs 64B13-5.001(1)(e) ~~and (f)~~, F.A.C., shall be provided by an individual or organization with demonstrated competence in Florida Law pertaining to optometric practice as evidenced by the individual or organization’s credentials, education and experience.

- (2) Approval of non-transcript quality continuing education programs.
  - (a) No change.
  - (b) A non-transcript quality continuing education program shall be approved upon presentation of the following information by the program or course provider or by a licensed practitioner who attended the course:
    - 1. through 3. No change.
    - 4. Evidence that the fees specified in subsections 64B13-6.001(14) and (15) ~~and (16)~~, F.A.C., have ~~has~~ been paid; provided however, should the provider not seek approval of the course, the licensed practitioner seeking approval of the course shall pay the fee.
    - 5. No change.
    - (3) Approval of transcript quality continuing education programs.

(a) No change.

(b) A transcript quality continuing education program shall be approved upon presentation of the following:

1. through 6. No change.

7. Evidence that the fees specified in subsections 64B13-6.001(14) and (15) ~~and (16)~~, F.A.C., have ~~has~~ been paid.

(c) No change.

(4) No change.

Rulemaking Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History—New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00, 5-8-02, 8-19-03, 12-26-05, 12-25-06, 4-21-10, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-7.005                      RULE TITLE: Terms of Probation

PURPOSE AND EFFECT: The purpose of this amendment is to delete language not supported by statutory authority in paragraph (1)(b), clarify and limit the authority of the probation committee, and update the name of the consultant approved by the Department for the impaired practitioners program.

SUBJECT AREA TO BE ADDRESSED: Terms of Probation.

RULEMAKING AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 456.072(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-7.005 Terms of Probation.

(1) Any licensee ordered to serve probation by final order of the Board, shall be subject to the following:

(a) No change.

(b) Any deviation from the requirements of the probation without prior written consent of the Board shall constitute a violation of this probation. ~~Upon recommendation of the Probation Committee or the Probable Cause Committee that a violation of this probation has occurred, the Board may suspend or take other lesser action against the Respondent's~~

~~license. The Respondent will be given notice of the possible action and an opportunity to show why the Board should not take action against the respondent's license.~~

(c) No change.

(d) Respondent shall appear before the Board ~~or Probation Committee~~ at the first meeting of the Board ~~or Probation Committee~~ after said probation commences, at the last meeting of the Board ~~or Probation Committee~~ preceding termination of probation, and at such other times as requested by the Board ~~or Probation Committee~~.

(e) No change.

(f) Respondent shall submit reports to the Probation committee at intervals specified by the Board ~~or the Probation Committee~~. The Reports shall include:

1. through 6. No change.

7. Notarized copies of a number specified by the Board ~~or Probation Committee~~ of patient records of patients examined or treated by the respondent within the previous 60 days. To protect patient confidentiality the patients' names should be suitably covered on the copies.

8. Other information as may be specified by the Board ~~or the Probation Committee~~.

(g) through (h) No change.

(2) If specified in the Final Order, the respondent shall be subject to the following probationary terms:

(a) through (c) No change.

(d) Respondent shall see a psychiatrist or psychologist approved by the Board ~~or Probation Committee~~ at intervals specified by the Board ~~or the Probation Committee~~ for evaluations and treatment.

(e) No change.

(f) Respondent shall comply with all of the conditions of his/her after care contract with the Florida Professionals Resource Physician's Recovery Network.

(g) through (k) No change.

~~Rulemaking Specific~~ Authority 463.005 FS. Law Implemented 456.072(2) FS. History—New 7-18-90, Formerly 21Q-7.005, 61F8-7.005, Amended 11-29-94, 5-29-95, Formerly 59V-7.005, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-10.001                      RULE TITLE: Application for Certification

PURPOSE AND EFFECT: The purpose of this amendment is to identify the Board-approved examination for certification.

SUBJECT AREA TO BE ADDRESSED: Application for Certification.

RULEMAKING AUTHORITY: 463.005(1), 463.0055 FS.

LAW IMPLEMENTED: 463.0055 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 Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-10.001 Application for Certification.

To be certified to administer and prescribe topical ocular pharmaceutical agents a licensed practitioner must submit a completed application, DPR/OPT/006(A), revised 1/89, hereby incorporated by reference, provided by the Board; remit the application fee for certification specified in subsection 64B13-6.001(9), F.A.C.; and demonstrate compliance with the following requirements:

(1) through (2) No change.

(3) Successful completion of ~~part II of the NBEO a Board approved examination testing knowledge of general and ocular pharmacology with particular emphasis on the topical application and side effects of pharmaceutical agents.~~

~~Rulemaking Specific~~ Authority 463.005(1), 463.0055 FS. Law Implemented 463.0055 FS. History--New 11-20-86, Amended 7-6-88, 3-16-89, Formerly 21Q-10.001, 61F8-10.001, Amended 10-4-94, Formerly 59V-10.001, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to permit the prescription of a higher concentration of the medication.

SUBJECT AREA TO BE ADDRESSED: Addition of a topical ocular pharmaceutical agent.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 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 Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

(1) through (3) No change.

(4) ANTIBACTERIAL

(a) through (k) No change

(l) Gatifloxacin – 0.5% ~~0.3%~~

(m) through (p) No change.

(5) through (9) No change.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History--New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, 4-21-10, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

RULE NO.: 64J-1.004  
 RULE TITLE: Medical Direction

PURPOSE AND EFFECT: To amend those rules identified as not being authorized by statute. These revisions will bring Chapter 64J-1, F.A.C. into compliance with the provisions of Chapter 120.536, F.S. Amending paragraphs 64J-1.004(2)(b), (3)(c), (d), F.A.C.

SUBJECT AREA TO BE ADDRESSED: Medical Director qualifications and responsibilities.

RULEMAKING AUTHORITY: 381.0011, 395.405, 401.265, 401.272, 401.35, 499.05 FS.

LAW IMPLEMENTED: 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.41, 401.411, 499.005 FS.

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

DATE AND TIME: Thursday, December 9, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Health, Bureau of Emergency Medical Service, Capital Circle Office Complex, 4025 Esplanade Way, 3rd Floor, Room 301, Tallahassee, Florida 32311, (850)245-4440, extension \*2773. A conference call line

will be available to those participants not able to attend the workshop. The conference number is: (888)808-6959, conference code: 1454440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Melia Jenkins at (850)245-4440, ext. 2773. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Melia Jenkins at (850)245-4440, ext. 2773

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64J-1.004 Medical Direction.

(1) Each ALS, BLS or air ambulance provider shall maintain on file for inspection and copying by the department its current contract for a medical director by which it employs or independently contracts with a physician qualified pursuant to this section to be its medical director.

(2) There is no standard format for a medical director's contract, however, in drafting such an instrument, the following provisions may be addressed:

(a) Name and relationship of the contracting parties.

(b) A list of contracted services inclusive of medical direction, ~~administrative responsibilities~~, professional membership, basic and advanced life support review responsibilities, and reporting requirements.

(c) Monetary consideration inclusive of fees, expenses, reimbursement, fringe benefits, clerical assistance and office space.

(d) Termination clause.

(e) Renewal clause.

(f) Provision for liability coverage.

(g) Effective dates of the contract.

(3) Qualifications:

(a) A medical director shall be a Florida licensed M.D. or D.O.

(b) In addition to all other provisions applicable to medical directors in this rule, an air ambulance medical director shall be knowledgeable of the aeromedical requirements of patients and shall evaluate each patient in person or by written protocol prior to each interfacility transfer flight for the purpose of determining that the aircraft, flight and medical crew, and equipment meet the patient's needs.

~~(c) A medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Rule 64J-1.022, F.A.C. Prehospital care experience shall be documented by the provider.~~

~~(c)(4)~~ A medical director shall demonstrate and have available for review by the department documentation of active participation in a regional or statewide physician group involved in prehospital care.

(4) Duties and Responsibilities of the Medical Director.

(a) Develop medically correct standing orders or protocols which permit specified ALS and BLS procedures when communication cannot be established with a supervising physician or when any delay in patient care would potentially threaten the life or health of the patient. The medical director shall issue standing orders and protocols to the provider to ensure that the provider transports each of its patients to facilities that offer a type and level of care appropriate to the patient's medical condition if available within the service region. The medical director or his appointee shall provide continuous 24-hour-per-day, 7-day-per-week medical direction which shall include in addition to the development of protocols and standing orders, direction to personnel of the provider as to availability of medical direction "off-line" service to resolve problems, system conflicts, and provide services in an emergency as that term is defined by Section 252.34(3), F.S.

(b) Develop and implement a patient care quality assurance system to assess the medical performance of paramedics and EMTs. The medical director shall audit the performance of system personnel by use of a quality assurance program to include but not be limited to a prompt review of patient care records, direct observation, and comparison of performance standards for drugs, equipment, system protocols and procedures. The medical director shall be responsible for participating in quality assurance programs developed by the department.

(c) With the exception of BLS medical directors each ALS or air ambulance service medical director shall possess proof of current registration as a medical director, either individually or through a hospital, with the U.S. Department of Justice, DEA, to provide controlled substances to an EMS provider. DEA registration shall include each address at which controlled substances are stored. Proof of such registration shall be maintained on file with each ALS or air ambulance provider and shall be readily available for inspection.

(d) Ensure and certify that security procedures of the EMS provider for medications, fluids and controlled substances are in compliance with Chapters 499 and 893, F.S., and Chapter 64F-12, F.A.C.

(e) Create, authorize and ensure adherence to, detailed written operating procedures regarding all aspects of the handling of medications, fluids and controlled substances by the provider.

(f) Notify the department in writing of each substitution by the EMS provider of equipment or medication.

(g) Assume direct responsibility for: the use of an automatic or semi-automatic defibrillator; the use of a glucometer; the administration of aspirin; the use of any medicated auto injector; the performance of airway patency techniques including airway adjuncts, not to include endotracheal intubation; and on routine interfacility transports, the monitoring and maintenance of non-medicated I.V.s by an EMT. The medical director shall ensure that the EMT is trained to perform these procedures; shall establish written protocols for the performance of these procedures; and shall provide written evidence to the department documenting compliance with provisions of this paragraph.

(h) An EMT employed by a licensed ALS provider is authorized to start a non-medicated IV under the following conditions:

1. A non-medicated IV is initiated only in accordance with department approved protocols of the licensed ALS provider's medical director. These protocols must include a requirement that the non-medicated IV be initiated in the presence of a Florida certified paramedic (of the same licensed provider) who directs the EMT to initiate the IV.

2. If the licensed ALS provider elects to utilize EMTs in this capacity, the licensed EMS provider shall ensure that the medical director provides training at least equivalent to that required by the 1999 U.S. D.O.T. EMT-Intermediate National Standard Curriculum relating to IV therapy which is incorporated by reference and available from the Superintendent of Documents, Post Office Box 371954, Pittsburgh, PA 15250-7954. The licensed EMS provider shall document successful completion of such training in each EMT's training file and make documentation available to the department upon request.

(i) Ensure that all EMTs and paramedics are trained in the use of the trauma scorecard methodologies as provided in Rule 64J-2.004, F.A.C., for adult trauma patients and Rule 64J-2.005, F.A.C., for pediatric trauma patients.

(j) Develop and revise when necessary TTPs for submission to the department for approval.

(k) Participate in direct contact time with EMS field level providers for a minimum of 10 hours per year. Notwithstanding the number of EMS providers served by the medical director, direct contact time shall be a minimum of 10 hours per year per medical director, not per provider.

(l) Medical Directors of a training program shall:

1. Be responsible for the instruction of the Department of Transportation (DOT) approved training program for EMTs and paramedics.

2. Have substantial knowledge of the qualifications, training, protocols, and quality assurance programs for the training facility.

3. Maintain current instructor level training in Advanced Cardiac Life Support (ACLS), or equivalent, or Advanced Trauma Life Support (ATLS), maintain provider or instructor level training in International Trauma Life Support (ITLS), Prehospital Trauma Life Support (PHTLS), or Advanced Trauma Life Support (ATLS); and Advanced Pediatric Life Support (APLS), Pediatric Advanced Life Support (PALS), Pediatric Education for Prehospital Professionals (PEPP), or Emergency Pediatric Care (EPC).

4. Act as a liaison between training centers, local EMS providers and hospitals.

5. Participate in state and local quality assurance and data collections programs.

6. The EMS training center shall by contract, require such medical director to be available 4 hours per month for classroom teaching or review of student performance, and participate in direct contact time with EMS field level providers for a minimum of 10 hours per year. Notwithstanding the number of training centers or EMS providers served by the medical director, direct contact time shall be a minimum of 10 hours per year per medical director, not per training center.

7. The training program shall provide written documentation to the Department that confirms the Medical Director has reviewed and approved all policies, procedures, and methods used for the orientation of instructors and preceptors.

8. The training program shall provide written documentation to the Department that confirms the Medical Director has reviewed and approved all student testing procedures, evaluators and assessment tools used for each comprehensive final written (cognitive) and practical examination (psychomotor skills) for EMT and paramedic students. The Medical Director shall review each student's performance on the comprehensive final written (cognitive) and practical examination (psychomotor skills) before certifying a student has successfully completed all phase of the educational program and EMTs are proficient in basic life support techniques and paramedics are proficient in advanced life support techniques.

(5) The medical director of a licensed EMS provider may authorize paramedics under his or her supervision to perform immunizations pursuant to a written agreement with a County Health Department in the county in which the immunizations are to be performed. Should the medical director elect to utilize paramedics in this capacity, he or she shall verify on DH Form 1256, Certification of Training, December 2008, which is incorporated by reference and available from the department, that each paramedic authorized to administer immunizations has completed training consistent with that of other staff giving immunizations in the County Health Department as required by the Director of that County Health Department.



Rulemaking Authority 381.0011, 395.405, 401.265, 401.272, 401.35, 499.05 FS. Law Implemented 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.41, 401.411, 499.005 FS. History--New 8-7-89, Amended 6-6-90, 12-10-92, 1-26-97, Formerly 10D-66.0505, Amended 8-4-98, 1-3-99, 2-20-00, 4-15-01, 11-19-01, 10-24-05, 12-18-06, Formerly 64E-2.004, Amended 5-27-10,\_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health and Safety Related Requirements
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCC)

**PURPOSE AND EFFECT:** The rule modifications are being made based on the passage of Senate Bill 7069 changing the requirements for background screening for child care personnel. Additional rule modifications are being made due to the redesign of mandated child care training courses, clarification for fire safety with regards to monthly fire or emergency drills, reunification provisions for parents and children and provisions for children with special needs are to be included in the emergency preparedness plan.

**SUBJECT AREA TO BE ADDRESSED:** Family Day Care and Large Family Child Care Standards.

**RULEMAKING AUTHORITY:** 402.313 FS.

**LAW IMPLEMENTED:** Chapters 2010-114 and 2010-224, Laws of Florida.

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

**DATE AND TIME:** November 19, 2010, 10:00 a.m.

**PLACE:** Public Workshop will be held via teleconference: To join the teleconference go to: [https://www.livemeeting.com/cc/1317\\_winewood\\_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc](https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc) and call 1-888-808-6959, enter conference code 4884900.

Pursuant to the provisions of 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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 388, Tallahassee, Florida 32399-0700. If you are 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: Dinah Gallon (850)488-4900

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**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.006	Record Keeping

**PURPOSE AND EFFECT:** The rule modifications are being made based on the passage of Senate Bill 7069 changing the requirements for background screening for child care personnel. Additional rule modifications are being made due to the redesign of mandated child care training courses, clarification for fire safety with regards to monthly fire or emergency drills, reunification provisions for parents and children and provisions for children with special needs are included in the emergency preparedness plan.

**SUBJECT AREA TO BE ADDRESSED:** Child Care Standards.

**RULEMAKING AUTHORITY:** 402.305 FS.

**LAW IMPLEMENTED:** Chapters 2010-114 and 2010-224, Laws of Florida.

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

**DATE AND TIME:** November 19, 2010, 10:00 a.m.

**PLACE:** Public workshop will be held via teleconference: To join the teleconference go to: [https://www.livemeeting.com/cc/1317\\_winewood\\_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc](https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc) and call 1-888-808-6959, enter conference code 4884900.

Pursuant to the provisions of 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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room 388, Tallahassee, Florida 32399-0700 or call (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: Dinah Gallon (850)488-4900

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:	RULE TITLES:
66B-1.003	Definitions
66B-1.004	Policy
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.009	Project Administration
66B-1.011	Reimbursement
66B-1.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-1.015	Small-Scale Derelict Vessel Removal Projects
66B-1.016	Waterways Cleanup Events

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency within the rule and Florida Statutes 374 and add maritime management plans as eligible projects; clarify the rule provisions for project application, funding, eligibility and administration; and include a section on Waterway Cleanup Events.

The effect of the rule development is to implement changes in the administration of the District’s Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Cooperative Assistance Program rule sections: Definitions, Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration, Reimbursement, Small-Scale Spoil Island Restoration, Small-Scale Derelict Vessel Removal and Waterway Cleanup Events.

**RULEMAKING AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

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

**DATE AND TIME:** November 30, 2010, 11:00 a.m.

**PLACE:** The FIND district office, 1314 Marcinski Road, Jupiter, 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 3 days before the workshop/meeting by

contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. If you are 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:	RULE TITLES:
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.008	Project Eligibility
66B-2.009	Project Administration
66B-2.011	Reimbursement
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-2.015	Small-Scale Derelict Vessel Removal Projects
66B-2.016	Waterways Cleanup Events

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency within the rule and Florida Statutes 374 and add maritime management plans as eligible projects; clarify the rule provisions for project application, funding, eligibility and administration; and include a section on Waterway Cleanup Events.

The effect of the rule development is to implement changes in the administration of the District’s Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Waterways Assistance Program rule sections: Definitions, Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration, Reimbursement, Small-Scale Spoil Island Restoration, Small-Scale Derelict Vessel Removal and Waterway Cleanup Events.

**RULEMAKING AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

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

**DATE AND TIME:** November 30, 2010, 11:00 a.m.

PLACE: The FIND District Office, 1314 Marcinski Road, Jupiter, 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 3 days before the workshop/meeting by contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. If you are 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### Education Practices Commission

RULE NO.:                      RULE TITLE:  
6B-11.009                      Documentation of Mitigation,  
  Aggravation, and Legal Argument

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth procedures for documentation of mitigation, aggravation and legal arguments.

SUMMARY: The new rule will set forth procedures for documentation of mitigation, aggravation and legal arguments.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Commission determined that small businesses would not be affected by this 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: 1012.79(7), 1012.796 FS.

LAW IMPLEMENTED: 1012.79(7), 1012.796 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: Kathleen Richards, Executive Director, Education Practices Commission, Turlington Building, Suite 224, 325 West Gaines Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-11.009 Documentation of Mitigation, Aggravation, and Legal Argument.

(1) Any documents a party wishes the Education Practices Commission panel members to consider relating to mitigation, aggravation, and legal argument shall be submitted to the Education Practices Commission at least 21 days prior to the scheduled hearing in order to allow adequate time for review and incorporation into the electronic agenda materials.

(2) A party submitting documents to the Education Practices Commission shall serve the other parties with a copy of the documents.

(3) Late filed exhibits may be accepted by the panel for good cause.

Rulemaking Authority 1012.79(7), 1012.796 FS. Law Implemented 1012.79(7), 1012.796 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Education Practices Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Education Practices Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 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."

### EXECUTIVE OFFICE OF THE GOVERNOR

#### Office of Tourism, Trade and Economic Development

RULE NOS.:	RULE TITLES:
27M-5.001	Definitions and Forms
27M-5.002	Application Process
27M-5.003	Qualification Process
27M-5.004	Certification Decision Process
27M-5.005	Verification of Actual Qualified Expenditures
27M-5.006	Withdrawal of Tax Credit Eligibility
27M-5.007	Award of Tax Credits
27M-5.008	Election of Tax Credits
27M-5.009	Transfer of Tax Credits

PURPOSE AND EFFECT: This new rule implements the Entertainment Industry Financial Incentive Program (the "Program") established in the Office of Tourism, Trade and Economic Development by Section 288.1254, F.S.

SUMMARY: This rule establishes a process by which production companies may apply for qualification and certification for allocation of Program tax credits.

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: 288.1254(8)(a) FS.

LAW IMPLEMENTED: 288.1254 FS.

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

DATE AND TIME: Tuesday, November 30, 2010, 2:00 p.m.

PLACE: Room 2103, The Capitol, 400 S. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Niki Welge at (850)410-4765 or the below information. If you are 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: Michelle Dennard, (850)922-9448, michelle.dennard@eog.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

#### 27M-5.001 Definitions and Forms.

This section defines terms and phrases used throughout Chapter 27M-5, F.A.C. In this chapter, terms and phrases shall have the meanings defined in Section 288.1254, Florida Statutes, or in this section. Terms and phrases not defined by statute or rule shall be construed according to their plain meaning, and in all cases with the objective of advancing the purpose of the rule in which they appear. All referenced forms are available on the internet at <http://www.filminflorida.com> or may be obtained from OFE.

(1) “Act” means section 28 of Chapter 2010-147, Laws of Florida, codified at Section 288.154, Florida Statutes (formerly known as the Don Davis Entertainment Industry Economic Development Act, Chapter 2007-125, Laws of Florida).

(2) “Agreement” means the standard “Assurance of Compliance Agreement” form OTTED 1254-1 (12/10), which is hereby incorporated by reference.

(3) “Applicant” means a Production company that seeks qualification and certification under the Act for allocation and award of tax credits.

(4) “Application” means the standard “Florida Entertainment Industry Financial Incentive Application” form OTTED 1254-2 (12/10), which is hereby incorporated by reference.

(5) “Award Letter” means the standard “Florida Entertainment Industry Financial Incentive Program Award Decision Letter” form OTTED 1254-3 (12/10), signed by OTTED and provided to the Certified Production, which is hereby incorporated by reference.

(6) “Certification Letter” means the standard “Florida Entertainment Industry Financial Incentive Program Certification Decision Letter” form OTTED 1254-4 (12/10), signed by OTTED and provided to the Certified Production, which is hereby incorporated by reference.

(7) “Commercial and Music Video Queue” means the queue of Certified Productions, other than those eligible for the General Production Queue or the Independent and Emerging Media Production Queue.

(8) “Declaration of Florida Residency Form” means the standard “Florida Entertainment Industry Financial Incentive Program Declaration of Florida Residency” form OTTED 1254-5 (12/10), which is hereby incorporated by reference.

(9) “Florida Worker” means a person who is either:

(a) A legal resident of the State, as demonstrated by a valid Florida driver’s license or other State-issued identification accompanied by a completed and signed Declaration of Florida Residency Form; or

(b) A student enrolled full-time in a film-and-entertainment-related course of study at an institution of higher education in the State.

(10) “Florida Qualified Vendor” means a vendor or supplier in the State that is registered with the Department of State or the Department of Revenue, has a physical location in the State, and employs one or more Florida Workers (when provided services include personal services or labor, only personal services or labor provided by Florida Workers will qualify).

(11) “General Production Queue” means the queue of Certified Productions, other than those eligible for the Commercial and Music Video Queue or the Independent and Emerging Media Production Queue.

(12) “Independent and Emerging Media Queue” means the queue of Certified Productions, other than those eligible for the General Production Queue or the Commercial and Music Video Queue.

(13) “OFE” means the Office of Film and Entertainment, whose address is The Capitol, 400 S. Monroe Street, Tallahassee, Florida 32399.

(14) “OTTED” means the Office of Tourism, Trade and Economic Development, whose address is The Capitol, 400 S. Monroe Street, Tallahassee, Florida 32399.

(15) “Program” means the Entertainment Industry Financial Incentive Program established by the Act.

(16) “Qualification and Recommendation Memo” means the standard “Florida Entertainment Industry Financial Incentive Program Qualification and Recommendation” form OTTED 1254-6 (12/10), submitted to OTTED by the OFE Director (Film Commissioner), which is hereby incorporated by reference.

(17) “Queue” means one or all, as the context makes clear, of the General Production Queue, the Commercial and Music Video Queue, or the Independent and Emerging Media Queue.

(18) “Reasonable Schedule” means that the Recipient maintains its production schedule as provided to OFE, which includes beginning principal photography or the production project in the State no more than forty-five (45) calendar days before or after the principal photography or project start date indicated in the Application.

(19) “Recipient” means an Applicant that, after a certification process, OTTED certifies to receive Program credits and that enters into an Agreement with OFE.

(20) “Request for Confidentiality Form” means the standard “Florida Entertainment Industry Financial Incentive Program Request for Confidentiality” form OTTED 1254-7 (12/10), which is hereby incorporated by reference.

(21) “Summary Statement” means the standard “Florida Entertainment Industry Financial Incentive Program Summary Statement” form OTTED 1254-8 (12/10), which is hereby incorporated by reference.

(22) “State” means the State of Florida, either as a political entity or in the sense of geographical boundaries, as made clear from the context.

(23) “Tax Credit Election Form” means the standard “Florida Entertainment Industry Financial Incentive Program Tax Credit Election” form OTTED 1254-9 (12/10), which is hereby incorporated by reference.

(24) “Tax Credit Transfer Form” means the standard “Florida Entertainment Industry Financial Incentive Program Tax Credit Transfer” form OTTED 1254-10 (12/10), which is hereby incorporated by reference.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254 FS. History–New \_\_\_\_\_.

#### 27M-5.002 Application Process.

(1) No earlier than 180 days before the first day of principal photography or project start date, an Applicant shall electronically submit its Application to the address indicated on the Application; provided, however, that that once a High-Impact Television Series has been certified, it may submit an Application for future seasons. The time of Application receipt by OFE shall be determined by reference to State computer server records.

(2) By 5:00 p.m. (Tallahassee time) on the next business day following the date of electronic Application submittal, OFE must receive from the Applicant all required supporting schedules and documents, as specified in the Application,

along with the original, signed, Application. These items must be provided as both hard copy and electronic files on an optical disc or flash drive. Upon OFE’s timely receipt of these materials, the Application shall be deemed complete.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History–New \_\_\_\_\_.

#### 27M-5.003 Qualification Process.

(1) Once an Application is complete, OFE shall review it to determine whether it contains all required information and meets the Program criteria. The review will include an interview with the contact person listed on the Application.

(2) Based on its review, OFE shall either deny the Application or qualify the Applicant and recommend to OTTED that the Applicant be certified for a tax credit award, if available, based upon its approved Qualified Expenditures budget. OFE shall document its recommendation using the Qualification and Recommendation Memo.

(3) OFE shall prioritize all Qualified Productions on a first-come, first-served basis within the appropriate Queue, based on the time the Application was electronically received; provided, however, that a High-Impact Television Series shall be allowed first position in the General Production Queue (priority between High-Impact Television Series shall be determined on a first-come, first-served basis).

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History–New \_\_\_\_\_.

#### 27M-5.004 Certification Decision Process.

(1) OTTED shall consider OFE’s recommendation and make a final determination of the actual maximum tax credits to certify, if available, to the Qualified Production. OTTED shall document its certification decision using the Certification Letter, the original of which OFE shall send to each Certified Production, with a copy to the Department of Revenue.

(2) Certification of tax credits is conditioned upon their availability pursuant to the fiscal year allocation specified in Section 288.1254(7), Florida Statutes.

(a) Certification of tax credits shall be tied to the fiscal year(s) in which the Certified Production is scheduled for completion. For example, a Certification Letter issued in one fiscal year may certify credits from a future fiscal year credit allocation.

(b) If OTTED certifies a Production for credits during a fiscal year in which the amount of credits remaining for certification during that fiscal year is greater than the amount of credits certified to the Production, then the Certification Letter shall indicate certification of current year credits.

(c) If OTTED certifies a Production for credits during a fiscal year in which the amount of credits remaining for certification during that fiscal year is less than the amount of

credits certified to the Production, then the Certification Letter shall distinguish between certification of current fiscal year credits and certification of future fiscal year credits.

(d) If OTTED certifies a Production for credits during a fiscal year in which all allocated credits have already been certified, but future fiscal year allocations remain available, then the Certification Letter shall indicate certification of future year credits. The Certification Letter shall specify the future fiscal year allocation to which it pertains.

(e) If no credits are available in the present or future fiscal years, then the Certification Letter shall indicate that certification is conditional and dependent upon credits becoming available in the future.

(f) If credits for a particular fiscal year become available in the future, either through non-award of previously certified credits or through legislative changes or otherwise, then OTTED shall distribute them on a first-come, first-serve basis, based on the time the original Application was received, and in descending order of priority to Productions previously certified under paragraphs (c), (d), and (e). OFE shall document this later certification by a supplemental Certification Letter, the original of which OFE shall send to the Certified Production, with a copy to the Department of Revenue.

(3) As an absolute condition precedent to award of credits, every Certified Production shall execute the Agreement before the first day of principal photography or project start date.

(4) Certification decisions shall be subject to review under Chapter 120 of the Florida Statutes.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History—New \_\_\_\_\_.

27M-5.005 Verification of Actual Qualified Expenditures.

(1) After all Qualified Expenditures have been made, the Certified Production shall hire an independent Florida-based and Florida-licensed Certified Public Accountant (CPA) of the Certified Production's choosing, at the Certified Production's expense, to verify the Qualified Expenditures.

(2) After the CPA verifies the actual Qualified Expenditures, the Certified Production company shall submit to OFE a final report, which shall include:

(a) The CPA's compliance audit.

(b) A letter from the CPA outlining its verification procedures.

(c) Proof the CPA has been fully paid. Such payment shall not be considered a Qualified Expenditure.

(d) A final report on the agreed upon procedures by the CPA determining the amount of Qualified Expenditures incurred by the Certified Production.

(e) Qualified Expenditures broken out by type: accounts payable to Florida Qualified Vendors, petty cash, and Florida Worker payroll (the latter being provided as separate files for the cast, crew, and extras).

(f) A completed Summary Statement signed by an authorized officer of the Certified Production company.

(g) A copy of all data substantiating the Qualified Expenditures (receipts, invoices, cancelled checks, payroll records, etc.). Any substantiation which OFE considers not a Qualified Expenditure will be returned to the Certified Production company for written rebuttal. If no written rebuttal is received within 10 business days, the expenses will not be considered a Qualified Expenditure. If written rebuttal is submitted within the required 10 business days, OFE will review the written rebuttal and, in the event OFE's decision remains the same, the rebuttal will be referred to OTTED for final determination.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3) FS. History—New \_\_\_\_\_.

27M-5.006 Withdrawal of Tax Credit Eligibility.

OTTED shall withdraw the tax credit eligibility of a Certified Production that does not continue on a Reasonable Schedule. Failure to provide information requested by OTTED to demonstrate progression on a Reasonable Schedule shall result in certification being withdrawn and the loss of tax credit eligibility.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(4)(c) FS. History—New \_\_\_\_\_.

27M-5.007 Award of Tax Credit.

(1) OFE shall review the accountant's final report, submitted under subsection 27M-5.005(2), F.A.C., and then report to OTTED the final verified amount of actual Qualified Expenditures made by the Certified Production.

(2) OTTED shall determine and approve the final tax credit award amount to each Certified Production. OTTED shall document its award using the Award Letter, the original of which OTTED shall send to each Qualified Applicant, with a copy to the Department of Revenue.

(3) The final tax credit award amount may not exceed the maximum tax credit award amount certified, neither per fiscal year nor in the aggregate. The Award Letter shall specify the fiscal year(s) in which the awarded credits may be applied against tax liability.

(4) Awarded tax credits may later be revoked or forfeited as provided in Section 288.1254(9), Florida Statutes.

(5) Award decisions shall be subject to review under Chapter 120 of the Florida Statutes.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(3)(f), 288.1254(9) FS. History—New \_\_\_\_\_.

27M-5.008 Election of Tax Credits.

(1) Within fourteen (14) days after receipt of the Award Letter, the awardee shall file with OTTED a completed Tax Credit Election Form, which shall constitute an irrevocable election to apply the tax credit against taxes due under Chapter

220. Florida Statutes, against taxes collected or accrued under Chapter 212, Florida Statutes, or against a stated combination of the two taxes.

(2) Within fourteen (14) days after OTTED receives a completed Tax Credit Election Form, OTTED shall provide a copy of the form to the Department of Revenue.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(4)(d) FS. History—New \_\_\_\_\_.

27M-5.009 Transfer of Tax Credits.

(1) A Recipient electing to transfer credits shall apply for the transfer using the Tax Credit Transfer Form.

(2) Within fourteen (14) days after the receipt of a completed Tax Credit Transfer Form, OTTED shall determine whether transfer is authorized under Section 288.1254(5), F.S., and, if it so authorized, provide a copy of the form to the Department of Revenue.

Rulemaking Authority 288.1254(8) FS. Law Implemented 288.1254(5) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lucia Fishburne, State Film Commissioner  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Crist  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July, 23, 2010

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-602.206  
RULE TITLE: Emergency Management  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update the department’s emergency preparedness and response programs.  
SUMMARY: The proposed rule clarifies and updates the department’s emergency preparedness and response plans to include reference to the Incident Command System, which is the department’s standard operating procedure for managing and responding to incidents outside the normal operation of the department.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.  
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
RULEMAKING AUTHORITY: 944.09 FS.  
LAW IMPLEMENTED: 944.09, 944.34, 944.43, 944.44, 944.45 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:

33-602.206 Emergency Management Riot and Disorder Plan.

(1) Definitions.

(a) Incident Command System (ICS) – a standard operating procedure that can be employed in establishing command in a correctional setting during any incident or event outside of normal operations and that provides a means for the effective management of personnel and resources that respond to the incident as it escalates.

(b) Incident commander – the individual assuming and having responsibility for the management of all incidents and events outside of normal operations.

(c) National Incident Management System (NIMS) – a system created under Homeland Security Directive #5 (February 2003) that directs the comprehensive, national approach to incident management by federal, state, territorial, tribal, and local responders. There shall be a Riot and Disorder Plan at each major institution, road prison and vocational center, that sets forth procedures for dealing with riots and disorders. Each such plan shall be approved by the warden of the institution and the Security Coordinator of the Department. Such plans shall be confidential and care shall be taken that their contents are not disclosed to inmates.

(2) The department will respond to all emergencies using ICS in conjunction with NIMS. A state of riot or disorder may be declared by the Regional Director in conjunction with the warden of the institution involved whenever:

(a) Two or more inmates act in concert, with or without preconceived plan, to resist authority, or

(b) Any inmate takes any person hostage or threatens to cause injury to any person and has the apparent ability to carry out such a threat.

(3) The department will ensure that there are critical incident plans in place at each facility that houses inmates.

(4)(3) Upon determining that a critical incident an emergency situation has occurred or is about to occur, the incident commander warden or his designee shall immediately notify the department’s Emergency Action Center, the appropriate prison inspector, Prison Inspector and then the regional director Office of the Regional Director. The regional director Regional Director or his designee shall in turn immediately notify the Office of the Secretary, and the Secretary or his designee shall notify the Office of the Governor and appropriate central office Central Office

personnel. Notification shall include the essential facts of the situation, and persons notified shall be kept informed of new developments as they occur by the same process.

~~(5)(4)~~ The following ~~tactical priorities~~ ~~considerations~~ shall govern the measures taken to resolve a critical incident dealt with a riot or disorder:

(a) Provide for the safety, accountability, and welfare of the general public, personnel, and inmates. This priority is ongoing throughout the incident.

(b) Stabilize, isolate, and contain the incident and provide for preservation of life, property, and order. The safety of any hostages;

(c) Remove endangered persons and obtain treatment for the injured. The welfare and safety of staff and inmates;

(d) Conserve expenses and damage to The protection of property;

(e) Resolve the incident and return the institution to normal operations. The restoration of order and control;

(f) Ensure the identification, arrest, and prosecution of persons violating the law.

~~(6)(5)~~ Force may be used to restore order subject to the provisions of Rule 33-602.210, F.A.C., ~~Use of Force~~. No personal weapons or ammunition of any kind will be used except as specifically authorized by the incident commander warden.

~~(7)(6)~~ Until order is restored no employee shall give any information to the news media without the authority of the incident commander, regional director warden, Regional Director, or Secretary. News media representatives shall not be allowed to enter any area where active rioting is taking place. The incident commander warden has the responsibility of advising the news media of appropriate information, with the advice and assistance of the director of the Office of Communications Central Office Information Services Director.

~~(8)(7)~~ There shall be no bargaining with or concessions to inmates who continue in a state of revolt or insurrection. An appropriate official may talk to and attempt to reason with the rebellious inmates in an attempt to regain control by peaceful means. Demands of inmates that they be permitted to negotiate only with the Governor, news media, or other specified party will be refused.

~~(9)(8)~~ Dealing with inmate leaders in regard to hostages will be handled by the incident commander warden or other designated, trained officials of the institution or department Department. Immediate efforts will be directed toward the liberation of said hostages without undue delay. Any employee taken hostage has no authority regardless of his rank or position; while he is a hostage. An inmate(s) who demands to be released from custody by threatening to do bodily harm to a hostage if he is not released; will not be released, even if all efforts to secure the hostage fail.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09, 944.34, 944.43, 944.44, 944.45 FS. History–New 11-3-82, Formerly 33-3.16, 33-3.016, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Deputy Secretary of Institutions  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 10, 2010

**COMMISSION ON ETHICS**

RULE NO.: 34-7.010  
 RULE TITLE: List of Forms and Instructions  
 PURPOSE AND EFFECT: The purpose of the proposed amendment is to transfer the forms used for filing financial disclosure into Rule Chapter 34-8, Florida Administrative Code – the substantive rule chapter implementing the financial disclosure requirements of Article II, Section 8, Florida Constitution, and Sections 112.3144 and 112.3145, Florida Statutes.

SUMMARY: CE Form 1, CE Form 1X, CE Form 1F, CE Form 6, CE Form 6X, and CE Form 6F are affected by this rulemaking.

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: Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS.

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

DATE AND TIME: December 3, 2010, 9:00 a.m.  
 PLACE: Senate Office Building, Room 37S, 404 South Monroe Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julia Cobb Costas, Assistant General Counsel, telephone: (850)488-7864. If you are 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: Julia Cobb Costas, Assistant General Counsel, telephone: (850)488-7864

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 2010

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

~~(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Sections 112.3145(2) and (3), F.S. Effective 1/2011.~~

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

~~(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8, F.A.C., of these rules. Effective 1/2011.~~

~~(d) through (n) renumbered (b) through (l) No change.~~

~~(f) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2011.~~

~~(m) Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2011.~~

~~(n) Form 1X, Amendment to Form 1 Statement of Financial Interests. To be used to amend a previously filed CE Form 1. Effective 1/2011.~~

~~(o) Form 6X, Amendment to Full and Public Disclosure of Financial Interests. To be used to amend a previously filed CE Form 6. Effective 1/2011.~~

(2) No change.

Rulemaking Authority Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS. Law Implemented Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS. History—New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 1-1-99, 1-1-00, 1-1-00, 12-4-00, 12-21-00, 10-14-01, 11-22-01, 1-1-02, 1-1-03, 1-1-04, 1-1-05, 1-1-06, 6-15-06, 1-1-07, 1-1-10, 1-1-11,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julia Cobb Costas, Assistant General Counsel, telephone: (850)488-7864

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Philip C. Claypool, Executive Director and General Counsel

**COMMISSION ON ETHICS**

RULE NOS.:	RULE TITLES:
34-8.002	General Rule for Filing Full and Public Disclosure of Financial Interests
34-8.008	Final Filing
34-8.009	Amended Filing
34-8.202	General Rules for Filing a Statement of Financial Interests
34-8.208	Final Filing
34-8.209	Amended Filing

PURPOSE AND EFFECT: The purpose of the proposed amendment is to transfer the forms used for filing financial disclosure into Rule Chapter 34-8, Florida Administrative Code—the substantive rule chapter implementing the financial disclosure requirements of Article II, Section 8, Florida Constitution, and Sections 112.3144 and 112.3145, Florida Statutes.

SUMMARY: CE Form 1, CE Form 1X, CE Form 1F, CE Form 6, CE Form 6X, and CE Form 6F are affected by this rulemaking.

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: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(7), 112.3145, 112.3145(9), 112.3147, 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(6), 112.3144(7), 112.3145, 112.3145(2)(b), 112.3145(9) FS.

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

DATE AND TIME: December 3, 2010, 9:00 a.m.

PLACE: Senate Office Building, Room 37S, 404 South Monroe Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Assistant General Counsel

THE FULL TEXT OF THE PROPOSED RULES IS:

34-8.002 General Rule for Filing Full and Public Disclosure of Financial Interests.

(1) Every person who holds an office specified in Rule 34-8.003, F.A.C., must file full and public disclosure of his or her financial interests with the Commission by July 1 of each year during which he or she is in office, and every person who held an office specified in Rule 34-8.003, F.A.C., on December 31st of a year must file full and public disclosure of his or her financial interests with the Commission by July 1 of the following year. Full and public disclosure of financial interests means filing a sworn statement showing net worth, assets and liabilities on the form prescribed by the Commission, CE Form 6 – Full and Public Disclosure of Financial Interests, ~~adopted by reference in Rule 34-7.010(1)(c), Florida Administrative Code~~, together with either a copy of the person's most recent federal income tax return, including all attachments, or the completed income disclosure portion of CE Form 6. The CE Form 6 (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us). A candidate for an elective office specified in Rule 34-8.003, F.A.C., or otherwise specified by law must file this information prior to or at the time he or she qualifies as a candidate.

(2) through (3) No change.

Rulemaking Specific Authority Art. II, Section 8, Fla. Const., 112.3144, 112.3147, 112.322(9) FS. Law Implemented Art. II, Section 8, Fla. Const., 112.3144 FS. History–New 4-7-77, Amended 10-3-84, Formerly 34-8.02, Amended 8-7-94, 7-2-00, 11-7-01, \_\_\_\_\_.

34-8.008 Final Filing.

(1) Each person who is required to file full and public disclosure of financial interests shall, within 60 days of leaving his or her public position, file with the Commission a final disclosure statement covering the period between January 1 of the year in which the person leaves and his or her last day in the position, unless he or she takes another position within that 60-day period which requires full and public disclosure. The final filing shall be on the form prescribed by the Commission, CE Form 6F – Final Full and Public Disclosure of Financial Interests, ~~adopted by reference in Rule 34-7.010, F.A.C.~~ The CE Form 6F (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

(2) No change.

Rulemaking Specific Authority 112.3144, 112.3147, 112.322(9) FS. Law Implemented 112.3144(5), 112.3144(6) FS. History–New 11-7-01, Amended \_\_\_\_\_.

34-8.009 Amended Filing.

(1) A person may amend his or her full and public disclosure of financial interests to add to or modify the information reported on the form as originally filed at any time after filing the disclosure form. The amended filing shall be filed with the same office where the original form was filed and shall be on the form prescribed by the Commission, CE Form 6X – Amendment to Full and Public Disclosure of Financial Interests, ~~adopted by reference in Rule 34-7.010, F.A.C.~~ The CE Form 6X (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

(2) No change.

Rulemaking Specific Authority 112.3144(6), 112.3144(7), 112.3147, 112.322(9) FS. Law Implemented ~~112.3144(6)~~, 112.3144(7) FS. History–New 11-7-01, Amended \_\_\_\_\_.

34-8.202 General Rules for Filing a Statement of Financial Interests.

(1) A person who was a local officer as defined in Section 112.3145, F.S., on December 31st of a year must file by July 1 of the following year a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, ~~adopted by reference in Rule 34-7.010, F.A.C.~~, with the supervisor of elections in the county where he or she permanently resides, or, if the person does not permanently reside in Florida, with the supervisor of elections in the county of his or her agency's headquarters. The CE Form 1 (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

(2) A person who was a state officer or a specified state employee as defined in Section 112.3145, F.S., on December 31st of a year must file with the Commission by July 1 of the following year a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, adopted by reference in subsection 34-8.202(1) ~~34-7.010~~, F.A.C.

(3) A person who assumes a public position defined in Section 112.3145, F.S., as a state officer, specified state employee, or local officer must file within 30 days of taking that position a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, adopted by reference in ~~subsection Rule 34-8.202(1), F.A.C.~~ 34-7.010, provided that any person whose appointment is subject to confirmation by the Senate shall file prior to confirmation hearings or within 30 days from the date of appointment, whichever comes first. The disclosure statement of a state officer or specified state employee must be

filed with the Commission. The disclosure statement of a local officer must be filed with the supervisor of elections in the county where he or she permanently resides, or, if the person does not permanently reside in Florida, with the supervisor of elections in the county of his or her agency's headquarters.

(4) through (5) No change.

(6) A candidate for an elective state or local office specified in Section 112.3145, Florida Statutes, must file with the officer before whom he or she qualifies a statement of financial interests on the form prescribed by the Commission, CE Form 1 – Statement of Financial Interests, adopted by reference in Rule ~~34-8.202(1)~~ ~~34-7.010~~, F.A.C., together with and at the same time he or she files qualifying papers as a candidate.

Rulemaking Specific Authority 112.3145, 112.3147, 112.322(9) FS. Law Implemented 112.3145 FS. History–New 11-7-01, Amended \_\_\_\_\_.

34-8.208 Final Filing.

(1) No change.

(2) The final filing shall be on the form prescribed by the Commission, CE Form 1F – Final Statement of Financial Interests, ~~adopted by reference in Rule 34-7.010, F.A.C. The CE Form 1F (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).~~

(3) through (4) No change.

Rulemaking Specific Authority 112.3145, 112.3147, 112.322(9) FS. Law Implemented 112.3145(2)(b) FS. History–New 11-7-01, Amended \_\_\_\_\_.

34-8.209 Amended Filing.

(1) A person may amend his or her statement of financial interests to add to or modify the information reported on the form as originally filed at any time after filing the disclosure form. The amended statement shall be filed with the same office where the original form was filed and shall be made on the form prescribed by the Commission, CE Form 1X – Amendment to Form 1 Statement of Financial Interests, ~~adopted by reference in Rule 34-7.010, F.A.C. The CE Form 1X (1/2011) is adopted by reference herein and may be obtained without cost from the Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709, and may also be downloaded from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us).~~

(2) No change.

Rulemaking Specific Authority 112.3145(9), 112.3147, 112.322(9) FS. Law Implemented 112.3145(9) FS. History–New 11-7-01, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Julia Cobb Costas, Assistant General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Philip C. Claypool, Executive Director and General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:  
59G-6.010

RULE TITLE:  
Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan, effective July 1, 2010, providing clarifying and editorial changes to the Florida Title XIX Long-Term Care Reimbursement Plan along with detail regarding nursing home staffing ratios found in House Bill 5301, Medicaid Services, and compliance with Section 409.913(15)(c), F.S., regarding late cost reports, and Section 409.9082 F.S., regarding the nursing home quality assessment.

1. Reorganization of Section V. B of the Title XIX Long Term Care Reimbursement Plan regarding the chronology of reimbursement rate reductions and define Medicaid trend adjustment.
2. Interim rate requests: Section IV. J. 4 – Deletion of “resulting from 1. and 2”, Section IV.J.7, delete “effective January 1, 2007” and “as providers incurring additional costs to meet the new minimum staffing standards will receive a “gross-up adjustment” as described in section V.B.4.a. and b.”
3. Definitions added regarding cost report acceptance and due dates.
4. AHCA reserves the right to submit any provider found to be out of compliance with any of the policies and procedures regarding cost reports to the Bureau of Medicaid Program Integrity for investigations.
5. Providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports. A cost report is late if it is not received by AHCA, Bureau of Medicaid Program Analysis, on the first cost report acceptance cut-off date after the cost report due date.
6. AHCA will reserve the right to submit any provider found to be out of compliance with any of the new policies and procedures regarding cost reports to the Bureau of Medicaid Program Integrity for investigations.
7. Addition of Appendix C to the Title XIX Long-Term Care Reimbursement Plan detailing the Medicaid Trend Adjustment to include percentages, annualized reduction amounts, and sample calculations.

8. The agency shall develop efficiency and outcome measures in order to assess the value for patients including both outcomes and costs over the full cycle of care.

9. Revisions to the nursing home quality assessment fee in accordance with Section 409.9082, F.S.

10. Minimum staffing changes:

a. A minimum weekly average of certified nursing assistant and licensed nursing staffing combined of 3.9 hours of direct care per resident per day. A week is defined as Sunday through Saturday.

b. A minimum certified nursing assistant staffing of 2.7 hours of direct care per resident per day. A facility may not staff below one certified nursing assistant per 20 residents.

c. A minimum licensed nursing staffing of 1.0 hour of direct care per resident per day. A facility may not staff below one licensed nurse per 40 residents.

**SUMMARY:** The proposed rule incorporates changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective July 1, 2010, including editorial changes along with detail regarding nursing home staffing ratios found in House Bill 5301, Medicaid Services, and compliance with Section 409.913(15)(c), F.S. regarding late cost reports, and Section 409.9082, F.S. regarding the nursing home quality assessment.

**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:** 409.919 FS.

**LAW IMPLEMENTED:** 409.908 FS.

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

**DATE AND TIME:** December 1, 2010, 9:00 a.m. – 10:00 a.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com

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

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version XXXVIII Effective Date July 1, 2010~~09~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-08-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 8-26-07, 2-12-08, 9-22-08, 3-3-10,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Edwin Stephens

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Elizabeth Dudek

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 20, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 25, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

**RULE NO.:**

59G-6.020

**RULE TITLE:**

Payment Methodology for Inpatient Hospital Services

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan effective July 1, 2010, in accordance with the 2010-11 General Appropriations Act, House Bill 5001, Specific Appropriations 189 and 190, along with the addition of language regarding the Agency’s compliance with Section 409.913(15)(c), F.S.

1. Eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. For any public hospital or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, such hospitals shall be exempt from the inpatient reimbursement ceilings contingent on the hospital or local governmental entity providing the required state match. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the

audited DSH data for 2003, 2004 and 2005 that are available. Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited DSH data, shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

2. Eliminate the inpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

3. Eliminate the inpatient hospital reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2010, and any hospitals that becomes a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 12, Chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited Disproportionate Share Hospital (DSH) data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited Disproportionate Share Hospital (DSH) data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

4. \$9,932,000 is provided for global fees for providing liver transplant services to Medicaid beneficiaries.

5. Eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals, and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the Certificate of Need Program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization, and pediatric heart transplantation. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in Section 408.07(45), Florida Statutes, that are not certified trauma centers, as identified in section 12, chapter 2007-326, Laws of Florida.

6. Buy back of the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for the following three categories of hospitals. Of these funds.

- \$31,984,943 is provided to the first category of hospitals, which are those hospitals that are part of a system that operates a provider service network in the following manner: \$18,773,903 is for Jackson Memorial Hospital; \$2,133,277 is for hospitals in Broward Health; \$4,906,684 is for hospitals in the Memorial Healthcare System; and \$760,226 is for Shands Jacksonville and \$5,410,853 is for Shands Gainesville. In the event that the above amounts exceed the amount of the

Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the inpatient rate.

- \$12,139,819 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals.

- \$5,475,985 shall be used for the third category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates to rural hospitals. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals.

The agency shall use the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

7. Public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in Section 408.07(45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and for designated trauma hospitals to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost.

8. Hospitals not previously provided this authority, may buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost.

9. \$40,000,000 is provided for hospital exemptions from inpatient reimbursement limitations for any hospital, not elsewhere qualifying for an exemption, that has local funds available for intergovernmental transfers.

10. \$6,000,000 is provided for Medicaid payments for multi-visceral transplant and intestine transplants in Florida. The agency shall establish a reasonable global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing transplant services to Medicaid beneficiaries.

11. Adjust the Medicaid rate for any rural hospital that moved into a replacement facility during calendar year 2009 to reflect Medicaid costs for the period of time from moving into the replacement facility to when the rate would reflect the costs of

the replacement facility through the routine rate setting process. To qualify for this adjustment, a hospital must have a combined Medicaid and charity care utilization rate of at least 25 percent based on the most recent information reported to the Agency for Health Care Administration prior to moving into the replacement facility.

12. Funds in Specific Appropriation 190 shall be used for a Disproportionate Share Hospital Program as provided in Sections 409.911, 409.9113, and 409.9119, Florida Statutes:

- \$155,223,205 – Payments to public hospitals;
- \$66,131,172 – Payments to Teaching hospitals;
- \$2,000,000 – Payments for Graduate Medical Education (GME);
- \$13,020,000 – Payments to family practice teaching hospitals;
- \$800,000 – Payments to hospitals licensed as specialty children’s hospitals; and
- \$9,216,200 – Payments to Provider Service Network hospitals.

15. Clarifying the definition of cost report acceptance and due dates.

16. Providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports. A cost report is late if it is not received by AHCA, Bureau of Medicaid Program Analysis, on the first cost report acceptance cut-off date after the cost report due date.

17. Addition of an appendix displaying the rate semester, amount, and percentages of all Medicaid trend adjustments

18. Revisions to the global fee maximum rate for transplantation surgery.

**SUMMARY:** The proposed rule, effective July 1, 2010, brings the Title XIX Inpatient Hospital Reimbursement Plan into compliance with House Bill 5001, 2010-11 General Appropriations Act, Specific Appropriation 194, and compliance with Section 409.913(5)(c), F.S.

**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:** 409.919 FS.

**LAW IMPLEMENTED:** 409.908, 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117 409.9118 and 409.9119 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:** December 1, 2010, 10:00 a.m. – 11:00 p.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or edwin.stephens@ahca.myflorida.com

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

59G-6.020 Payment Methodology for Inpatient Hospital Services.

Reimbursement to participating inpatient hospitals for services provided shall be in accord with the Florida Title XIX Inpatient Hospital Reimbursement Plan, Version XXXVII, Effective Date ~~July~~ ~~January~~ 1, 2010 and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117, 409.9118, 409.9118, and 409.9119 FS. History—New 10-31-85, Formerly 10C-7.391, Amended 10-1-86,1-10-89, 11-19-89, 3-26-90, 8-14-90, 9-30-90, 9-16-91, 4-6-92, 11-30-92, 6-30-93, Formerly 10C-7.0391, Amended 4-10-94, 8-15-94, 1-11-95, 5-13-96, 7-1-96, 12-2-96, 11-30-97, 9-16-98, 11-10-99, 9-20-00, 3-31-02, 1-8-03, 7-3-03, 2-1-04, 2-16-04, 2-17-04, 8-10-04, 10-12-04, 4-19-06, 12-11-06, 3-4-08, 6-10-08, 1-11-09, 3-24-10, 7-5-10, 7-15-10,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Edwin Stephens

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Elizabeth Dudek

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 20, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 25, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

**RULE NO.:** 59G-6.030 **RULE TITLE:** Payment Methodology for Outpatient Hospital Services

**PURPOSE AND EFFECT:** 1. Elimination of the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. For any public hospital or any leased public hospital found to have sovereign immunity or hospital with graduate medical education positions that does not qualify for the elimination of the outpatient ceilings, such hospitals shall be exempt from the outpatient reimbursement ceilings. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. In

the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available. Any hospital that was exempt from the outpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meet the 11 percent threshold, because of updated audited DSH data shall remain exempt from the outpatient reimbursement ceilings for a period of two years.

2. Elimination of the outpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

3. Elimination the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2010 or become a designated or provisional trauma center during Fiscal Year 2010-2011. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 13, Chapter 2007-326, Laws of Florida. The agency shall use the average of the 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

4. Revisions to the outpatient revenue codes and the addition of a reference to the Florida Medicaid Hospital Services Coverage and Limitations Handbook incorporated by reference in Rule 59G-4.160, F.A.C.

5. \$12,226,583 is provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for the following three categories of hospitals:

- \$3,372,389 is provided to the first category of hospitals, which are those hospitals that are part of a system that operate a provider service network in the following manner:

\$570,978 is for Jackson Memorial Hospital;

\$458,668 is for hospitals in Broward Health;

\$840,958 is for hospitals in the Memorial Healthcare System;

\$256,166 to Shands Jacksonville and

\$1,245,619 to Shands Gainesville.

In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate.

\$4,221,468 shall be used for the second category of hospitals to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted

patient days equals or exceeds 30 percent. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate.

\$4,632,726 shall be used for the third category of hospitals to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for rural hospitals. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the outpatient rate for those individual hospitals.

The Agency shall use the average of 2003, 2004 and 2005 audited DSH data available as of March 1, 2009. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2003, 2004 and 2005 that are available.

6. \$66,317,949 is provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in Section 408.07(45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and designated trauma hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost.

7.a) Hospitals may buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost.; and

b) \$15,000,000 is provided for exemptions from outpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers, not elsewhere qualifying for an exemption. The agency shall not include the funds described in this paragraph for the buy back of reductions to outpatient hospital rates in the calculation of capitation rates for Health Maintenance Organizations unless the nonfederal share is provided through grants and donations from state, county or other governmental funds.

8. Clarifying the definitions of cost report acceptance and due dates.

9. AHCA reserves the right to submit any provider found to be out of compliance with any of the policies and procedures regarding cost reports to the Bureau of Medicaid Program Integrity for investigations.

10. Providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports. A cost report is late if it is not received by AHCA, Bureau of Medicaid Program Analysis, on the first cost report acceptance cut-off date after the cost report due date.

**SUMMARY:** The proposed rule effective July 1, 2010, brings the Title XIX Outpatient Hospital Reimbursement Plan into compliance with House Bill 5001, 2010-11 General Appropriations Act, Specific Appropriation 194, and Section 409.913(15)(c), F.S.

**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:** 409.919 FS.

**LAW IMPLEMENTED:** 409.908 FS.

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

**DATE AND TIME:** December 1, 2010, 10:00 a.m. – 11:00 a.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or edwin.stephens@ahca.myflorida.com

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

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version ~~XXI~~ ~~XX~~ Effective date: ~~July 1, 2010~~ July 1, 2009, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-6-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, 7-4-05, 4-19-06, 12-11-06, 3-4-08, 6-10-08, 1-11-09, 7-5-10, 7-15-10, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or edwin.stephens@ahca.myflorida.com

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Elizabeth Dudek

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 20, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 25, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

**RULE NO.:**

59G-6.045

**RULE TITLE:**

Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities)

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not Publicly Owned and not Publicly Operated Reimbursement Plan (the Plan).

1. AHCA reserves the right to submit any provider found to be out of compliance with any of the policies and procedures regarding cost reports to the Bureau of Medicaid Program Integrity for investigations.
2. Providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports. A cost report is late if it is not received by AHCA, Bureau of Medicaid Program Analysis, on the first cost report acceptance cut-off date after the cost report due date.
3. The addition of cost report related definitions.

**SUMMARY:** Effective July 1, 2010, providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports.

**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:** 409.919 FS.

**LAW IMPLEMENTED:** 409.908 FS.

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

**DATE AND TIME:** December 1, 2010, 11:00 a.m. – 12:00 Noon

**PLACE:** 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32308



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)412-4077, edwin.stephens@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities).

Reimbursement to participating facilities for services provided shall be in accord with the Florida Title XIX ICF/MR-DD Reimbursement Plan for Facilities Not Publicly Owned and Not Publicly Operated (Formerly known as ICF-MR/DD Facilities), Version VI, Effective Date July 1, 2010 ~~October 1, 2009~~ incorporated herein by reference. A copy of the Plan may be obtained by writing to the Deputy Secretary for Medicaid, Agency for Health Care Administration, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History--New 3-14-99, Amended 10-12-04, 2-22-06, 4-12-09, 3-3-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-6.090	Payment Methodology for County Health Departments

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX County Health Department Reimbursement Plan in accordance with House Bill 5001, 2010-11 General Appropriations Act, Specific Appropriation 212, and Section 409.913(15)(c), F.S.

1. The Agency shall implement a recurring methodology in the Title XIX County Health Department Reimbursement Plan to achieve a \$40,379,100 rate reduction to modify the reimbursement rates for county health departments. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the

budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

2. \$42,631,388 is provided for county health departments to buy back clinic services rate adjustments, effective on or after July 1, 2008.

3. AHCA reserves the right to submit any provider found to be out of compliance with any of the policies and procedures regarding cost reports to the Bureau of Medicaid Program Integrity for investigations.

4. Providers are subject to sanctions pursuant to Section 409.913(15)(c), F.S., for late cost reports. A cost report is late if it is not received by AHCA, Bureau of Medicaid Program Analysis, on the first cost report acceptance cut-off date after the cost report due date.

SUMMARY: July 1, 2010 County Health Department Reimbursement rates late cost report sanctions.

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: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: December 1, 2010, 1:00 p.m. – 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, 2727 Mahan Drive, Mail Stop 21, Tallahassee, Florida 32308 or edwin.stephens@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.090 Payment Methodology for County Health Departments.

Reimbursement to participating county health departments for services provided shall be in accordance with the Florida Title XIX County Health Departments Reimbursement Plan Version VIII Effective Date July 1, 2010 ~~March 1, 2009~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New 6-3-93, Formerly 10P-6.090, Amended 7-21-02, 11-21-04, 1-11-09, 3-24-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.: 61B-39.003 RULE TITLE: Filing of Single-Site Timeshare Plans  
 PURPOSE AND EFFECT: Implement changes required by Chapter 2010-134, Laws of Florida, requiring lien disclosure information in all new timeshare public offering statements filed with the division which are not multisite timeshare plans.  
 SUMMARY: This rule amendment provides the location where the lien disclosure information must appear in the public offering statement. It also provides for circumstances where the division has already approved the disclosure in another location in the POS and where the managing entity does not intend to implement the use of the trustee foreclosure procedure.

Other rules incorporating this rule: This rule is referenced in Rules 61B-39.002, 61B-39.004, 61B-39.005, 61B-39.006, 61B-39.008 and 61B-41.003, F.A.C.

Effect on Other Rules: The amendments to this rule will not affect Rule 61B-39.002, 61B-39.006 or 61B-39.008. Compliance with paragraphs 61B-39.004(1)(a) and 61B-39.005(2)(h), F.A.C., will now require the new elements of the POS added by this amendment to Rule 61B-39.003, F.A.C.

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

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

RULEMAKING AUTHORITY: 721.07(5), 721.26(6) FS.  
 LAW IMPLEMENTED: 721.05, 721.06(1), 721.07(5), (6), 721.52(4), (5) FS.

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

DATE AND TIME: November 29, 2010, 10:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. If you are 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-39.003 Filing of Single-Site Timeshare Plans.

(1) No change.

(2) Every single-site registered POS must organize the required information and disclosures in the following manner and format:

(a) through (f) No change.

(g) The next consecutive pages shall be labeled “III. Public Offering Statement Text” and shall contain the subject matter indicated by, and be organized by section according to, the Index to Public Offering Statement Text, and contain the information and disclosures required in Sections 721.07(5)(e)-(j)(~~ii~~), 721.55, F.S., in the following order:

1. through 17. No change.

18. Section 7.d. shall contain the information required in Sections 721.07(5)(p)1., and (p)2., and ~~(5)(ii), and (j)~~, F.S.;

19. No change.

(3) through (6) No change.

(7) The developer of a single-site timeshare plan shall not be required to amend the single-site POS in order to relocate, reorder, rearrange, or renumber the statement in conspicuous type required by Section 721.07(5)(j), F.S., if such statement is in a section of the POS other than Section 7.d. and such single-site POS has been approved by the division; provided however, that in any subsequent amendment the developer shall amend the POS to place the statement in Section 7.d.

(8) The developer of a single-site timeshare plan with a POS approved by the division prior to the division’s implementation of Section 721.07(5)(j), F.S., shall not be required to amend the single-site POS to include the statement in conspicuous type contained in Section 721.07(5)(j), F.S., until such time that the managing entity intends to implement the use of the trustee foreclosure procedure permitted pursuant to Section 721.855, F.S.

Rulemaking Authority 721.07(5), 721.26(6) FS. Law Implemented 721.05, 721.06(1)(g), 721.07(5), (6), 721.52(4), (5) FS. History--New 5-8-94, Amended 12-11-94, 6-12-96, 12-18-01, 12-10-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Cochran, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

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 19, 2010

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-29.002                      RULE TITLE: Temporary License

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide the circumstances in which a CPA, licensed in another state, would not be required to obtain a temporary license to perform a specific engagement in Florida.

SUMMARY: Language concerning the circumstances in which a CPA, licensed in another state, would not be required to obtain a temporary license to perform a specific engagement in Florida, will be added to the rule.

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

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

RULEMAKING AUTHORITY: 473.304, 473.305, 473.314 FS.

LAW IMPLEMENTED: 473.314, 473.315 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61H1-29.002 Temporary License.
- (1) through (8) No change.

(9) Notwithstanding the above-stated requirements, a temporary license will not be required for an individual meeting one of the following requirements:

(a) Holds a valid license as a certified public accountant from a state that has adopted the substantially equivalency standards set forth in Section 5 of the Uniform Accountancy Act, fifth edition revised July 2007, incorporated herein and available at <http://www.aicpa.org/Advocacy/State/Documents/UAA%20Fifth%20Edition%20Final%20Version.pdf>; or

(b) Holds a valid license as a certified public accountant and obtains verification from the National Association of State Board of Accountancy CredentialNet service that the individual meets the substantially equivalency standards set forth in Section 5 of the Uniform Accountancy Act, fifth edition revised July 2007. CredentialNet can be reached at [credentialnet@nasba.org](mailto:credentialnet@nasba.org) or (866)350-0017.

Rulemaking Authority 473.304, 473.305, 473.314 FS. Law Implemented 473.314, 473.315 FS. History--New 12-4-79, Amended 2-3-81, 10-19-83, Formerly 21A-29.02, Amended 5-3-88, 12-3-89, 6-13-90, 3-29-92, 12-2-92, Formerly 21A-29.002, Amended 6-28-94, 1-11-95, 8-28-06, 12-10-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 4, 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 Nursing**

RULE NO.: 64B9-8.006                      RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The purpose of this amendment is to include the penalties and sentencing guidelines for health care fraud of Chapter 2009-223, Laws of Florida.

SUMMARY: The purpose of this amendment is to include the penalties and sentencing guidelines for health care fraud of Chapter 2009-223, Laws of Florida.

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

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

RULEMAKING AUTHORITY: 456.072, 456.079 FS.

LAW IMPLEMENTED: 456.079, 464.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (3)(bbb) No change.

	<u>First Offense</u>	<u>Second Offense</u>
<u>(ccc) Being convicted of, or entering a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program.</u> <u>(456.072(1)(ii), F.S.)</u>	<u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>	
<u>(ddd) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement.</u> <u>(456.072(1)(jj), F.S.)</u>	<u>Reprimand, suspension until restitution made. Fine of 10% of overpayment, maximum of \$5,000.00.</u>	<u>Reprimand, and suspension to revocation. Fine of 20% of overpayment, maximum of \$5,000.00.</u>
<u>(eee) Being terminated from the state Medicaid program, or any other state Medicaid program, or the federal Medicare program.</u> <u>(456.072(1)(kk), F.S.)</u>	<u>Reprimand to suspension and a fine of \$250.</u>	<u>From suspension and a fine of \$500 to revocation.</u>
<u>(fff) Being convicted of, or entering into a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, which relates to health care fraud.</u> <u>(456.072(1)(ll), F.S.)</u>	<u>(fff) Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>	

(4) through (6) No change.

Rulemaking Authority 456.072, 456.079 FS. Law Implemented 456.072, 456.079, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 21O-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, 3-23-00, 5-8-00, 5-2-02, 1-12-03, 2-22-04, 8-3-05, 7-5-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.005	Food and Nutrition
65C-22.008	School Age Child Care
65C-22.010	Enforcement

PURPOSE AND EFFECT: The rule modifications were implemented based on the passage of House Bill 5311. This bill eliminated the Department of Health's ability to conduct food service inspections in child care settings. In an effort to protect the health and safety of children in child care, the sections of the administrative code have been revised to incorporate standards for the continued regulation of food

safety in licensed child care facilities. Additional modifications were implemented in the School Age section regarding Background Screening and Fire Safety.

**SUMMARY:** The rule modifications expand the Department's regulation of food safety standards. Modifications to background screening standards were made in this section in accordance with the new law implemented by Senate Bill 7069. Additional modifications were made based on request for clarification to the current fire safety language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The proposed rules impose no new transactional cost to child care providers. The elimination of the Department of Health's food hygiene regulatory authority over child care facilities means that facilities will see a reduction in overall annual licensing/permit fees. The proposed rules include a new requirement that a facility that provides food service must have a staff person who is a certified food service manager. The food service manager certification will require the designated facility personnel to complete a course offered by an approved private provider, but the fee charged for that course is more than offset by the elimination of the annual permit fee previously charged by the Department of Health. Therefore, there is no adverse fiscal impact on licensed facilities.

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:** 402.305 FS.

**LAW IMPLEMENTED:** 402.305 FS.

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

**DATE AND TIME:** November 29, 2010, 10:00 a.m.

**PLACE:** Public Hearing held via teleconference: To join the Teleconference go to [https://www.livemeeting.com/cc/1317\\_winewood\\_bldv/join?id=N3Q72K&role=attend&pw=PRF%2Fz%40q3m](https://www.livemeeting.com/cc/1317_winewood_bldv/join?id=N3Q72K&role=attend&pw=PRF%2Fz%40q3m) and call 1-888-808-6959, enter conference code 488-4900.

Pursuant to the provisions of 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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room 388, Tallahassee, Florida 32399-0700 or call (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 RULES IS:** Dinah Gallon (850)488-4900

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

65C-22.001 General Information.

(1) No change.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, ~~October 2010~~ ~~March 2009~~, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(b) No change.

(c) The completed CF-FSP Form 5017 must be signed by the individual owner, prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire and environmental health inspections.

(d) through (e) No change.

(2) through (11) No change.

Rulemaking Authority 402.305, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 7-29-10, \_\_\_\_\_.

65C-22.005 Food and Nutrition.

(1) Nutrition.

(a) If a facility chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPyramid, ~~September April~~ 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack, and the serving size of the selected foods for children ages two and older. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA MyPyramid may be obtained from the USDA website at [www.mypyramid.gov](http://www.mypyramid.gov). Using the USDA MyPyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. If a facility chooses to serve breakfast and lunch, milk must be served with at least one of the meals provided. If a facility chooses to serve dinner, milk must be served with this meal.

(b) Operators who participate in the USDA Food Program shall provide nutritious meals and snacks in accordance with the Department of Health and the USDA requirements.

~~(c)(b)~~ If a facility chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

~~(d)(e)~~ If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the custodial parent or legal guardian notifies the child care facility of any known food allergies, written documentation must be maintained in the child's file

for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

(e)(4) Meal and snack menus shall be planned, written, and posted at the beginning of each week. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. Daily meal and snack menus shall be maintained for a minimum of ~~twelve~~ ~~four~~ months for review by the Department ~~licensing purposes~~. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and the USDA requirements.

(2) Food Hygiene Preparation Area. All licensed child care facilities that store, prepare, and/or serve food to the children in care must comply with the following requirements: approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.

(a) Application acknowledging food service. All child care facilities that store, prepare, and/or serve food to the children in care must identify annually the type of food services provided on CF-FSP Form 5017, March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. A copy of the application may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(b) Facilities must comply with the following rules from Chapter 64E-11, F.A.C., which are incorporated by reference:

1. 64E-11.001, Food Hygiene – General;
2. 64E-11.002, Definitions;
3. 64E-11.003, Food Supplies;
4. 64E-11.004, Food Protection;
5. 64E-11.005, Personnel;
6. 64E-11.006, Food Equipment and Utensils;
7. 64E-11.007, Sanitary Facilities and Controls;
8. 64E-11.008, Other Facilities and Operations;
9. 64E-11.009, Temporary Food Service Events;
10. 64E-11.010, Vending Machines;
11. 64E-11.011, Procedure When Infection is Suspected;
12. 64E-11.014, Mobile Food Units.

(c) Manager Certification and Training.

1. All child care facilities that store, prepare, and/or serve food to the children in care shall designate in writing a food service manager.

2. The designated food service manager shall have passed a written certification test from one of the following providers: National Registry of Food Safety Professional (800)446-0257, National Restaurant Association (800)765-2122, or Thomson Prometric (800)624-2736.

The certified manager shall also maintain a copy of their active manager certification on site for review by the Department. The manager certification is active for five years from the date of issuance and must be renewed timely.

3. All additional food service employees or any employee who works in the kitchen and/or serves food shall complete the "Serving Safe Food in Child Care" course offered by the National Food Service Management Institute at The University of Mississippi. The course is a four-hour online course that can be accessed via the National Food Service Management Institute website. A copy of the certificate indicating course completion must be available for review by the Department. This is a one-time training requirement that must be completed prior to preparing and/or serving food to the children in care. This training may be counted toward completion of the employee in-service training requirement only one time for each employee.

4. The facility must, within 90 days of the date that the certified food service manager separates from employment at the facility or is relieved of food service management responsibilities, designate in writing a food service manager ~~that~~ who has passed a written certification test from one of the providers listed in paragraph (2)(c)2. of this rule.

(d) Inspections, violations, and administrative action

1. Facilities will be subject to inspections that must be documented on Department of Health form DH 4023, Jan. 2005, which is incorporated herein by reference.

2. The food service operations of the facility must close down immediately if there is a loss of power services, and/or water services, and/or sewage issues that affect the kitchen area. The operator must notify the Department within four hours as to their operational status in order for the Department to ensure health standards are being met for continued operation.

3. In the event that a child or children at the facility are sickened as a result of a violation of the food hygiene standards established by this rule, the facility will be subject to progressive sanctions in accordance with the schedule for Class I violations provided in Rule 65C-22.010, F.A.C.

4. A "stop sale action" means that a violation of food service standards has been observed that poses an immediate threat to the safety of food requiring the food item(s) in question be destroyed or otherwise rendered unusable at the time of inspection. Violations resulting in a "stop sale action" must be documented on Department of Health DH form 4045, Feb. 1999, which is incorporated herein by reference. Re-occurring "stop sale actions" subject the facility to progressive sanctions in accordance with the schedule for Class II violations provided in Rule 65C-22.010, F.A.C.

5. Other violations of food service standards that do not result in a "stop sale action" will subject the facility to progressive sanctions in accordance with the schedule for Class III violations provided in Rule 65C-22.010, F.A.C.

6. In the event that the Department determines that a child care facility's regular food service operation fails to comply with the food hygiene standards established in this rule such that continued operation of regular food service presents an imminent danger to the health and safety of the children being served, the Department will require that the facility immediately cease regular food service. Closure of the regular food service operation will not otherwise affect the operation of the facility, provided that the facility makes alternative arrangements to provide food for the children as needed. The facility must notify parents that the regular food service has been closed and must inform them of the alternate arrangements that have been made. The Department will document the closure on Department of Health form DH 4023, Jan 2005 used for inspection purposes. The facility must post the food service inspection report in a conspicuous place accessible to parents for the duration of the closure. Any food service operation closed under this rule shall remain closed until the standards violation that produced the closure has been remedied.

(e) Any organized food preparation activity in which children in care may participate as part of a planned curriculum must be under the direct supervision of a staff person who is knowledgeable in food hygiene safety and who has completed at minimum the "Serving Safe Food in Child Care" course required in paragraph (c) of this section.

(3) No change.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10,\_\_\_\_\_.

65C-22.008 School Age Child Care.

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

(d) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5017, October 2010 ~~March 2009~~, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

1. No change.

2. The completed CF-FSP Form 5017 must be signed by the individual owner, or prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire ~~and environmental health~~ inspections.

3. through 4. No change.

(e) No change.

(3) No change.

(a) through (d) No change.

(e) General Requirements.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children. It is the responsibility of the director/owner that all areas of the facility are free from fire hazards, such as candles, incense, plug-in air fresheners, lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents.

2. through 8. No change.

(f) through (j) No change.

(k) Health and Sanitation.

1. No change.

2. Employees, volunteers, and children shall wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves, or while assisting others, prior to eating, and immediately after outdoor play.

3. No change.

~~4. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards.~~

(l) through (o) No change.

(p) Nutrition.

1. If a school-age child care program chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA My Pyramid, September April 2005, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. Using the USDA My Pyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. If a facility chooses to serve breakfast and lunch, milk must be served with at least one of the meals provided. If a facility chooses to serve dinner, milk must be served with this meal. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA My Pyramid may be obtained from the USDA website at [www.mypyramid.gov](http://www.mypyramid.gov).

2. through 4. No change.

(q) Food Hygiene ~~Preparation Area~~.

~~1. All licensed school-age child care facilities that store, prepare, and/or serve food to the children in care must comply with the following requirements: approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.~~

~~2. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local~~

~~environmental health standards, specified in Chapter 64E-11, F.A.C., Food Hygiene, as it pertains to the food preparation area defined above.~~

a. Application acknowledging food service. All child care facilities that store, prepare, and/or serve food to the children in care must identify annually the type of food services provided on CF-FSP Form 5017, Application for a License to Operate a Child Care Facility, which is incorporated by reference. A copy of the application may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

b. Facilities must comply with the following rules from Chapter 64E-11, F.A.C., which are incorporated by reference:

I. 64E-11.001, Food Hygiene – General;

II. 64E-11.002, Definitions;

III. 64E-11.003, Food Supplies;

IV. 64E-11.004, Food Protection;

V. 64E-11.005, Personnel;

VI. 64E-11.006, Food Equipment and Utensils;

VII. 64E-11.007, Sanitary Facilities and Controls;

VIII. 64E-11.008, Other Facilities and Operations;

IX. 64E-11.009, Temporary Food Service Events;

X. 64E-11.010, Vending Machines;

XI. 64E-11.011, Procedure When Infection is Suspected;

XII. 64E-11.014, Mobile Food Units.

c. Manager Certification and Training.

I. All child care facilities that store, prepare, and/or serve food to the children in care shall designate in writing a food service manager.

II. The designated food service manager shall have passed a written certification test from one of the following providers: National Registry of Food Safety Professional (800)446-0257, National Restaurant Association (800)765-2122, or Thomson Prometric (800)624-2736.

The certified manager shall also maintain a copy of their active manager certification on site for review by the Department. The manager certification is active for five years from the date of issuance and must be renewed timely.

III. All additional food service employees or any employee who works in the kitchen and/or serves food shall complete the "Serving Safe Food in Child Care" course offered by the National Food Service Management Institute at The University of Mississippi. The course is a four-hour online course that can be accessed via the National Food Service Management Institute website. A copy of the certificate indicating course completion must be available for review by the Department. This is a one-time training requirement that must be completed prior to preparing and/or serving food to the children in care. This training may be counted toward completion of the employee in-service training requirement only one time for each employee.

IV. The facility must, within 90 days of the date that the certified food service manager separates from employment at the facility or is relieved of food service management responsibilities, designate in writing a food service manager ~~that~~ who has passed a written certification test from one of the providers listed in subparagraph (2)(c)2. of this rule.

d. Inspections, violations, and administrative action.

I. Facilities will be subject to inspections that must be documented on Department of Health form DH 4023, Jan. 2005, which is incorporated herein by reference.

II. The food service operations of the facility must close down immediately if there is a loss of power services, and/or water services, and/or sewage issues that affect the kitchen area. The operator must notify the Department within four hours as to their operational status in order for the Department to ensure health standards are being met for continued operation.

III. In the event that a child or children at the facility are sickened as a result of a violation of the food hygiene standards established by this rule, the facility will be subject to progressive sanctions in accordance with the schedule for Class I violations provided in Rule 65C-22.010, F.A.C.

IV. A "stop sale action" means that a violation of food service standards has been observed that poses an immediate threat to the safety of food requiring the food item(s) in question be destroyed or otherwise rendered unusable at the time of inspection. Violations resulting in a "stop sale action" must be documented on Department of Health DH form 4045, Feb. 1999, which is incorporated herein by reference. Re-occurring "stop sale actions" subject the facility to progressive sanctions in accordance with the schedule for Class II violations provided in Rule 65C-22.010, F.A.C.

V. Other violations of food service standards that do not result in a "stop sale action" will subject the facility to progressive sanctions in accordance with the schedule for Class III violations provided in Rule 65C-22.010, F.A.C.

VI. In the event that the Department determines that a child care facility's regular food service operation fails to comply with the food hygiene standards established in this rule such that continued operation of regular food service presents an imminent danger to the health and safety of the children being served, the Department will require that the facility immediately cease regular food service. Closure of the regular food service operation will not otherwise affect the operation of the facility, provided that the facility makes alternative arrangements to provide food for the children as needed. The facility must notify parents that the regular food service has been closed and must inform them of the alternate arrangements that have been made. The Department will document the closure on Department of Health form DH 4023, Jan 2005 used for inspection purposes. The facility must post the food service inspection report in a conspicuous place accessible to parents for the duration of the closure. Any food



service operation closed under this rule shall remain closed until the standards violation that produced the closure has been remedied.

e. Any organized food preparation activity in which children in care may participate as part of a planned curriculum must be under the direct supervision of a staff person who is knowledgeable in food hygiene safety and who has completed at minimum the "Serving Safe Food in Child Care" course required in paragraph (c) of this section.

(r) No change.

(s) Fire and Emergency Safety.

1. through 4. No change.

5. During the facility's licensure year, the facility must conduct either a fire or emergency preparedness drill each month. Fire drills shall be conducted a minimum of 10 times annually and be conducted at various dates and times when children are in care, and shall not occur less than 30 days apart. A current attendance record must accompany staff out of the building during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

a. through b. No change.

6. through 7. No change.

8. The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the child care facility during a fire, lockdown, and inclement weather (tornadoes). The plan shall describe how the facility will meet the needs of the children during and after an emergency event, including facilitating parent/guardian reunification.

9. through 12. No change.

(t) No change.

(u) Record Keeping.

1. through 4. No change.

a. through c. No change.

d. Prior to beginning volunteering in a school-age program, a CF-FSP 5217, August 2010 ~~March 2009~~, Volunteer Affidavit, which is incorporated by reference, and may be obtained from the department's website [www.myflorida.com/childcare](http://www.myflorida.com/childcare), must be completed and on file at the facility for the volunteer.

e. No change.

(I) Level 2 screening as defined in Section 435.04., which includes at a minimum, a national criminal records check conducted by the Federal Bureau of Investigations (FBI), a criminal history check conducted by the Florida Department of Law Enforcement (FDLE), and a local criminal records check through local law enforcement agencies ~~FBI, FDLE, and local law enforcement records checks.~~

(II) No change.

(III) CF Form 1649A, August 2010, Affidavit Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel at time of initial screening or upon a change in employers annually. CF Form 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

f. Re-Screening. A screening conducted under this rule is valid for five years, at which time a statewide re-screen must be conducted in the same manner as the initial screening.

(I) No change.

(II) The five year re-screen must include, at a minimum, a national criminal records check conducted by the Federal Bureau of Investigations (FBI), a criminal history check conducted by through Florida Department of Law Enforcement (FDLE), and a local criminal records check through local law enforcement agencies ~~statewide criminal records checks through the Florida Department of Law Enforcement (FDLE) and a local criminal records check.~~

~~(III) CF 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).~~

~~(III)(IV)~~ A copy of all background screening clearance documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate local licensing agency requirements.

g. through j. No change.

5. No change.

(4) No change.

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History—New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, 7-29-10,\_\_\_\_\_.

65C-22.010 Enforcement.

(1) Definitions.

(a) through (d) No change

1. "Class I Violation" is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5316, October 2010 ~~March 2009~~, Child Care Facility Standards Classification Summary, which is incorporated by reference. A copy of the CF-FSP Form 5316 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Class I violations are the most serious in nature, pose an imminent threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.

2. through 4. No change.

(2) No change.

Rulemaking Authority 402.305,402.310 FS. Law Implemented 402.305, 402.310 FS. History—New 5-1-08, Amended 1-13-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dinah Gallon  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Don Winstead  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-137.001  
RULE TITLE: Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: This rule is being amended to adopt the 2010 NAIC Quarterly Statement Instructions and also adopts the 2010 NAIC accounting practices and procedures manual.

SUMMARY: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By adopting the current versions of these NAIC instructions and manuals, the Office is establishing up-to-date, uniform standards for annual and quarterly reports which will provide the information necessary for the Office to evaluate insurers’ financial conditions.

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: 624.308(1), 624.424(1) FS.

LAW IMPLEMENTED: 624.424(1) FS.

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

DATE AND TIME: December 1, 2010, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-137.001 Annual and Quarterly Reporting Requirements.

(1) through (3) No change.

(4) Manuals Adopted.

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC’s Annual Statement Instructions, Property and Casualty, 2010 ~~2009~~;

2. The NAIC’s Annual Statement Instructions, Life, Accident and Health, 2010 ~~2009~~;

3. The NAIC’s Annual Statement Instructions, Health, 2010 ~~2009~~;

4. The NAIC’s Annual Statement Instructions, Title, 2010 ~~2009~~; and

5. The NAIC’s Accounting Practices and Procedures Manual, as of March 2010 ~~2009~~.

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC’s Quarterly Statement Instructions, Property and Casualty, 2010 ~~2009~~;

2. The NAIC’s Quarterly Statement Instructions, Life, Accident and Health, 2010 ~~2009~~;

3. The NAIC’s Quarterly Statement Instructions, Health, 2010 ~~2009~~;

4. The NAIC’s Quarterly Statement Instructions, Title, 2010 ~~2009~~; and

5. The NAIC’s Accounting Practices and Procedures Manual, as of March 2010 ~~2009~~.

(c) No change.

Rulemaking Specific Authority 624.308(1), 624.424(1) FS. Law Implemented 624.424(1) FS. History–New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-137.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@flor.com

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-138.001  
 RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

PURPOSE AND EFFECT: This rule is being amended to adopt the 2010 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2009 version.

SUMMARY: Section 624.316, Florida Statutes, requires the Office to examine insurer’s financial condition, using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

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: 624.308(1), 624.316(1)(c) FS.  
 LAW IMPLEMENTED: 624.316(1)(c) 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: December 1, 2010, 9:30 a.m.  
 PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

690-138.001 NAIC Financial Condition Examiners Handbook Adopted.

~~(1)(a) The National Association of Insurance Commissioners Financial Condition Examiners Handbook (2006) is hereby adopted and incorporated by reference.~~

~~(b) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2010 2009 is hereby adopted and incorporated by reference.~~

(2) through (3) No change.

~~Rulemaking Specific Authority 624.308(1), 624.316(1)(c) FS. Law Implemented 624.316(1)(c) FS. History—New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-138.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail [kerry.krantz@flor.com](mailto:kerry.krantz@flor.com)

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2010

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

**DEPARTMENT OF COMMUNITY AFFAIRS**  
**Division of Housing and Community Development**

RULE NO.: 9B-70.002  
 RULE TITLE: Commission Approval and Accreditation of Advanced Building Code Training Courses

**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. 29, July 23, 2010 issue of the Florida Administrative Weekly.

This is the second Notice of Change for this rule. The first notice was published in Vol. 36, No. 40, October 8, 2010, edition of the Florida Administrative Weekly.

(1) through (3)(f) No change.

(g) If an approved accredited course requires revision to correct or update a reference, table, diagram, or quoted provision of code, law, or administrative rule, the training provider may submit the revised course and complete Form ~~FBC-ED-002 9B-70.002(4)(a)~~, effective September 10, 2010, adopted herein by reference and available from the Building Code Information System at [www.floridabuilding.org](http://www.floridabuilding.org). The training provider must list the exact change, the specific location of the change, and reason for the change in the course and affirm this is the only change. The changes to the course shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.

(4) through (7) No change.

Rulemaking Authority 553.841(2) FS. Law Implemented 553.841 FS. History--New 6-8-05, Amended 4-30-07, 6-12-08, 3-4-09, 11-2-09, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

RULE NO.:                    RULE TITLE:  
12-22.008                    Warrants and Liens List

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 40, October 8, 2010 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Rule Development was published in the Florida Administrative Weekly on July 9, 2010 (Vol. 36, No. 27, p. 3161). No written comments were received by the Department. No one from the public attended.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Motor Vehicles**

RULE NOS.:                    RULE TITLES:  
15C-17.001                    Provider Requirements  
15C-17.002                    Exemptions, Restrictions and Enforcement  
15C-17.003                    Dealer Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly.

15C-17.001 Provider Requirements.

(1) Every Electronic Temporary Registration (ETR) provider pursuant to Chapter 15C-16, F.A.C. must also provide a method to issue an electronic temporary plate transfer.

(2) Providers must be authorized by the department to provide dealers with a system that allows connectivity to interface with the motor vehicle database. In order to be authorized to become an ETR provider, the provider must: Every motor vehicle dealer licensed under Chapter 320, F.S., shall report a temporary plate transfer via the ETR System, a tax collector's office, or a license plate agency prior to the license plate being placed on a newly acquired vehicle.

(a) Enter into a contract with the department.

(b) Demonstrate to the department that the provider's system at a minimum can successfully process registration transactions, generate reports as set forth in (3) and provide information in "real-time" utilizing the interface designed by the department.

(c) Provide a performance bond or irrevocable letter of credit for \$50,000 with the department.

(3) ETR providers must ensure that their system can provide the following:

(a) Registration certificate.

(b) Provide a list to the department, by county, by dealer, of all provider authorized users of the ETR system.

(c) Inquiry capabilities subject to applicable fees as set forth in Section 320.05(3)(e), F.S.

~~The dealer must provide verification to the ETR provider that background checks are performed on all principals or prospective users and meet the requirements set forth in this rule prior to the ETR provider allowing access to the system and registering authorized users. The principals or prospective users shall have no convictions of a felony involving fraudulent crimes related to motor vehicles including, but not limited to, identity fraud, embezzlement or other related economic crimes by the principals or prospective users within the last five years. If there were any felony convictions against any principal or prospective user beyond the five years, they must have had their civil rights restored and provide proof of this prior to being authorized to access the system. This does not include any felony convictions involving the actual operation of a motor vehicle.~~

(4) Authorized ETR providers shall:

(a) Provide support, assistance, and training to any dealer using their system.

(b) Ensure that access and data are secure and that the ETR system is only used by authorized users.

(c) Follow installation procedures as set forth by the department.

(d) Maintain all contractual agreements with dealers for a period of five fiscal years after completion or termination of the contract.

(e) Make all records available for inspection or audit at any time during normal business hours by the department.

(f) Ensure all principals and prospective users have had a criminal history check conducted by the Florida Department of Law Enforcement and maintain lists of authorized users. Proof of verification of criminal history checks by the dealer must be maintained for a period of five fiscal years.

(g) Transfer all funds collected in connection with the processing of registration transactions via electronic funds transfer to the department within five business days of the date of the transaction.

(h) Provide at its own expense all equipment necessary to provide an interface between the ETR provider's server and the department's server.

Rulemaking Authority 320.0609(8)(c) FS. Law Implemented 320.0609(8) FS. History--New \_\_\_\_\_.

15C-17.002 Exemptions, ~~and~~ Restrictions and Enforcement.

(1) In order to be temporarily transferred, the registration must have more than 30 days of valid registration remaining. If the current registration does not meet this requirement, an electronic temporary registration must be issued pursuant to Chapter 15C-16, F.A.C.

(2) When a temporary plate transfer transaction cannot be performed due to connectivity issues, every issuer of temporary plate transfers must perform the following:

(a) Provide written documentation to the customer indicating the transfer could not take place due to a connection failure.

(b) Issue a pre-printed temporary license plate pursuant to subsection 15C-16.002(2), F.A.C.

(3) The following are prohibited acts that will result in termination of authorization as an ETR provider:

(a) Willful misrepresentation of ETR policies, procedures, contractual terms or other registration policies or procedures.

(b) Using department information for reasons other than ETR.

(c) Failure to correct errors as required by the department.

(d) Failure to execute electronic funds transfer in the specified time frame.

(e) Failure to ensure access is only provided to authorized users.

(4) The department will revoke a dealer's ability to use ETR for any violation that jeopardizes the integrity of the system. This rule shall not prevent the department from imposing any additional sanctions or fines as allowed by other applicable laws or rules, including but not limited to, Section 320.27, F.S. After revocation of the use of ETR, a dealer will only be allowed access if it can prove to the department it has taken corrective measures to no longer jeopardize the integrity of the system.

Rulemaking Authority 320.0609(8)(c) FS. Law Implemented 320.0609(8) FS. History--New\_\_\_\_\_.

15C-17.003 Dealer Requirements Record Retention.

(1) Every motor vehicle dealer licensed under Chapter 320, F.S., shall report all temporary plate transfers via the ETR system, a tax collector's office, or a license plate agency prior to the license plate being placed on a newly acquired vehicle.

(2) A dealer must provide verification to the ETR provider that criminal history checks are performed on all principals or prospective users and meet the requirements set forth in this rule prior to the ETR provider allowing access to the system and registering authorized users. The dealer's principals or prospective users must have no convictions involving a felony for the last 7 years except as provided in Section 112.011(1)(b), F.S. Regardless of the passage of time since the conviction and notwithstanding restoration of civil rights, anyone convicted of a felony involving dishonesty, including but not limited to,

identity fraud, embezzlement or other economic crimes is not eligible to be granted authorization to use the ETR system. The convictions listed above that would prohibit authorization to use the ETR system do not include any felony convictions involving the actual operation of a motor vehicle.

(3) Dealers shall ensure that only authorized users have access to the ETR system.

(4) If a dealer charges a fee to the customer for an electronic temporary plate transfer, the fee shall be disclosed separately and in a clear and conspicuous manner in the sales agreement. Sales agreement shall mean the document that the buyer and seller sign memorializing the terms of the sale and includes, but is not limited to, a buyer's order and a bill of sale. The dealer may not disclose or disguise the fee charged for the electronic temporary plate transfer as a State or Government fee.

(5) Any person or entity authorized to conduct temporary plate transfers shall maintain all records relating to the transfer for a period of 5 years, and such records shall be open to inspection by the department or its agents during reasonable business hours.

Rulemaking Authority 320.0609(8)(c) FS. Law Implemented 320.0609(8) FS. History--New\_\_\_\_\_.

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

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-108.201  
 RULE TITLE: Sanitary Practices Relating to Correctional Facilities  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 38, September 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**  
 RULE NO.: 40D-4.091  
 RULE TITLE: Publications, Forms and Agreements Incorporated by Reference  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 41, October 15, 2010 issue of the Florida Administrative Weekly.

Environmental Resource Permitting Information Manual Part B – Basis of Review  
 The following technical correction is made to Section 3.3.2.2.

The note “b. through d. No change” is moved up above “Appendix 4. Mitigation Banks”.

The remainder of the text remains as published.

3.3.2.2 Preservation

a. Preservation of important ecosystems can provide an improved level of protection over current regulatory programs. Wetlands, other surface waters, or uplands that comprise important ecosystems Preservation shall be preserved by donation of the fee title to the property or a conservation easement interest in the property or other comparable land use restriction, of wetlands, other surface waters, or uplands. Conservation easements ~~or restrictions~~ must be consistent with the requirements of subsection 3.3.8. In many cases it is not expected that preservation alone will be sufficient to offset adverse impacts. Preservation will most frequently be approved in combination with other mitigation measures.

b. through d. No change.

Appendix 4. Mitigation Banks

3. Use of a Mitigation Bank.

Use of a mitigation bank is an appropriate and permissible mitigation option when the mitigation bank will offset the adverse impacts of the project and meet all other criteria for permit issuance. Some examples of when the use of a mitigation bank may be preferred include: ~~and~~

a. on-site mitigation opportunities are not expected to have comparable long-term viability due to such factors as unsuitable hydrologic conditions or ecologically incompatible existing adjacent land uses or future land uses identified in a local comprehensive plan adopted according to Chapter 163, F.S.; and ~~or~~

b. use of the mitigation bank would provide greater improvement in ecological value than on-site mitigation.

In some cases, a combination of on-site mitigation and participation in a mitigation bank will be appropriate to offset adverse impacts of a project.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-22.201  
 RULE TITLE: Year-Round Water Conservation Measures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 41, October 15, 2010 issue of the Florida Administrative Weekly.

Paragraph (3)(g) was inadvertently underlined as new language.

40D-22.201 Year-Round Water Conservation Measures.

(3) Irrigation Uses – The following requirements shall apply to all Irrigation except Agriculture, for example: Lawns, Landscapes, Golf Courses, and other Athletic Play Areas.

(g) New Plant Material shall only be irrigated as follows:

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-3.2085  
 RULE TITLE: Department and Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly.

59A-3.2085 Department and Services.

(1) through (17) No change.

(18)(a) All licensed hospitals that operate burn units under Section 408.0361(2), F.S., shall comply with the guidelines published by the American College of Surgeons, Committee on Trauma. Hospitals are considered to be in compliance with the American College of Surgeons guidelines when they adhere to guidelines regarding staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety. ~~The~~ ~~the~~ applicable guidelines, herein incorporated by reference, are “Guidelines for the Operation of Burn Centers,” in *Resources for Optimal Care of the Injured Patient*, Committee on Trauma, American College of Surgeons, (2006); Chapter 14, pages 79 through 86. These guidelines are available at: <http://www.ameriburn.org/Chapter14.pdf>. The determination of compliance with the guidelines is based on the burn unit providing evidence of verification from the American Burn Association.

(b) No change.

(c) No change.

(d) At the time of licensure renewal, burn unit operators shall submit current documentation from the American Burn Association that verifies the hospital’s adherence to the guidelines incorporated in paragraph (18)(b). ~~adopted by reference and effective as of the effective date of this rule.~~

(e) through (f) No change.

Rulemaking Authority 395.1055, 395.3038, 395.401, 408.036, 408.036(1), 408.0361(2) FS. Law Implemented 395.001, 395.1055, 395.1065, 395.3038, 395.401, 408.036, 408.0361, 957.05 FS. History–New 4-17-97, Amended 3-29-98, 8-23-99, 3-23-06, 1-8-09, 11-3-09,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-7.034  
 RULE TITLE: Alternate-Site Testing

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. 38, September 24, 2010 issue of the Florida Administrative Weekly.

Changes include revisions to subsection 59A-7.034(10), where subparagraph 6. was inadvertently placed in subparagraph 7.

59A-7.034 Alternate-Site Testing.

(1) through (4) No change.

(5) Approval of Alternate-Site Testing:

(a) A request for approval of any new instrument or testing methodology not currently listed by the Agency's Internet site Clinical Laboratory Hospital Alternate-Site Testing, November 2010: [http://ahca.myflorida.com/mchq/health\\_facility\\_regulation/laboratory\\_licensure/altsiterule.shtml](http://ahca.myflorida.com/mchq/health_facility_regulation/laboratory_licensure/altsiterule.shtml) and incorporated herein by reference, as approved for alternate-site testing, must be submitted to the Agency for review and approval prior to implementation. If the instrument is listed as an unapproved test, then it cannot be performed at an alternative-site. If a test is listed as approved under specific circumstances, those circumstances must be met in order for the test to be performed.

(b) A request for approval of any new instrument or testing methodology must include the location of the alternate-site, category of personnel who will perform the tests, name of the instrument or method to be used, instrument manufacturer and model number if applicable, and any other information necessary for the Agency to determine whether tests to be performed meet the criteria established in subparagraph 10.

(c) No change.

(d) Instruments or testing methodologies previously approved and listed on the Agency's alternate-site testing website Clinical Laboratory Hospital Alternate-Site Testing, November 2010 at: [http://ahca.myflorida.com/mchq/health\\_facility\\_regulation/laboratory\\_licensure/altsiterule.shtml](http://ahca.myflorida.com/mchq/health_facility_regulation/laboratory_licensure/altsiterule.shtml) do not require prior approval.

(f) No change.

(6) through (7) No change.

(8)(a)1.-9. No change.

10. Meets the staff training and education educational requirements set out in the alternate-site policy and procedure manual developed by the laboratory director for individuals performing tests categorized as waived.

(b) No change.

(c) The laboratory director shall, in consultation with medical staff designated by the hospital, establish the training needs for the test methods used at each site. This training at a minimum must ensure that alternate-site testing personnel have had instruction in the following areas:

1. Specimen collection, handling and storage including infection control procedures.
2. Instrument procedures including skills required to perform preventive maintenance, calibration and troubleshooting.
3. Skills required to implement quality control procedures and evaluate quality control results.
4. Skills required to perform specific test procedures.

5. Result reporting and documentation techniques including knowledge of reporting procedures for life threatening results.

6. Awareness of the factors that influence test results including the skills required to assess and verify the validity of patient test results through the assessment and correlation of pre-analytical and post-analytical phases of testing with laboratory data generated during the analytical phase of testing as they relate to common physiological conditions and quality control, and ~~Awareness of the factors that influence test results including the skills required to assess and verify the validity of patient test results through the assessment and correlation of pre-analytical and post-analytical phases of testing with laboratory data generated during the analytical phase of testing as they relate to common physiological conditions and quality control, and~~

7. Monitoring of systems and results for errors including instruction on corrective action including whether or not results can be reported. ~~Monitoring of systems and results for errors including instruction on corrective action including whether or not results can be reported.~~

(d) No change.

(9) through (10) No change.

(11) The Agency shall take administrative action pursuant to Sections 483.201, 483.221, 408.806, 408.813, 408.814, 408.816 and 483.23, F.S., up to and including revocation of the approval for operation of any or all alternate-testing sites where the agency determines that said sites have operated in violation of Chapter 483, Part I, F.S., and the provisions of Chapter 59A-7, F.A.C. In addition, pursuant to Sections 483.201, 483.221, and 483.23, F.S., in the event of such a violation, the Agency shall take administrative action up to and including revocation of the laboratory license of the laboratory maintaining the alternate-testing site.

Rulemaking Authority 483.051, 408.819 FS. Law Implemented 408.806, 408.813, 408.814, 408.816, 483.051, 483.181, 483.201, 483.221, 483.23, ~~483.813~~ FS. History—New 12-27-95, Amended 12-8-09,\_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.: 60BB-3.0254  
 RULE TITLE: How to Apply for Emergency Unemployment Compensation  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly.

Proposed Rule 60BB-3.0254, Florida Administrative Code, and one of the forms incorporated by reference into it, were the subject of a public hearing conducted by the Agency for Workforce Innovation on October 25, 2010. At the hearing, the

Agency introduced testimony indicating that, due to a clerical error, language describing Tier II Emergency Unemployment Compensation appeared on the Form AWI-UCB11 EUC (Rev. 7/10), Emergency Unemployment Compensation Monetary Determination, which deals only with Tier I Emergency Unemployment Compensation.

The language on the form referenced above read: “The Unemployment Compensation Extension Act of 2010, P.L. 111-205, enacted on July 22, 2010, extends the time period during which an individual may qualify for and receive EUC. Under this law, an individual may establish eligibility for Tier II EUC for any week up to the week ending November 27, 2010. TIER II EUC benefits equal 54% of your regular state claim or 14 weeks of benefits, whichever is less.”

The testimony and documentary evidence presented at the October 25, 2010 public hearing establish that the language on the form should have read: “The Unemployment Compensation Extension Act of 2010, P.L. 111-205, enacted on July 22, 2010, extends the eligibility dates for EUC to claims filed by November 21, 2010. TIER I EUC benefits entitles you to 80% of your regular state claim or 20 weeks of benefits, whichever is less.”

The Agency has amended this form to reflect this change.

The Agency also proposes the following change to the iteration of Rule 60BB-3.0254, F.A.C., that appeared in the Notice of Change that appeared in the Vol. 36, No. 40, October 8, 2010 edition of Florida Administrative Weekly.

60BB-3.0254 How to Apply for Emergency Unemployment Compensation.

- (1) through (3) No change.
- (4) Notice of Determination.
- (a) through (b) No change.

(c) Notice of the Agency’s determination of a claimant’s eligibility or ineligibility for emergency unemployment compensation under subsections (2) or (3) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC (Rev. ~~09/10~~ ~~7/10~~), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

- (d) through (f) No change.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151, 443.221(3) FS. History–New 8-11-10, Amended.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NOS.:	RULE TITLES:
61-35.027	Real Estate Forms
61-35.0271	Real Estate: Application for Sales Associate License
61-35.02711	Real Estate: Application for Broker License

61-35.02712	Real Estate: Application for Real Estate Instructor Permit
61-35.02713	Real Estate: Application for School Chief Administrator
61-35.02714	Real Estate: Application for School Permit
61-35.02715	Real Estate: Real Estate School Change of Status Transactions
61-35.02716	Real Estate: Application for Real Estate Company
61-35.02717	Real Estate: Application for Branch Office
61-35.02718	Real Estate: Application for Additional School Location
61-35.02719	Real Estate: Sales Associate/Broker Sales Associate (SL/BL) Transactions
61-35.0272	Real Estate: Broker (BK) Transactions
61-35.02721	Real Estate: Real Estate Company Transactions
61-35.02722	Real Estate: Instructor Transactions
61-35.02723	Real Estate: School Chief Administrator Transaction

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 45, November 13, 2009 issue of the Florida Administrative Weekly.

61-35.0271 Real Estate: Application for Sales Associate License.

Form number DBPR RE 1, Application for Sales Associate License, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.161, 475.17, 475.175, 475.180, 475.181 FS. History–New\_\_\_\_\_.

61-35.02711 Real Estate: Application for Broker License.

Form number DBPR RE 2, Application for Broker License, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.17, 475.175, 475.180, 475.181 FS. History–New\_\_\_\_\_.



61-35.02712 Real Estate: Application for Real Estate Instructor Permit.

Form number DBPR RE 3, Application for Real Estate Instructor Permit, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.175, 475.180, 475.181, 475.183, 475.451 FS. History–New\_\_\_\_\_.

61-35.02713 Real Estate: Application for School Chief Administrator.

Form number DBPR RE 4, Application for School Chief Administrator, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.175, 475.180, 475.181, 475.183, 475.451 FS. History–New\_\_\_\_\_.

61-35.02714 Real Estate: Application for School Permit.

Form number DBPR RE 5, Application for School Permit, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.175, 475.180, 475.181, 475.451, 559.79 FS. History–New\_\_\_\_\_.

61-35.02715 Real Estate: Real Estate School Change of Status Transactions.

Form number DBPR RE 6, Real Estate School Change of Status Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.183, 475.23, 559.79 FS. History–New\_\_\_\_\_.

61-35.02716 Real Estate: Application for Real Estate Company License.

Form number DBPR RE 7, Application for Real Estate Company, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at

[www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.15, 475.181, 475.22, 559.79 FS. History–New\_\_\_\_\_.

61-35.02717 Real Estate: Application for Branch Office.

Form number DBPR RE 8, Application for Branch Office, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.15, 475.180, 475.181, 475.23, 475.24, 559.79 FS. History–New\_\_\_\_\_.

61-35.02718 Real Estate: Application for Additional School Location.

Form number DBPR RE 9, Application for Additional School Location, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.180, 475.451, 559.79 FS. History–New\_\_\_\_\_.

61-35.02719 Real Estate: Sales Associate/Broker Sales Associate (SL/BL) Transactions.

Form number DBPR RE 10, Sales Associate/Broker Sales Associate (SL/BL) Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.161, 475.17, 475.180, 475.183, 475.215, 475.23 FS. History–New\_\_\_\_\_.

61-35.0272 Real Estate: Broker (BK) Transactions.

Form number DBPR RE 11, Broker (BK) Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.180, 475.183, 475.215, 475.23 FS. History–New\_\_\_\_\_.

61-35.02721 Real Estate: Real Estate Company Transactions.

Form number DBPR RE 12, Real Estate Company Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.15, 475.180, 475.183, 475.23 559.79 FS. History--New \_\_\_\_\_.

61-35.02722 Real Estate: Instructor Transactions.

Form number DBPR RE 13, Instructor Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.180, 475.183, 475.23, 475.451 FS. History--New \_\_\_\_\_.

61-35.02723 Real Estate: School Chief Administrator Transactions.

Form number DBPR RE 14, School Chief Administrator Transactions, effective November 17, 2009, is adopted and incorporated by reference. Forms are available at [www.myfloridalicense.com](http://www.myfloridalicense.com) and by mail from the Department of Business of Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

Rulemaking Authority 20.165(8), 455.203, 455.213 FS. Law Implemented ~~455.274~~, 475.180, 475.181, 475.182, 475.183, 475.215, 475.23, 475.451, 559.79 FS. History--New \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS Thomas O'Bryant, Jr., Director, Division of Real Estate, Department of Business and Professional Regulation, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801, (407)481-5662

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:                      RULE TITLE:  
61G15-31.011                      Design of Aluminum Structures

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 33, August 21, 2009 issue of the Florida Administrative Weekly.

The changes are in response to concerns by the Joint Administrative Procedures Committee in letters dated December 16, 2009 and August 6, 2010. The change will correct the Summary of Statement of Estimated Regulatory Cost.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Carrie Flynn, Executive Director, at the address listed below.

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

The following is a summary of the SERC:

- A good faith estimate of the number of individuals affected by this rule would be approximately 70.
- There is no anticipated impact on state and local revenues.
- There are no additional licensing requirements associated with the proposed rule. The proposed rule is not applicable to government entities.
- There is no impact expected on city and county building departments including small city and county building departments.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32399-5377

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NOS.:	RULE TITLES:
61J2-24.004	Mediation
61J2-24.006	Probation

**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. 38, September 24, 2010 issue of the Florida Administrative Weekly.

These changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated September 29, 2010.

61J2-24.004 (2)(d) through (f) shall read as:

~~(d) Failure to give Commission 30 day written notice after a guilty or nolo contendere plea or convicted of any felony pursuant to Section 475.25(1)(p), F.S.~~

~~(e) Failure to have a current license as a broker or sales associate while listing or selling one or more timeshare periods per year pursuant to Section 475.42(1)(m), F.S.~~

~~(f) Failure to keep and make available to the department such books, accounts, and records as will enable the department to determine whether the broker is in compliance with the provisions of this chapter pursuant to Section 475.453, F.S.~~

61J2-24.006 (2)(c) shall read as:

(c) Economic hardship. This means that the respondent has completed all requirements of probation except for the payment of fines or costs and is presently unable to pay. Any substantiated hardship.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: 64B-7.001                      RULE TITLE  
Pain Management Clinic  
Registration Requirements

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 38, September 24, 2010 issue of the Florida Administrative Weekly.

The SERC estimates the number of pain-management clinics subject to the rule and the physicians likely to be affected. The rule will not affect costs to the agency, other governmental entities, or state or local revenues. Transactional costs will occur when certain clinics will have to hire a new designated physician, but no transactional costs will be incurred by local governments. The rule should not otherwise impact small businesses and will not impact small counties or cities. Other related rules are being adopted by the regulatory boards.

The person to be contacted regarding the above notice is Larry McPherson, Executive Director, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-8.005                      RULE TITLE:  
Unprofessional Conduct

**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. 33, August 20, 2010 issue of the Florida Administrative Weekly.

64B9-8.005 Unprofessional Conduct.

(1) through (12) No change.

~~(13) Practicing beyond the scope of the licensee's license, educational preparation or nursing experience;~~

~~(13)~~<sup>(14)</sup> Using force against a patient, striking a patient, or throwing objects at a patient;

~~(14)~~<sup>(15)</sup> Using abusive, threatening or foul language in front of a patient or directing such language toward a patient;

~~(15) Practicing beyond the scope of the licensee's license, educational preparation or nursing experience, including but not limited to: administration or monitoring the administration of any medication intended to create an altered level of consciousness that is a deeper level than moderate sedation for a surgical, diagnostic or therapeutic procedure by a registered nurse or licensed practical nurse; provided:~~

(a) A registered nurse may, pursuant to physician order, administer or monitor the administration of medications to achieve deep sedation to a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway. Examples of medications used for deep sedation in this situation include, but are not limited to, propofol, pentothal and dexmedetomidine. Due to the potential for rapid, profound changes in sedative/anesthetic depth and the lack of antagonist medications, even if moderate sedation is intended, patients receiving propofol should receive care consistent with that required for deep sedation. Therefore the administration of propofol should only be performed by a practitioner experienced in general anesthesia and not by a registered nurse, with the exception of a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway. When a physician is actively managing a patient's sedation, a registered nurse may monitor the patient under circumstances that may include both moderate and deep sedation.

(b) A registered nurse may administer prescribed pharmacologic agents to non-mechanically ventilated patients for the purpose of moderate sedation in anticipation of anxiety and or discomfort during a time-limited surgical, diagnostic or therapeutic procedure. The registered nurse must continuously monitor the patient throughout the procedure and have no other responsibilities that would require leaving the patient unattended or would compromise continuous monitoring during the procedure. The registered nurse must document the patient's level of consciousness at least every five minutes during the procedure. In the event a deeper level of sedation (such as deep sedation or general anesthesia) results from the administration of prescribed pharmacologic agents, the procedure must be stopped and the level of sedation returned to moderate sedation with the assistance of the prescribing physician or credentialed anesthesia provider.

(c) A registered nurse or licensed practical nurse may, pursuant to physician order, administer or monitor the administration of medications for palliative sedation in a hospice program.

(d) In order to administer or monitor any pharmacologic agents in accordance with paragraph (a) or (b) above, a registered nurse must:

1. Prior to any administration or monitoring of any pharmacologic agents, successfully complete a program of study which reflects the extent of privileges requested and which will include a criteria-based competency evaluation. At a minimum, course content will include: pharmacology and physiology, physical assessment and monitoring techniques, airway anatomy, airway management techniques and an opportunity for skill development. The evaluative criteria will cover knowledge and psychomotor skills in assessment and monitoring, principles of pharmacodynamics and pharmacokinetics (onset, duration, distribution, metabolism, elimination, intended and adverse effects, interactions, dosages and contraindications), basic and difficult airway management, mechanical ventilation, and cardiopulmonary resuscitation. The registered nurse must also be certified in advanced cardiac life support;

2. Complete a patient assessment and ensure that the practice setting requires that the physician prescribing the pharmacologic agent has evaluated the patient based on established criteria;

3. Pharmacologic agents that may be administered by a registered or practical nurse pursuant to paragraph (b) shall not include medications that are intended to result in loss of consciousness such as propofol, pentothal, dexmedetomidine, or any medication which the manufacturer's package insert states should be administered only by individuals trained in the administration of general anesthesia.

4. Ensure that the practice setting requires that the prescribing physician is immediately available throughout the procedure and recovery period;

5. Ensure that written policies and procedures for managing patients who receive moderate sedation are reviewed periodically and are readily available within the practice setting;

6. Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and

7. Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.

(e) The following definitions apply for purposes of this rule:

1. Deep sedation means a medication-induced depression of consciousness that allows patients to respond purposefully only after repeated or painful stimulation. The patient cannot be aroused easily, and the ability to maintain a patent airway independently may be impaired with spontaneous ventilation possibly inadequate. Cardiovascular function usually is adequate and maintained.

2. General anesthesia means the patient cannot be aroused, even by painful stimulation, during this medication-induced loss of consciousness. Patients usually require assistance in

airway maintenance and often require positive pressure ventilation due to depressed spontaneous ventilation or depression of neuromuscular function. Cardiovascular function may also be impaired.

3. Moderate sedation means a minimally depressed level of consciousness that allows a surgical patient to retain the ability to maintain a patent airway independently and continuously and respond appropriately to verbal commands and physical stimulation.

4. Immediately available means having a health care provider trained in advanced cardiac life support and resuscitation skills available to assist with patient care within five minutes.

5. Palliative sedation means the use of medications intended to provide relief of intractable or refractory symptoms by inducing varying degrees of unconsciousness in imminently dying patients.

6. Refractory symptoms means symptoms that cannot be adequately controlled in a tolerable time frame despite use of alternate therapies, and seem unlikely to be controlled by further invasive or noninvasive therapies without excessive or intolerable acute or chronic side effects or complications.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

## DEPARTMENT OF HEALTH

### Office of Statewide Research

RULE NO.:

RULE TITLE:

64H-1.002

Biomedical Research Grant

Applications

#### 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. 7, February 19, 2010 issue of the Florida Administrative Weekly.

64H-1.002 Biomedical Research Grant Applications.

(1) All documents incorporated by reference are available at [www.floridabiomed.com](http://www.floridabiomed.com).

(2) Grant applications will be accepted in accordance with the following calls for grant applications, incorporated by reference herein:

(a) James & Esther King Biomedical Research Program, Call for Grant Applications: Bridge Grants for Diseases Related to Tobacco Use, Fiscal Year 2011-12.

(b) James & Esther King Biomedical Research Program, Call for Grant Applications: New Investigator Research (NIR) Grant for Diseases Related to Tobacco Use, Fiscal Year 2011-12.

(c) James & Esther King Biomedical Research Program, Call for Grant Applications: Team Science Program (TSP) Grant for Diseases Related to Tobacco Use, Fiscal Year 2011-12.

(d) James & Esther King Biomedical Research Program, Call for Grant Applications: Technology Transfer Feasibility (TTF) Grant for Diseases Related to Tobacco Use, Fiscal Year 2010-11.

(e) James & Esther King Biomedical Research Program, Call for Grant Applications: Technology Transfer/Commercialization Partnership (TTCP) Grant for Diseases Related to Tobacco Use, Fiscal Year 2010-11.

(f) Bankhead-Coley Cancer Research Program, Call for Grant Applications: Bridge Grants for Cancer, Fiscal Year 2011-12.

(g) Bankhead-Coley Cancer Research Program, Call for Grant Applications: New Investigator Research (NIR) Grant for Cancer, Fiscal Year 2011-12.

(h) Bankhead-Coley Cancer Research Program, Call for Grant Applications: Team Science Program (TSP) Grant for Cancer, Fiscal Year 2011-12.

(i) Bankhead-Coley Cancer Research Program, Call for Grant Applications: Technology Transfer Feasibility (TTF) Grant for Cancer, Fiscal Year 2010-11.

(j) Bankhead-Coley Cancer Research Program, Call for Grant Applications: Technology Transfer/ Commercialization Partnership (TTCP) Grant for Cancer, Fiscal Year 2010-11.

(3) Grant applications will be reviewed by peer reviewers located outside Florida in accordance with the following review questions, incorporated by reference herein:

(a) 2011-2012 James & Esther King Program Bridge Grant Review Questions.

(b) 2011-2012 James & Esther King Program New Investigator Research Grant Review Questions.

(c) 2011-2012 James & Esther King Program Team Science Project Grant Review Questions.

(d) 2010-2011 James & Esther King Program Technology Transfer Feasibility Grant Review Questions.

(e) 2010-2011 James & Esther King Program Technology Transfer/Commercialization Partnership Grant Review Questions.

(f) 2011-2012 Bankhead-Coley Program Bridge Grant Review Questions.

(g) 2011-2012 Bankhead-Coley Program New Investigator Research Grant Review Questions.

(h) 2011-2012 Bankhead-Coley Program Team Science Project Grant Review Questions.

(i) 2010-2011 Bankhead-Coley Program Technology Transfer Feasibility Grant Review Questions.

(j) 2010-2011 Bankhead-Coley Program Technology Transfer/Commercialization Partnership Grant Review Questions.

(4) Grantees will execute their award in accordance with the following Terms & Conditions and attachments, incorporated by reference herein:

(a) Florida Biomedical Research Programs James and Esther King Biomedical Research Program and Bankhead-Coley Cancer Research Program Terms and Conditions.

(b) Florida Biomedical Research Programs Terms and Conditions Attachment 1.

(c) Florida Biomedical Research Programs Terms and Conditions Attachment 2 Bridget Grant Schedule of Deliverables and Payments

(d) Florida Biomedical Research Programs Terms and Conditions Attachment 2 New Investigator Research Grant Schedule of Deliverables and Payments.

(e) Florida Biomedical Research Programs Terms and Conditions Attachment 2 Team Science Project Grant Schedule of Deliverables and Payments.

(f) Florida Biomedical Research Programs Terms and Conditions Attachment 2 Technology Transfer Feasibility Grant Schedule of Deliverables and Payments.

(g) Florida Biomedical Research Programs Terms and Conditions Attachment 2 Technology Transfer/Commercialization Partnership Grant Schedule of Deliverables and Payments.

(5) Grantees will manage their award in accordance with the Florida Biomedical Research Programs, Grant Administration Manual, Version 2.2.

Rulemaking Authority 215.5602(9) FS. Law Implemented 215.5602(5), 381.922(3)(a) FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Prescription Drug Monitoring Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64K-1.001	Patient Advisory Alerts and Reports
64K-1.003	Accessing Database
64K-1.004	Management and Operation of Database
64K-1.005	Storage and Security of Information
64K-1.006	Program Evaluation and Other

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 36, September 10, 2010 issue of the Florida Administrative Weekly.

The SERC estimates the number of pharmacies and practitioners including “Mom and Pop” operations that might be subject to the rule. It explains why there are no costs to the agency and no significant impact on other governmental entities. The transactional costs relate to computer ownership and the impact on small businesses is intended to be small. Additional information includes the goal of eliminating errors in the transmission of prescription information.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE NOTICE IS: Rebecca R. Poston, 4052 Bald Cypress Way, Bin #C16, Tallahassee, Florida 32399

## 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.: 53ER10-57  
 RULE TITLE: Instant Game Number 1083, "FLAMINGO BINGO"

SUMMARY: This emergency rule relates to the Instant Game Number 1083, "FLAMINGO BINGO" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-57 Instant Game Number 1083, "FLAMINGO BINGO."

(1) Name of Game. Instant Game Number 1083, "FLAMINGO BINGO".

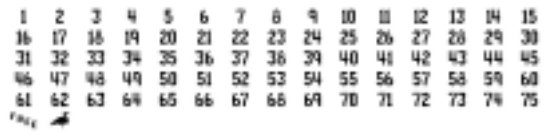
(2) Price. FLAMINGO BINGO lottery tickets sell for \$3.00 per ticket.

(3) FLAMINGO BINGO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning FLAMINGO BINGO lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "CALLER'S CARD" play symbols are as follows:



(5) The player's cards play symbols are as follows:



(6) The legend is as follows:



(7) Determination of Prizewinners.

(a) There are six player's cards numbered 1 through 6 and one Caller's Card on each FLAMINGO BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).
2. Vertical line of five numbers (or four numbers and one "FREE" space).
3. Diagonal line of four numbers and one "FREE" space.
4. Four corners (consisting of four numbers).
5. "X" (consisting of eight numbers and one "FREE" space).

(c) A " " symbol on a ticket is a "FREE" spot. If the symbol completes a winning line pattern that is described in paragraph (7)(b) above, the claimant shall be entitled to triple the line prize for that card.

(d) Prizes that appear in the player's cards area are: \$3, \$6, \$10, \$20, \$40, \$60, \$90, \$100, \$200, \$250, \$500, \$1,000, \$2,000, \$5,000, \$20,000 and \$50,000. Prize amounts for a particular pattern are different on each player's card.

(8) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1083 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL
Line - Card 1	\$3	1 IN 10.00	1,080,000
Line - Card 2	\$6	12.50	864,000

Line - Card 1 (FLAMINGO)	\$9	100.00	108,000
Line - Card 1 + Line Card 2	\$9	100.00	108,000
Line - Card 3	\$10	100.00	108,000
Line - Card 1 (FLAMINGO) + Line - Card 2	\$15	100.00	108,000
Line - Card 2 (FLAMINGO)	\$18	100.00	108,000
Line - Card 4	\$20	100.00	108,000
Line - Card 3 (FLAMINGO)	\$30	514.29	21,000
4 Corners - Card 1	\$40	900.00	12,000
Line - Card 3 (FLAMINGO) + Line - Card 4	\$50	1,200.00	9,000
4 Corners - Card 2	\$60	3,600.00	3,000
Line - Card 5	\$60	3,600.00	3,000
Line - Card 4 (FLAMINGO)	\$60	2,250.00	4,800
Line - Card 3 + Line - Card 6	\$100	4,500.00	2,400
Line - Card 4 (FLAMINGO) + 4 Corners - Card 1	\$100	4,500.00	2,400
4 Corners - Card 3	\$100	4,500.00	2,400
Line - Card 5 + Line - Card 6	\$150	25,714.29	420
Line - Card 5 (FLAMINGO)	\$180	25,714.29	420
X - Card 1	\$200	7,200.00	1,500
X - Card 1 + Line - Card 3	\$210	36,000.00	300
4 Corners - Card 4	\$250	30,000.00	360
Line - Card 6 (FLAMINGO)	\$270	30,000.00	360
X - Card 2	\$500	22,500.00	480
4 Corners - Card 5	\$500	22,500.00	480
X - Card 2 + 4 Corners - Card 5	\$1,000	36,000.00	300
X - Card 3	\$1,000	36,000.00	300
4 Corners - Card 6	\$2,000	180,000.00	60
X - Card 4	\$5,000	540,000.00	20
X - Card 5	\$20,000	1,080,000.00	10
X - Card 6	\$50,000	1,800,000.00	6

(10) The estimated overall odds of winning some prize in Instant Game Number 1083 are 1 in 4.06. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1083, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for FLAMINGO BINGO lottery tickets shall be made in accordance with the rule of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History--New 10-22-10.

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 22, 2010

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-58  
 RULE TITLE: Instant Game Number 1080, GOLDEN GOOSE DOUBLER

SUMMARY: This emergency rule describes Instant Game Number 1080, "GOLDEN GOOSE DOUBLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-58 Instant Game Number 1080, GOLDEN GOOSE DOUBLER.

(1) Name of Game. Instant Game Number 1080, "GOLDEN GOOSE DOUBLER."

(2) Price. GOLDEN GOOSE DOUBLER lottery tickets sell for \$1.00 per ticket.

(3) GOLDEN GOOSE DOUBLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning GOLDEN GOOSE DOUBLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTY ONE	22 TWENTY TWO	23 TWENTY THREE	24 TWENTY FOUR	25 TWENTY FIVE	26 TWENTY SIX	27 TWENTY SEVEN	28 TWENTY EIGHT	29 TWENTY NINE	30 THIRTY

(6) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY
\$30.00 THIRTY	\$40.00 FORTY	\$50.00 FIFTY	\$100 ONE HUNDRED	\$200 TWO HUNDRED
\$250 TWO HUNDRED FIFTY	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$5,000 FIVE THOUSAND	\$50,000 FIFTY THOUSAND
\$200,000 TWO HUNDRED THOUSAND				

(7) The legends are as follows:

GOLDEN NUMBERS      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "EGG" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to \$25.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$5,000, \$50,000 and \$200,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1080 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	624,000
\$5 (EGG)	\$10	30.00	208,000
\$5 x 2	\$10	30.00	208,000
\$10	\$10	30.00	208,000
(\$2 x 5) + \$5	\$15	300.00	20,800
\$5 + \$5 (EGG)	\$15	300.00	20,800
\$5 x 3	\$15	300.00	20,800
\$5 + \$10	\$15	300.00	20,800
\$15	\$15	300.00	20,800
\$5 x 4	\$20	300.00	20,800
(\$5 x 2) + \$10	\$20	300.00	20,800
\$10 x 2	\$20	300.00	20,800
\$10 (EGG)	\$20	300.00	20,800
\$20	\$20	300.00	20,800
\$5 x 6	\$30	800.00	7,800
(\$5 x 4) + \$10	\$30	800.00	7,800
\$10 x 3	\$30	800.00	7,800

\$15 (EGG)	\$30	750.00	8,320
\$30	\$30	800.00	7,800
\$5 x 8	\$40	2,400.00	2,600
(\$5 x 2) + (\$10 x 3)	\$40	2,400.00	2,600
\$10 + \$15 (EGG)	\$40	2,400.00	2,600
\$20 (EGG)	\$40	2,400.00	2,600
\$40	\$40	2,400.00	2,600
\$5 x 10	\$50	1,200.00	5,200
(\$5 x 4) + (\$10 x 3)	\$50	1,200.00	5,200
\$10 (EGG) + \$30	\$50	1,200.00	5,200
\$10 + \$20 (EGG)	\$50	1,200.00	5,200
\$50	\$50	1,200.00	5,200
(\$5 x 10) + \$50	\$100	2,000.00	3,120
(\$5 x 4) + (\$10 x 8)	\$100	2,000.00	3,120
\$20 x 5	\$100	2,000.00	3,120
\$50 (EGG)	\$100	2,000.00	3,120
\$100	\$100	2,000.00	3,120
(\$10 x 10) + (\$50 x 2)	\$200	12,000.00	520
(\$40 x 5)	\$200	12,000.00	520
(\$15 x 10) + \$50	\$200	12,000.00	520
\$50 + \$50 (EGG) + \$50	\$200	12,000.00	520
\$200	\$200	12,000.00	520
(\$40 x 10) + \$50 (EGG)	\$500	12,000.00	520
(\$20 x 5) + (\$50 x 6) + \$100	\$500	12,000.00	520
\$100 x 5	\$500	12,000.00	520
\$250 (EGG)	\$500	12,000.00	520
\$500	\$500	12,000.00	520
\$100 x 10	\$1,000	40,000.00	156
(\$50 x 4) + (\$100 x 8)	\$1,000	40,000.00	156
\$200 x 5	\$1,000	40,000.00	156
\$500 (EGG)	\$1,000	40,000.00	156
\$1,000	\$1,000	40,000.00	156
\$500 x 10	\$5,000	208,000.00	30
\$1,000 + \$1,000 (EGG) + \$1,000 (EGG)	\$5,000	312,000.00	20
\$5,000	\$5,000	312,000.00	20
\$5,000 x 10	\$50,000	1,248,000.00	5
\$50,000	\$50,000	1,248,000.00	5
\$200,000	\$200,000	1,248,000.00	5

(10) The estimated overall odds of winning some prize in Instant Game Number 1080 are 1 in 4.01. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1080, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.



(12) Payment of prizes for GOLDEN GOOSE DOUBLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 10-22-10.

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 22, 2010

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-59  
 RULE TITLE: Instant Game Number 1081, HOLIDAY PACKAGE

SUMMARY: This emergency rule describes Instant Game Number 1081, “HOLIDAY PACKAGE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-59 Instant Game Number 1081, HOLIDAY PACKAGE.

(1) Name of Game. Instant Game Number 1081, “HOLIDAY PACKAGE.”

(2) Price. HOLIDAY PACKAGE lottery tickets sell for \$2.00 per ticket.

(3) HOLIDAY PACKAGE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning HOLIDAY PACKAGE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The “YOUR ORNAMENTS” play symbols and play symbol captions are as follows:



(5) The legend is as follows:



(6) Determination of Prizewinners.

(a) Holiday Package lottery tickets have “Playing Board” and “Your Ornaments” sections on each ticket. A ticket with play symbols and corresponding play symbol captions in the Your Ornaments section that match all four play symbols and play symbol captions in any complete horizontal or vertical line on the Playing Board shall entitle the claimant to the prize shown for that line.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$200 and \$25,000.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 1081 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	756,000
\$5	\$5	11.54	655,200
\$10	\$10	75.00	100,800
\$5 + \$10	\$15	150.00	50,400
\$20	\$20	150.00	50,400
\$5 + \$20	\$25	300.00	25,200
\$10 + \$20	\$30	450.00	16,800
\$50	\$50	1,000.00	7,560
\$5 + \$20 + \$50	\$75	3,600.00	2,100
\$100	\$100	1,440.00	5,250
\$5 + \$20 + \$100	\$125	9,000.00	840
\$50 + \$100	\$150	18,000.00	420
\$200	\$200	7,500.00	1,008
\$5 + \$20 + \$200	\$225	60,000.00	126
\$50 + \$200	\$250	60,000.00	126
\$100 + \$200	\$300	60,000.00	126
\$50 + \$100 + \$200	\$350	60,000.00	126
\$25,000	\$25,000	756,000.00	10

(8) The estimated overall odds of winning some prize in Instant Game Number 1081 are 1 in 4.52. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Instant Game Number 1081, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for HOLIDAY PACKAGE lottery tickets shall be made in accordance with rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 10-22-10.

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 22, 2010

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-60  
RULE TITLE: Instant Game Number 1080, HOLIDAY SURPRISE!

SUMMARY: This emergency rule describes Instant Game Number 1080, “HOLIDAY SURPRISE!,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-60 Instant Game Number 1080, HOLIDAY SURPRISE!.

(1) Name of Game. Instant Game Number 1080, “HOLIDAY SURPRISE!.”

(2) Price. HOLIDAY SURPRISE! lottery tickets sell for \$1.00 per ticket.

(3) HOLIDAY SURPRISE! lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning HOLIDAY SURPRISE! lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



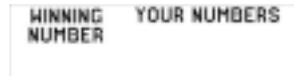
(5) The “WINNING NUMBER” play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN
\$20.00 TWENTY	\$25.00 TWT FIVE	\$40.00 FORTY	\$100 ONE HUN	\$4,000 FOR THOU

(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches the play symbol and corresponding play symbol caption in the “WINNING NUMBER” play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a “ WIN 1080” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$25.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$40.00, \$100 and \$4,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1080 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 40 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	896,000
\$1 x 2	\$2	30.00	320,000
\$2	\$2	30.00	320,000
\$1 x 4	\$4	150.00	64,000
(\$1 x 2) + \$2	\$4	300.00	32,000
\$2 x 2	\$4	150.00	64,000
\$4	\$4	150.00	64,000
\$1 x 5	\$5	500.00	19,200
\$1 + (\$2 x 2)	\$5	500.00	19,200
(\$1 x 3) + \$2	\$5	500.00	19,200
\$1 + \$4	\$5	500.00	19,200
\$5	\$5	500.00	19,200
\$2 x 5	\$10	750.00	12,800
(\$2 x 3) + \$4	\$10	750.00	12,800
\$2 + (\$4 x 2)	\$10	750.00	12,800
\$5 x 2	\$10	750.00	12,800
\$10	\$10	750.00	12,800
\$4 x 5	\$20	1,500.00	6,400
\$5 x 4	\$20	1,500.00	6,400
(\$5 x 2) + \$10	\$20	1,500.00	6,400
\$10 x 2	\$20	1,500.00	6,400
\$20	\$20	1,500.00	6,400
\$25 (STAR)	\$25	625.00	15,360

<u>(\$5 x 2) + (\$10 x 3)</u>	<u>\$40</u>	<u>8,000.00</u>	<u>1,200</u>
<u>\$10 x 4</u>	<u>\$40</u>	<u>8,000.00</u>	<u>1,200</u>
<u>\$5 + \$10 + \$25 (STAR)</u>	<u>\$40</u>	<u>8,000.00</u>	<u>1,200</u>
<u>\$20 x 2</u>	<u>\$40</u>	<u>8,000.00</u>	<u>1,200</u>
<u>\$40</u>	<u>\$40</u>	<u>8,000.00</u>	<u>1,200</u>
<u>\$20 x 5</u>	<u>\$100</u>	<u>12,000.00</u>	<u>800</u>
<u>\$25 (STAR) x 4</u>	<u>\$100</u>	<u>12,000.00</u>	<u>800</u>
<u>\$10 + (\$25 (STAR) x 2) + \$40</u>	<u>\$100</u>	<u>15,000.00</u>	<u>640</u>
<u>\$20 + (\$40 x 2)</u>	<u>\$100</u>	<u>12,000.00</u>	<u>800</u>
<u>\$100</u>	<u>\$100</u>	<u>12,000.00</u>	<u>800</u>
<u>\$4,000</u>	<u>\$4,000</u>	<u>240,000.00</u>	<u>40</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 1080 are 1 in 4.86. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1080, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for HOLIDAY SURPRISE! lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History--New 10-22-10.

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 22, 2010

**DEPARTMENT OF ELDER AFFAIRS**

RULE NO.: 58ER10-2  
 RULE TITLE: Background Screening Requirements  
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Florida Legislature passed Chapter 2010-114, Laws of Florida (L.O.F.), during the 2010 legislative session. This new law requires that effective August 1, 2010, all individuals seeking employment or volunteerism, which will require direct contact with individuals receiving services under the jurisdiction of the Department, must undergo a Level 2 background screening prior to employment or volunteerism. The Department is publishing this emergency rule to protect the health, safety and welfare of its recipients, thus eliminating

the threat of immediate danger by reducing the potential for physical, mental or sexual abuse, or financial exploitation. This emergency rule supersedes Rule 58ER10-1, F.A.C., which was effective August 2, 2010.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: This emergency rule establishes criteria for complying with Level 2 background screening requirements pursuant to Chapter 2010-114, L.O.F., and more specifically, pursuant to Sections 430.0402 and 435.01(2), F.S., the later section which provides rulemaking authority to individual agencies affected by the new background screening requirements. In addition, Section 430.08, F.S., provides the Department with rulemaking authority to establish rules to implement the provisions of Chapter 430, F.S. The Department has been unable to complete the rulemaking process. Consequently, the Department finds it necessary to publish this emergency rule to continue to protect the health, safety and welfare of recipients while continuing with the rulemaking process.

SUMMARY: This emergency rule establishes criteria and procedures for complying with the new requirement of a Level 2 background screening for all potential employees, who will have direct contact with Department recipients, prior to employment or volunteerism.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Suite 315, Tallahassee, FL 32399-7000; telephone (850)414-2113; Email address: crochetj@elderaffairs.org

THE FULL TEXT OF THE EMERGENCY RULE IS:

58ER10-2 Background Screening Requirements.

(1) DEFINITIONS.

In addition to the term "direct service provider," as defined in Section 430.0402(1)(b), F.S., the following definitions are included in this rule:

- (a) "AHCA" means the Florida Agency for Health Care Administration.
- (b) "APD" means the Florida Agency for Persons with Disabilities.
- (c) "CDC+" means the Consumer Directed Care Plus Program as described in Section 409.221, F.S.
- (d) "Disqualifying Offense" means any criminal offense prohibited in Section 430.0402 or 435.04, F.S.
- (e) "DOEA" or "Department" means the Florida Department of Elder Affairs.
- (f) "DOH" means the Florida Department of Health.
- (g) "FBI" means the Federal Bureau of Investigation.
- (h) "FDLE" means the Florida Department of Law Enforcement.

(i) “Level 1 Screening” means an assessment of employment history checks, statewide criminal correspondence checks, local criminal history checks and a check of the Dru Sjodin National Sex Offender Public Website coordinated through FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 430.0402 or 435.04, F.S.

(j) “Level 2 Screening” means an assessment of the criminal history record obtained through a fingerprint search coordinated through FDLE and the FBI to determine whether screened individuals have any disqualifying offenses pursuant to Section 430.0402 or 435.04, F.S.

(k) “Livescan” means both the technique and the technology used by law enforcement agencies and private facilities to capture fingerprints and palm prints electronically, without the need for the more traditional method of ink and paper.

#### (2) BACKGROUND SCREENING REQUIREMENTS.

Pursuant to Section 430.0402(1)(a), F.S., Level 2 background screening consistent with the requirements of Chapter 435, F.S., is required for all direct service providers as defined in Section 430.0402(1)(b), F.S.

#### (3) IMPLEMENTATION AND RETENTION.

Pursuant to Section 430.0402, F.S., beginning August 1, 2010, the following is required:

(a) All newly-hired direct service providers shall be required to undergo a Level 2 background screening pursuant to Chapter 435 as a condition of employment or volunteerism and continued employment or volunteerism. Such screening shall ensure that a direct service provider has not been arrested awaiting final disposition of, has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under Section 430.0402, 435.03 or 435.04, F.S., or a similar law of another jurisdiction.

(b) Employers of direct service providers, who have not been previously screened according to the screening standards of Chapter 435, F.S., must ensure that at least twenty percent (20%) of the available population of such individuals are screened pursuant to the Level 2 screening standards of Chapter 435, F.S., within 120 calendar days of August 1, 2010, and an additional twenty percent (20%) every 90 calendar days thereafter, until all direct service providers have successfully satisfied the screening standards of Section 430.0402, F.S., and Chapter 435, F.S., or have applied for and received an exemption pursuant to Section 435.07, F.S. Employers with fewer than 5 direct service providers must ensure that all such direct service providers are screened within the initial 120 calendar day window after August 1, 2010.

(c) Employers of direct service providers are responsible for ensuring applicant fingerprints are retained by FDLE in the Applicant Fingerprint Retention and Notification Program,

whereby notification is automatically sent to the Department’s Background Screening Coordinator, according to the procedures specified in Section 943.05, F.S., in the event of a direct service provider’s subsequent arrest.

(d) Employers of direct service providers, who previously qualified for employment or volunteer work under Level 1 screening standards, and individuals required to be screened according to the Level 2 screening standards contained in Chapter 435, F.S., and Section 430.0402, F.S., shall be required to be rescreened every 5 years from the date of their last background screening or exemption, unless such individual’s fingerprints are continuously retained and monitored by FDLE in the Applicant Fingerprint Retention and Notification Program, according to the procedures specified in Section 943.05, F.S.

#### (4) EXCEPTIONS.

The following are exceptions to the background screening requirements specified in this rule:

(a) Physicians, nurses, or other professionals licensed by DOH are not subject to the background screening requirements of Chapter 435, F.S. if they are providing a service that is within the scope of their licensed practice.

(b) Individuals qualified for employment by AHCA pursuant to that Agency’s background screening standards for licensure or employment contained in Section 408.809, F.S., are not subject to subsequent or additional Level 2 background screening pursuant to Chapter 435, F.S., or the unique screening requirements of Section 430.0402, F.S., by virtue of their employment as a direct service provider, if they are providing a service that is within the scope of their licensed practice.

(c) Individuals qualified for employment by APD pursuant to that Agency’s background screening standards contained in Section 393.0655, F.S., are not subject to subsequent or additional Level 2 background screening pursuant to Chapter 435, F.S., or the unique screening requirements of Section 430.0402, F.S., by virtue of their employment as a direct service provider as defined in Section 393.063(11), F.S.

(d) Back-up providers, who render services to consumers enrolled in the CDC+ program, are considered to be the same as full-time providers, as defined in Section 409.221(c)5., F.S. Consequently, they are not considered to be unemployed for more than 90 days pursuant to Section 409.221(4)(h)2.(i), F.S., if they have not been called to render back-up services for a period exceeding 90 days.

(5) ELECTRONIC SUBMISSION OF FINGERPRINTS. Beginning August 1, 2010, fingerprints submitted pursuant to Chapter 435, F.S., must be submitted electronically to FDLE, pursuant to paragraph (3)(c) of this rule.

(6) BACKGROUND SCREENER. One of the entities listed in the subsections below may be utilized for Level 2 background screening as long as the entity verifies in writing to the employer that all background

screeners performing electronic fingerprinting meet the requirements of Section 435.04(1)(c), F.S., and have been subject to, and passed, a Level 1 background screening under the standards set forth in Chapter 435, F.S.

(a) Any screening company listed on the FDLE website as authorized to perform Level 2 LiveScan background screenings. The website address is: <http://www.fdle.state.fl.us/Content/getdoc/04833e12-3fc6-4c03-9993-379244e0da50/livescan.aspx>.

(b) Any local law enforcement capable of performing Level 2 Livescan background screenings, provided the equipment and electronic fingerprint data submission have been evaluated by FDLE to verify compliance with both FDLE and FBI regulations and standards.

#### (7) SHARING OF SCREENING RESULTS.

The information that a particular direct service provider has successfully passed a Level 2 background screening may be shared among DOEA programs and providers. In addition, passage of a Level 2 background screening for one program or provider shall constitute passage for all programs and providers. However, the use of a Level 2 background screening by a subsequent program or provider shall not affect the applicable date for rescreening pursuant to paragraph (3)(d) of this rule, if any. No information other than the fact that the applicant passed Level 2 screening may be shared.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History—New 11-1-10.

Editorial note: Supersedes 58ER10-1.

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: November 1, 2010

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

### Section V

## Petitions and Dispositions Regarding Rule Variance or Waiver

#### **DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT on October 12, 2010, the Department of Community Affairs has issued an order.

The petition for waiver was received from the Wakulla County Board of County Commissioners on August 6, 2010, and was assigned the number DCA10-WAI-160. The rule from which

the waiver was sought was paragraph 9B-43.0051(7)(c), Florida Administrative Code. Notice of receipt of this petition was published in the August 20, 2010 (Vol. 36, No. 33) edition of the Florida Administrative Weekly.

This matter involves the CDBG Economic Development subgrant awarded to Wakulla County, Florida, Board of County Commissioners (Petitioner) during the 2005 Federal Fiscal Year (FFY) by the Department of Community Affairs (the Department) under the Small Cities Community Development Block Grant (CDBG) program. Pursuant to paragraph 9B-43.0051(7)(c), F.A.C. (in effect at the time of the award of the subgrant), certain penalties are assessed on future subgrant applications as follows: [a] penalty of five points per job, up to a maximum of 50 points, for failure to create or retain the total number of jobs in the original contract in the Economic Development category. The Petitioner did not deliver the full number of jobs promised, blaming the unforeseen downturn in the national economy. Petitioner did create a significant number of jobs and demonstrated the expenditure-per-job-created ratio was better than that required by the program. The waiver was granted to avoid unjust penalization of the Petitioner for events beyond its expectation and control. The fact that Petitioner did create jobs economically should be acknowledged.

A copy of the Order may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1682.

NOTICE IS HEREBY GIVEN THAT on September 30, 2010, the Department of Community Affairs, received a petition for waiver from Robert R. McDonald, of Greenberg Traurig, on behalf of William Scotsman, Inc. This rule governs responsibility for affixing insignia to existing factory built schools and the conditions therefore. It has been assigned the number DCA10-WAI-194.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1682.

#### **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 21, 2010, the Suwannee River Water Management District (SRWMD) has issued an order.

This Order (10-0013) grants variance under Section 120.542, F.S., to Cheryl & Michael Mahan, P. O. Box 848, Live Oak, Florida 32064, for an existing dock within Township 7 South, Range 14 East, Section 4, Suwannee County for C. Mahan District Floodway Project (ERP09-0090). The petition for variance was received by SRWMD on October 5, 2010. Notice of receipt of petition requesting variance was published in F.A.W., Vol. 36, No. 41, October 15, 2010. No public comment has been received. This Order provides a variance from SRWMD criteria for paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirements. SRWMD granted the petition because the petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that a substantial hardship would be created if the petitioners were required to comply with this rule.

A copy of the Order may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Suwannee River Water Management District (SRWMD), received a petition for variance from Arthur Lee Hane, 15659 N. W. 49th Lane, Cheifland, Florida 32626, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to rebuilt home destroyed by fire in the same footprint as previous home, located in Township 12, Range 13E, Section 32, Levy County. These rules are intended to set forth criteria for development activities within a Work of the District. The petition has been assigned ERP Number 10-0218, A. Hane District Floodway Project.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on October 25, 2010, the Suwannee River Water Management District, received a petition for variance from Suwannee County Board of County Commissioners, 224 Pine Ave, Live Oak, FL 32060, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to reconstruct retaining walls and resurface parking area, in Suwannee County, in Township 1 South, Range 13 East, Section 12, and Township 1 South, Range 14 East, Section 7. These rules are intended to set forth criteria for

development activities within a Work of the District. The petition has been assigned ERP Number 04-0217M2, Dees Howard Boat Ramp Modification.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 21, 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 emergency Variance from Florida Capital Bank Building, filed April 5, 2010, and advertised in Vol. 36, No. 19 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 March 31, 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 2010-224).

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 21, 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 Landmark I, filed April 6, 2010, and advertised in Vol. 36, No. 20 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 2.7.4 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 restricted door openings until November 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 2010-232).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Gas Plant Antique Arcade, filed April 9, 2010, and advertised in Vol. 36, No. 19 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner failed to meet it's burden by not providing the information requested by the Division (VW 2010-240).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN THAT on October 21, 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 100 Madison Bldg., filed April 26, 2010, and advertised in Vol. 36, No. 21 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 April 1, 2017, 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 2010-275).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Sarasota Kennel Club, filed June 7, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, 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

restricted door openings because the Petitioner failed to meet it's burden by not providing the information requested by the Division (VW 2010-380).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Alhambra Club Condo, filed June 24, 2010, and advertised in Vol. 36, No. 29 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner failed to meet it's burden by not providing the information requested by the Division (VW 2010-436).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 Union 700, Inc., filed June 24, 2010, and advertised in Vol. 36, No. 29 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, 3.10.4(t), 3.11.1(a)(2), 3.10.1, 3.4.5(d), 2.3.3 and 2.1.1 ASME A17.3, 1996 edition and from Rule 8.6.1.2.2 ASME A17.1, 2004 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, keyed stop switch, two-way communication, emergency lighting and signaling devices, pit stop switch, repairing the hoistway wall, door c/w, door lock and door assembly and allow a tiller rope operation until December 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 2010-437).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 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 Medical Arts Bldg., filed July 30, 2010, and

advertised in Vol. 36, No. 33 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 2010-497).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 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 St. John's River Power Park, filed March 16, 2010, and advertised in Vol. 36, No. 34 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 2.7.4.2(a) and 2.1.6.4(e)(1) ASME A17.1, 2004 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 a minimum clearance of 84 inches in the machine space within the machine room and restricts the use of wire instead of bevels in the hoistway to a strength greater than or equal to 1.110 mm 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 2010-511).

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

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 J.H. Miller Health Science Center, filed August 11, 2010, and advertised in Vol. 36, No. 34 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 3.3.2 ASME A17.3, 1996 edition and from Rule 2.27.8 ASME A17.1, 2007 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 platform guards and switch keys until February 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 2010-524).

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

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 Environmental Services Lab, 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 Chapter 30, Section 3006.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators venting 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 2010-533).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Maitland Forum, filed August 26, 2010, and advertised in Vol. 36, No. 38 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner failed to meet it's burden by not providing the information requested by the Division (VW 2010-552).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Park Center, filed August 26, 2010, and advertised in Vol. 36, No. 38 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner failed to meet it's burden by not providing the information requested by the Division (VW 2010-553).



A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 Housing Authority of Daytona Beach, 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 June 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 2010-575).

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

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 emergency Variance from Oak Hospital, filed September 13, 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 2010-581).

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

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NOTICE IS HEREBY GIVEN THAT on October 25, 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 emergency Variance from Reef Resort Condo Assoc., Inc., filed September 24, 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 and 3.11.1 (a)(2) 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 and two-way communications until September 24, 2010, 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 2010-587).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 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 emergency Variance from Waterview, filed October 21, 2010, and advertised in Vol. 36, No. 41 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 2010-594).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 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 emergency Variance from Reef Club, filed September 22, 2010, and advertised in Vol. 36, No. 41 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 2010-595).

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 21, 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 emergency Variance from Park Plaza, filed September 22, 2010, and advertised in Vol. 36, No. 41 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 2.7.4, 3.3.2, 3.11.1(a)(2), 3.10.4(e) & (u), 2.3.3 and 3.4.5(d) 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 restricted door openings, platform guards, two-way communication, electrical protective devices, a stop switch in the pit and emergency lighting until September 15, 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 2010-596).

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 25, 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 emergency Variance from Building I & II, filed September 23, 2010, and advertised in Vol. 36, No. 41 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 and 3.11.1(a)(2) 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 and two-way communications until September 15, 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 2010-598).

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 13, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received

a petition from Winter Haven Building. 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 2010-631).

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 13, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 800 Beach Road Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.6, 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 phase reversal and failure protection which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-632).

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 13, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Atlantis Regency East Gardens. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for restricted door openings 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 2010-633).

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 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Title & Trust Co. of Florida Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section

3.11.3 and 3.10.3, 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 and a car top inspection station 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 2010-634).

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

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NOTICE IS HEREBY GIVEN THAT on October 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Embassy Suites Tampa Airport/Westshore. 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 2010-635).

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

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NOTICE IS HEREBY GIVEN THAT on October 14, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Islander Club. 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 car stop switch 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 2010-637).

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

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NOTICE IS HEREBY GIVEN THAT on October 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Bahia Vista Prof. 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 2010-638).

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

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NOTICE IS HEREBY GIVEN THAT on October 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Hope VI Senior Housing, Bradenton Village II. Petitioner seeks an emergency 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 a sump pump which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-639).

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

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NOTICE IS HEREBY GIVEN THAT on October 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Blue Water Bay Condo. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-642).

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

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NOTICE IS HEREBY GIVEN THAT on October 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Arbor Shoreline Office Park. 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 2010-640, VW 2010-641, VW 2010-643).

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

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NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Nine Fifty Broadway. 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 2010-646).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from First Baptist Church. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-648).

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

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NOTICE IS HEREBY GIVEN THAT on October 25, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from McCrory Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 3.19.3.3.1, as adopted by Chapter 30, Section 3001.2,

Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that regulates flexible hose and fitting assembly which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-649).

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

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NOTICE IS HEREBY GIVEN THAT on October 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 2200 Lucien Way. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-651).

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the 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 #1, 2, 3 & 4, Miami, FL. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to install casters on the unit rather than axle-mounted wheels in order to be otherwise movable from place to place.

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.

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NOTICE IS HEREBY GIVEN THAT on October 26, 2010, the Electrical Contractors' Licensing Board, received a petition for Timothy P. Atkinson, Esquire, on behalf of Ira L. Thompson, seeking a variance or waiver of subsection 61G6-5.004(2), Florida Administrative Code, which requires in part that a comprehensive financial statement be forwarded to the Department for the Board's review, reflecting the financial condition of the business organization in its previous fiscal year; provided, however, that the statement be prepared within 12 months of the date of filing of the application. The financial

statement must indicate a minimum net worth as indicated below for the following categories: (a) Unlimited electrical and alarm contractor \$10,000 (b) Specialty Contractor \$5,000.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on October 19, 2010, the Florida Real Estate Appraisal Board, received a petition for Kenneth L. Reynolds, seeking a variance or waiver of paragraph 61J1-4.010(1)(c), Florida Administrative Code, that requires that a supervisory appraiser must have been licensed as an appraiser or certified as a residential or general appraiser for at least 48 months to qualify to supervise trainees.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801. Comments on this petition should be filed with: The Florida Real Estate Appraisal Board within 14 days of publication of this notice.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Florida Department of Environmental Protection has issued an order.

This Order (WL-911 AR ATF V) grants a variance under Section 120.542, F.S., to John B. Higdon Jr., C. Wayne and Mary H Walker, Jr., and John F. Steen, regarding WL-911 AR ATF, an application for after-the-fact armoring. A petition for variance was received on April 3, 2009. Notice of receipt of petition requesting the variance was published in the F.A.W., Vol. 36, No. 16, April 24, 2009. No public comment was received. This Order grants a limited variance from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the condition where construction of armoring shall be authorized for the protection of an eligible structure. The petition was approved because the petitioner was able to demonstrate that strict adherence would create a substantial hardship and that the underlying statute's purpose will be or has been achieved by other means. The properties are located at 4559, 4569, 4579, and 4589, Coastal Highway 30A, Dune Allen Beach, Walton County, FL.

A copy of the Order may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Florida Department of Environmental Protection has issued an order.

This Order (WL-1058 AR ATF V) grants a variance under Section 120.542, F.S., to Charlotte Lee Jones Anderson, Jerral Wayne Jones, Jr., John Stephen Jones, Jerral Wayne Jones, Sr., regarding WL-1058 AR ATF, an application for after-the-fact armoring. A petition for variance was received on July 28, 2010. Notice of receipt of petition requesting the variance was published in the F.A.W., Vol. 36, No. 32, August 13, 2010. No public comment was received. This Order grants a limited variance from subsections 62B-33.002(18) and (44), F.A.C., which defines "eligible structures" and "nonconforming structure," respectively, and from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the condition where construction of armoring shall be authorized for the protection of an eligible structure. The petition was approved because the petitioner was able to demonstrate that strict adherence would create a substantial hardship and that the underlying statute's purpose will be or has been achieved by other means. The property is located at 120 Village Baach East, Santa Rosa Beach, Walton County, FL.

A copy of the Order may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on October 21, 2010, the Board of Clinical Laboratory Personnel, received a petition for Edward D. Haley. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(1)(a), Florida Administrative Code, which requires for licensure with a specialty, that the licensee have a bachelors degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on October 20, 2010, the Board of Psychology, received a petition for a waiver filed by Laura Tendler, Psy.D., from Rule 64B19-11.0075, F.A.C., with regard to closing the application file after 24 months if the applicant is unable to document successful completion of the Laws and Rules examination. Comments on this petition

should be filed with: The Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

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**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on October 22, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: BISCAYNE APARTMENTS ASSOCIATES, LTD

DATE PETITION WAS FILED: September 14, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9I-ER93-10(3), F.A.C., which requires "Interest payments, where applicable, on the HOME mortgage will be due to the servicer on the first day of the calendar quarter".

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, September 24, 2010, Vol. 36, No. 38.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 22, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or email: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: www.floridahousing.org.

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NOTICE IS HEREBY GIVEN THAT on October 22, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: NORTHWEST PROPERTIES PHASE III, LTD.

DATE PETITION WAS FILED: September 17, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(g), F.A.C.; which prohibits changing the development type selected in the Application after the Application Deadline. REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, October 1, 2010, Vol. 36, No. 39

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 22, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or email: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: www.floridahousing.org.

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NOTICE IS HEREBY GIVEN THAT on October 22, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: NOAH DEVELOPMENT CORPORATION

DATE PETITION WAS FILED: August 11, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsections 67-48.0092(2) and 67-48.0105(4), F.A.C., which refers to the program procedures and administers the application process for SAIL loans.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, August 20, 2010, Vol. 36, No. 33.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION DISMISSED THE VARIANCE OR WAIVER: October 22, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or email: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: www.floridahousing.org.

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NOTICE IS HEREBY GIVEN THAT on October 22, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: SUNRISE PARK PHASE I, LTD

DATE PETITION WAS FILED: September 16, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(g), F.A.C., which states that certain items must be included in the Application and cannot be revised, corrected or supplemented after the Application Deadline.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, October 1, 2010, Vol. 36, No. 39

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: October 22, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or email: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: www.floridahousing.org.

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## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Division of Historical Resources and Florida Historical Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: November 15-16, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Heritage Hall Auditorium, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual election of the Florida Historical Commission's Assistant Presiding Officer. Also to review and rank 2012 Special Category Grant Applications.

A copy of the agenda may be obtained by contacting: Grants Staff at 1(800)847-7278, email: bhprgrants@flheritage.com or by visiting: www.flheritage.com/grants.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Grants Staff at 1(800)847-7278, email: bhprgrants@flheritage.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Grants Staff at 1(800)847-7278, email: bhprgrants@flheritage.com or by visiting: www.flheritage.com/grants.

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The Florida **Department of State, Division of Elections** on behalf of the Elections Canvassing Commission announces a public meeting to which all persons are invited.

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

PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To certify official elections results for the 2010 General Election.

Pursuant to the provisions of 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: Amber Barrett, Division of Elections at (850)245-6224, email: anbarrett@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Donald Palmer, Director, Division of Elections, Florida Department of State at (850)245-6200, email: dlpalmer@dos.state.fl.us.

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The **Division of Cultural Affairs and Citizens for Florida Arts, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 10:00 a.m.

PLACE: This meeting will take place via teleconference. For instructions on how to participate please visit: <http://www.florida-arts.org/about/calendar/> and click on the Citizens for Florida Arts, Inc. meeting listing

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review, and take action on funding and any other business that may appropriately come before the board.

A copy of the agenda may be obtained by contacting: Morgan Lewis, Division of Cultural Affairs at (850)245-6470 or email: mblewis@dos.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Laura Blischke at (850)245-6475 or by email: llblischke@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Morgan Lewis, Division of Cultural Affairs at (850)245-6470 or email: mblewis@dos.state.fl.us.

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#### DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 8, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Florida Rehabilitation Council at (850)245-3397.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105).

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: Florida Rehabilitation Council at (850)245-3397. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Rehabilitation Council at (850)245-3397.

The **Florida Rehabilitation Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Coordination Meeting, November 16, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Paige Sharpton at (850)245-3280.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Paige Sharpton at the Council's address.

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A copy of the agenda may be obtained by contacting: Paige Sharpton at (850)245-3280.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: Paige Sharpton at (850)245-3280. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paige Sharpton at (850)245-3280.

The **Florida Rehabilitation Council**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 17, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Florida Rehabilitation Council at (850)245-3397.



Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

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A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Rehabilitation Council at (850)245-3397.

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The **Florida Rehabilitation Council (FRC)** announces a public meeting to which all persons are invited.

**DATES AND TIME:** November 29, 2010 through December 1, 2010, 8:00 a.m. – 6:00 p.m.

**PLACE:** Embassy Suites, Ft. Lauderdale, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: FRC at (850)245-3397.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the

meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Paige Sharpton at the Council's address.

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A copy of the agenda may be obtained by contacting: FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: FRC at (850)245-3397. If you are 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: FRC at (850)245-3397.

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

**DATE AND TIME:** Public Forum, November 29, 2010, 11:00 a.m. – 12:00 Noon

**PLACE:** Embassy Suites, Ft. Lauderdale-17th Street, 1100 S. E. Street, Ft. Lauderdale, FL 33316

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning at (850)245-3320

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

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hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105).

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: Florida Rehabilitation Council at (850)245-3397. If you are 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 Rehabilitation Council at (850)245-3397.

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The **Florida Rehabilitation Council**, Public Awareness Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 7, 2010, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Council at (850)245-3397.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

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ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105).

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

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

For more information, you may contact: Florida Rehabilitation Council at (850)245-3397.

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The **Florida Rehabilitation Council**, Coordination Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 9, 2010, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Florida Rehabilitation Council at (850)245-3397.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

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A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

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

For more information, you may contact: Florida Rehabilitation Council at (850)245-3397.

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The **Florida Rehabilitation Council**, Legislative Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 14, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Florida Rehabilitation Council at (850)245-3397.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the Council's address.

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A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: Florida Rehabilitation Council at (850)245-3397. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Rehabilitation Council at (850)245-3397.

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The **Florida Covering Kids & Families Coalition** at USF announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 17, 2010, 9:30 a.m.

PLACE: University of South Florida, College of Public Health, Room 2004, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- Membership
- Florida KidCare program updates
- Committee activities
- Strategic Plan
- Budget

A copy of the agenda may be obtained by contacting: Jodi A. Ray at email: jray@health.usf.edu or (813)974-3143.

Pursuant to the provisions of 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: Jodi A. Ray at email: jray@health.usf.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Tuesday, November 30, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: USF Contemporary Art Museum, 4202 East Fowler Avenue, CAM 101, Tampa, FL 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: The local public art committee for BR-534, the new Interdisciplinary Science Teaching and Research Facility on the Tampa campus, will meet to discuss the site and to review nominated artists.

A copy of the agenda may be obtained by contacting: Sheena Simmons, Administrator of Public Art at (813)974-4333 or email: sdsimmo3@usf.edu.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Sheena Simmons, Administrator of Public Art at (813)974-4333 or email: sdsimmo3@usf.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Indian River State College** announces a public meeting to which all persons are invited.

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

PLACE: Treasure Coast Public Safety Training Complex, 4600 Kirby Loop Road, Fort Pierce, FL 34980

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide update on training classes and any other issues involving the Region XI Council.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

CODE ADMINISTRATION TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 15, 2010, 8:00 a.m. – Until Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Mr. Joe Bigelow for Webinar Registration Code; Teleconference Number: 1(888)808-6959, Code: 1967168#; Public Point of Access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

The SPECIAL OCCUPANCY TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 15, 2010, 1:00 p.m. – Until Completion

PLACE: Department of Community Affairs, Sadowski Building, Kelly Training Room, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

DATE AND TIME: November 15, 2010, 10:30 a.m. – Completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically by Conference Call and Webinar. Conference Call: 1(888)808-6959, Code: 1967168#; Webinar Registration: <https://www2gotomeeting.com/register/672502163>; Public Point of Access: Department of Community Affairs, Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- Approval of Agenda
- Appeal of Binding Interpretation #65, 940 Ocean Drive, LLC, Miami Beach, Florida
- 2010 Florida Building Code Procedural Issues relating to coordination of Chapter 120, F.S., rule adoption requirements with Chapter 553 Code development process
- Adjourn.

A copy of the agenda may be obtained by contacting: Ms. Jennifer Drake, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436 or see the Commission's website: [www.floridabuilding.org](http://www.floridabuilding.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Jennifer Drake, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436 or see the Commission's website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

PLUMBING TECHNICAL ADVISORY COMMITTEE (TAC) concurrent with the SWIMMING POOL SUB-COMMITTEE MEETING

DATE AND TIME: November 15, 2010, 3:30 p.m. – Until Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Ms. Marlita Peters for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

SWIMMING POOL SUB-COMMITTEE TO THE PLUMBING TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 15, 2010, 3:30 p.m. – Until Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Ms. Marlita Peters for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs,

2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

ENERGY TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 16, 2010, 10:00 a.m. – Until Completion

PLACE: Hilton Hotel, 1714 S. W. 34th St., Gainesville, Florida, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

STRUCTURAL TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 17, 2010, 9:00 a.m. – Until Completion

PLACE: Hilton Hotel, 1714 S. W. 34th St., Gainesville, Florida, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

ROOFING TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 19, 2010, 8:00 a.m. – Until Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Mr. Joe Bigelow for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

MECHANICAL TECHNICAL ADVISORY COMMITTEE (TAC)

DATE AND TIME: November 19, 2010, 10:30 a.m. – Until Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Ms. Ann Stanton for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or

Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

**FIRE TECHNICAL ADVISORY COMMITTEE (TAC)**

**DATE AND TIME:** November 19, 2010, 1:00 p.m. – Until Completion

**PLACE:** Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Ms. Marlita Peters for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

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

**ELECTRICAL TECHNICAL ADVISORY COMMITTEE (TAC)**

**DATE AND TIME:** November 19, 2010, 3:30 p.m. – Until Completion

**PLACE:** Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Webinar: Please contact: Ms. Marlita Peters for Webinar Registration Code; Conference Call: 1(888)808-6959, Code: 1967168#; Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and comments on comments received regarding the TAC's actions on the proposed code modifications for the 2010 update to the Florida Building Code.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).



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

DATE AND TIME: November 18, 2010, 2:00 p.m. – 5:00 p.m. or until all business is concluded

PLACE: The Capitol Building, Lower Level, Cabinet Meeting Room, 400 South Monroe, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the Governing Body. To take action on issue regarding Indian Street Bridge located in Martin County, to consider Chapter 9K-7, F.A.C., rulemaking and to conduct business that the governing board deems necessary.

A copy of the agenda may be obtained by contacting: The Trust at (850)922-2207 or visiting: [www.floridacommunitiestrust.org](http://www.floridacommunitiestrust.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: Florida Communities Trust at (850)922-2207. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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For more information, you may contact: Florida Communities Trust at (850)922-2207.

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#### DEPARTMENT OF REVENUE

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

DATE AND TIME: December 7, 2010, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of repeal to rule provisions in Rule Chapter 12D-15, F.A.C. (Approved Bidders and The Minimum Standards Contract). This repeal is to implement the provisions of Section 25 of Chapter 2010-138, Laws of Florida. Notice of Proposed Rule was published in the Florida Administrative Weekly on August 20, 2010 (Vol. 36, No. 33, pp. 3872 – 3783). A public hearing was not requested by the public and no hearing was held by the Department.

A copy of the agenda may be obtained by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000, (850)617-8886, email: [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)617-8886 or email: [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF TRANSPORTATION

The Florida **Statewide Passenger Rail Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 15, 2010, 10:00 a.m.

PLACE: Tampa Convention Center, 333 S. Franklin Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General rail matters.

A copy of the agenda may be obtained by contacting: [www.floridarailcommission.com](http://www.floridarailcommission.com) or Deanna R. Hurt, Clerk of Agency Proceedings, (850)414-5265.

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The Florida **Department of Transportation**, District Two announces a public meeting to which all persons are invited.

Live Oak Hearing

DATE AND TIME: Thursday, December 2, 2010, 5:30 p.m.

PLACE: Suwannee River Water Management District, Board Room #103, 9225 County Road 49, Live Oak, Florida

Lake City Hearing

DATE AND TIME: Tuesday, December 7, 2010, 5:30 p.m.

PLACE: Florida Department of Transportation, Lake City District Office, Madison Room, 1109 South Marion Avenue, Lake City, Florida

Jacksonville Hearing

DATE AND TIME: Thursday, December 9, 2010, 5:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Department's Tentative Work Program for Fiscal Years beginning July 1, 2011, through June 30, 2016. These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2011/2012 through 2015/2016, and to consider the necessity of making any changes to the Department's Tentative Work Program.

Written comments from the Commissions and other interested parties will be received by the Department at the public hearings and through Friday, December 31, 2010. Comments should be addressed to: Mr. Alan R. Mosley, P.E., District Two Secretary, Florida Department of Transportation, District Two, 1109 South Marion Avenue, Lake City, Florida 32025-5874, 1(800)749-2967.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Two Office at 1(800)749-2967.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Two Office at 1(800)749-2967. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**EXECUTIVE OFFICE OF THE GOVERNOR**

The **Florida Gubernatorial Fellows Program** announces a telephone conference call to which all persons are invited.

**DATES AND TIME:** November 9, 2010 or November 10, 2010, 10:00 a.m.

**PLACE:** The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Fellows Program Board of Directors will conduct a conference call to discuss program status.

A copy of the agenda may be obtained by contacting: Kelli Gebbia (850)410-0501.

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: Kelli Gebbia (850)410-0501 [Kelli.Gebbia@eog.myflorida.com](mailto:Kelli.Gebbia@eog.myflorida.com) Justin Domer (850)410-0501 [Justin.Domer@eog.myflorida.com](mailto:Justin.Domer@eog.myflorida.com)

The **Florida Energy & Climate Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, November 12, 2010, 9:30 a.m. – until completion

**PLACE:** Buckeye Technologies, One Buckeye Drive, Perry, Florida 32347

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Energy & Climate Commission (Commission) will attend a tour of the Buckeye Technologies Plant located in

Perry, FL. Staff will conduct the tour at Buckeye Technologies, One Buckeye Drive, Perry, Florida 32347, where members of the public are invited to attend.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

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

For more information, you may contact: Brittany Cummins at (850)487-3800.

The **Governor’s Faith-Based and Community-Based Advisory Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, November 18, 2010, 10:00 a.m. – 12:00 Noon

**PLACE:** Conference Call: 1(888)808-6959, Passcode: 2593431824#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will focus on general meeting topics, sunset review, funding issues and potential opportunities.

A copy of the agenda may be obtained by contacting: Office of Adoption and Child Protection at (850)921-2015.

Pursuant to the provisions of 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: Office of Adoption and Child Protection at (850)921-2015. If you are 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: Office of Adoption and Child Protection at (850)921-2015.

The **Children and Youth Cabinet** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, December 1, 2010, 1:00 p.m. – 5:00 p.m.

**PLACE:** Florida Solar Energy Center, Auditorium adjacent to the Brevard Campus of the University of Central Florida, 1679 Clearlake Road, Cocoa, Florida 32922-5703

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting is a workshop that will continue the Cabinet's work on Indicators including the Abuse and Neglect Indicator. The workshop will also provide information on next steps in an outcomes accountability process, and include Cabinet discussion on timeline and tasks for moving the process forward.

A copy of the agenda may be obtained by contacting: Sharon L. Read, Office of the Lieutenant Governor Jeff Kottkamp at (239)489-9063 or email: Sharon.Read@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Sharon L. Read, Office of Lieutenant Governor Jeff Kottkamp at (239)489-9063 or email: Sharon.Read@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Sharon L. Read, Office of Lieutenant Governor Jeff Kottkamp at (239)489-9063 or email: Sharon.Read@eog.myflorida.com.

**The Trust for Florida's Children** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 16, 2010, 10:00 a.m. – 3:00 p.m.

**PLACE:** Florida Baptist Children's Home, 1015 Sikes Blvd., Lakeland, Florida 33815

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will focus on general meeting topics and potential opportunities.

A copy of the agenda may be obtained by contacting: Office of Adoption and Child Protection at (850)921-2015.

Pursuant to the provisions of 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: Office of Adoption and Child Protection at (850)921-2015. If you are 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: Office of Adoption and Child Protection at (850)921-2015.

## REGIONAL PLANNING COUNCILS

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

**DATE AND TIMES:** Monday, November 15, 2010, 4:00 p.m.; Executive Committee Meeting, 3:00 p.m.

**PLACE:** Niceville City Hall, 208 Partin Drive, Niceville, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular business of the Council.

A copy of the agenda may be obtained by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at email: terry.joseph@wfrpc.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 business days before the workshop/meeting by contacting: Ms. Terry Joseph, Executive Director, WFRPC at email: terry.joseph@wfrpc.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. Terry Joseph, Executive Director, WFRPC at email: terry.joseph@wfrpc.org.

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

**DATE AND TIME:** November 17, 2010, 10:00 a.m.

**PLACE:** Columbia County Emergency Operations Center, 263 Northwest Lake City Avenue, Lake City, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, FL 32653.

Pursuant to the provisions of 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.

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

DATE AND TIME: November 17, 2010, 1:30 p.m.

PLACE: Columbia County Emergency Operations Center, 263 Northwest Lake City Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, 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.

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The **Putnam County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 15, 2010, 10:00 a.m.

PLACE: Putnam County Government Complex, 2509 Crill Avenue, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: NEFRC, (904)279-0880, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Pursuant to the provisions of 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: Ed Lehman at (904)279-0885, ext. 130. If you are 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 **Baker County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 10:00 a.m.

PLACE: Baker County Commission Building, 55 N. 3rd Street, Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: NEFRC, (904)279-0880, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Pursuant to the provisions of 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: Ed Lehman at (904)279-0885, ext. 130. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Nassau County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 2:00 p.m.

PLACE: Nassau County Council on Aging, 1367 S. 18th Street, Fernandina Beach, FL 32034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: NEFRC, 6850 Belfort Oaks Place, Jacksonville, Florida 32216, (904)279-0880.

Pursuant to the provisions of 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: Ed Lehman at (904)279-0885, ext. 130. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, November 17, 2010, 10:00 a.m.

PLACE: 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, FL 32701 (Visit [www.ecfrpc.org](http://www.ecfrpc.org) for map and directions)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Tuesday Brunsonbyrd-Bowden at (407)262-7772, email: tbyrd@ecfrpc.org or visit [www.ecfrpc.org](http://www.ecfrpc.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: Tuesday Brunsonbyrd-Bowden at (407)262-7772. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: November 17, 2010, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Tampa Bay Regional Planning Council at (727)570-5151. If you are 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: John Meyer, LEPC Coordinator at (727)570-5151, ext. 29 or email: [johnm@tbrpc.org](mailto:johnm@tbrpc.org).

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

DATE AND TIME: November 18, 2010, 9:00 a.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 Full Agency on Bay Management.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22 or email: [wren@tbrpc.org](mailto: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: [suzanne@tbrpc.org](mailto:suzanne@tbrpc.org).

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

DATE AND TIME: Thursday, November 18, 2010, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly board meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at email: [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Deb Kooi at email: [dkooi@swfrpc.org](mailto:dkooi@swfrpc.org) or (239)338-2550, ext. 210. If you are 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 visit our website: [www.swfrpc.org](http://www.swfrpc.org).

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## REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority**, Board of Directors and its Advisory Committees will meet to discuss the implementation of regional transportation solutions for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties and announces a public meeting to which all persons are invited.

TBARTA Board – Joint

DATE AND TIME: November – December Meeting, Friday, December 10, 2010, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. Transit Management Committee (TMC)

DATE AND TIME: Wednesday, November 17, 2010, 10:00 a.m.

PLACE: Pinellas Suncoast Transit Authority (PSTA), 3201 Scherer Dr., St. Petersburg, FL

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

Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, November 17, 2010, 1:30 p.m.

PLACE: USF Connect Bldg., Oak View Room, 3720 Spectrum Blvd., Tampa, FL 33612

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

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

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Michelle Greene, (813)282-8200 at least ten (10) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

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

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## METROPOLITAN PLANNING ORGANIZATIONS

The **Escambia County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 23, 2010, 10:00 a.m.

PLACE: Pensacola City Hall, Whibbs Room, 180 Governmental Center, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

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

Pursuant to the provisions of 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: Ellie Roberts at email: [ellie.roberts@wfrpc.org](mailto:ellie.roberts@wfrpc.org) or 1(800)226-8914. If you are 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: Julia Pearsall at email: [julia.pearsall@wfrpc.org](mailto:julia.pearsall@wfrpc.org) or 1(800)226-8914, ext. 231.

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The **Santa Rosa County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 23, 2010, 2:00 p.m.

PLACE: Milton City Hall, 260 Dixon Street, Milton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

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

Pursuant to the provisions of 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: Ellie Roberts at email: [ellie.roberts@wfrpc.org](mailto:ellie.roberts@wfrpc.org) or 1(800)226-8914. If you are 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: Julia Pearsall at email: [julia.pearsall@wfrpc.org](mailto:julia.pearsall@wfrpc.org) or 1(800)226-8914, ext. 231.

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The **Okaloosa County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 17, 2010, 9:00 a.m.

PLACE: Elder Services of Okaloosa County, 207 Hospital Drive N. E., Ft. Walton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: [www.wfrpc.org/okaloosatd](http://www.wfrpc.org/okaloosatd) one week 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 48 hours before the workshop/meeting by contacting: Dorothy McKenzie at email: [Dorothy.mckenzie@wfrpc.org](mailto:Dorothy.mckenzie@wfrpc.org) or call 1(800)226-8914. If you are 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: Julia Pearsall at [Julia.pearsall@wfrpc.org](mailto:Julia.pearsall@wfrpc.org) or 1(800)226-8914, ext. 231.

**WATER MANAGEMENT DISTRICTS**

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

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

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://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, x4702; TDD (FL only) 1(800)231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: [Luanne.Stout@watermatters.org](mailto:Luanne.Stout@watermatters.org) 1(800)423-1476 (FL only) or (352)796-7211, x4605 (Ad Order EXE0091)

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

DATE AND TIME: Wednesday, November 17, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center  
2301 McGregor Blvd.

Fort Myers, FL 33901

Martin/St. Lucie Service Center  
780 S. E. Indian Street

Stuart, FL 34997

Orlando Service Center

1707 Orlando Central Parkway, Suite 200

Orlando, FL 32809

The meeting will also be webcast.

A copy of the agenda may be obtained by contacting: (7) days prior to the meeting date, you may obtain a copy of the agenda by going to our website at: [www.sfwmd.gov](http://www.sfwmd.gov).

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click.
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link.

For additional information, you may also call our: information line at (561)682-6207 or Florida toll-free (800)432-2045, ext. 6207.

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

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

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

Quarterly meeting of the Everglades Technical Oversight Committee (TOC)

DATE AND TIME: November 30, 2010, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website (<http://www.sfwmd.gov/toc>) or (2) by writing: South Florida Water Management District, Mail Stop 7282, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

#### DEPARTMENT OF ELDER AFFAIRS

**NOTICE OF CHANGE – The Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATES AND TIME:** November 18, 2010; December 9, 2010; 10:00 a.m. – 11:00 a.m. (EDT) (NOTE: November meeting date and time/December meeting time have changed since original submission that was published in the 8/20/10, Vol. 36/33 issue of the F.A.W.)

**PLACE:** St. Anne Byzantine Catholic Church, 7120 Massachusetts Avenue, New Port Richey, FL 34653

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Pasco & North Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Lynn Penley, Department of Elder Affairs, 2523 Seven Springs Blvd., New Port Richey, FL 34655, (727)376-2788 or email: penleyl@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Lynn Penley, Department of Elder Affairs, 2523 Seven Springs Blvd., New Port Richey, FL 34655, (727)376-2788 or email: penleyl@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Penley, Department of Elder Affairs, 2523 Seven Springs Blvd., New Port Richey, FL 34655, (727)376-2788 or email: penleyl@elderaffairs.org.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

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

**DATE AND TIME:** November 18, 2010, 10:00 a.m.

**PLACE:** Agency for Health Care Administration, Conference Room "A", 2727 Mahan Drive, Tallahassee, Florida. Any person interested in participating by telephone may dial: (641)593-6241, Pass Code: 5384968#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)412-3730

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

A copy of the agenda may be obtained by contacting: Faye Miller, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at: <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Faye Miller at (850)412-3735. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Faye Miller at (850)412-3735.

The **Agency for Health Care Administration**, on behalf of the **Low Income Pool (LIP) Council** announces a public meeting to which all persons are invited.

**DATES AND TIME:** November 17, 2010; January 19, 2011, 10:00 a.m. – 4:00 p.m.

**PLACE:** Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion of the LIP program including legislative updates, funding methodology, policies and procedures in accordance with the approved Medicaid Reform Section 1115 Demonstration.

A copy of the agenda may be obtained by contacting: Edwin Stephens at (850)412-4077 or email: [edwin.stephens@ahca.myflorida.com](mailto:edwin.stephens@ahca.myflorida.com), with any questions or to obtain an agenda when it is set.

For more information, you may contact: Edwin Stephens at (850)412-4077, email: [edwin.stephens@ahca.myflorida.com](mailto:edwin.stephens@ahca.myflorida.com), with any questions or to obtain an agenda when it is set.



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2010, 9:00 a.m. – 1:00 p.m.

PLACE: Reedy Creek Improvement District, Building & Safety, 1900 Hotel Plaza Blvd., Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: doug.melvin@dbpr.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: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. If you are 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 **Board of Auctioneers** announces a public meeting to which all persons are invited.

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

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers at (850)922-5012 or via Fax: (850)617-4458.

Pursuant to the provisions of 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 Auctioneers at (850)922-5012 or via Fax: (850)617-4458. If you are 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 Auctioneers at (850)922-5012 or via Fax: (850)617-4458.

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

DATES AND TIME: January 24-25, 2011, 9:00 a.m.

PLACE: Residence Inn Amelia Island Hotel, 2301 Sadler Road, Fernandina Beach, Florida 32034, (904)277-2440

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2010, 1:00 p.m. (EST)

PLACE: Wingate Inn, 2516 West Lakeshore Drive, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing 1(866)895-8146; Participant Code: 30295716#. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact: Shannon McCoy at (850)521-0500, at least 48 hours prior to the meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Shannon McCoy at (850)521-0500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2010, 10:00 a.m. (EST)  
PLACE: Conference Call: 1(866)895-8146, Passcode: 30295716#; Wingate Inn, 2516 West Lakeshore Drive, Tallahassee, FL 32303

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at (850)521-0500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons at email: rsammons@fbpe.org.

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

DATES AND TIMES: December 1, 2010, 1:00 p.m.; December 2, 2010, 8:30 a.m.

PLACE: Wingate Inn, 2516 West Lakeshore Drive, Tallahassee, FL 32303; Conference Call: 1(866)895-8146, Passcode: 30295716#

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at (850)521-0500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons at email: rsammons@fbpe.org.

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

DATE AND TIME: December 7, 2010, 8:00 a.m.  
PLACE: Hampton Inn & Suites, 19 South 2nd Street, Fernandina Beach, FL 32034, (904)491-4911

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 17, 2010, 9:00 a.m.

PLACE: Harbor Branch Oceanographic Institute at Florida Atlantic University, Johnson Education Center Auditorium, 5600 US Highway 1 North, Ft. Pierce, Florida 34946

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Marine Numeric Nutrient Criteria Technical Advisory Committee (MTAC). This is a follow up to a meeting held on August 24, 2010 in Tallahassee, FL. The meeting will include further discussion of draft methodologies and statistical approaches for the development of numeric nutrient criteria for Florida's estuarine and coastal waters. Note that the MTAC is separate from a previous TAC established for nutrient criteria development for freshwater systems (lakes, streams, and canals).

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@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: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DATE AND TIME:** November 17, 2010, 1:30 p.m. – 3:30 p.m.

**PLACE:** South Florida Water Management District, 2301 McGregor Boulevard, Ft. Myers, Florida 33901

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting to review technical issues related to the Tidal Caloosahatchee Basin Management Action Plan (BMAP). The primary topics for discussion include a review of the detailed allocations and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Beth Alvi, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8559.

Pursuant to the provisions of 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. Beth Alvi at (850)245-8559. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DATE AND TIME:** November 18, 2010, 9:00 a.m. – 11:00 a.m.

**PLACE:** South Florida Water Management District, 2301 McGregor Boulevard, Ft. Myers, Florida 33901

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting to review technical issues related to the Everglades West Coast Basin Management Action Plan (BMAP). The primary topics for discussion include a review of the detailed allocations and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Beth Alvi, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8559.

Pursuant to the provisions of 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. Beth Alvi at (850)245-8559. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DATE AND TIME:** November 18, 2010, 9:30 a.m. – 4:00 p.m.

**PLACE:** Fanning Springs City Hall, 17651 N. W. 90 Court, Fanning Springs, Florida 32693-9212

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting to discuss technical issues related to the Suwannee River and Santa Fe River Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be how several Florida counties are leading the way in protecting groundwater flowing to springs in their counties. These local governments are vanguards in successfully using land-use planning, associated local ordinances, and outreach to safeguard the flow of ample clean water to their valuable springs.

A copy of the agenda may be obtained by contacting: Mr. Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail: terry.hansen@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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DATE AND TIME:** November 18, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Deltona Library and Environmental Center, Auditorium, 2150 Eustace Avenue, Deltona, FL 32725

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a general public meeting of interested stakeholders to discuss issues related to the Lakes Harney/Monroe Basin Management Action Plan (BMAP). This meeting will provide an opportunity for stakeholders to provide their comments and recommendations to the Department of Environmental Protection regarding development of the Lakes Harney/Monroe BMAP. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary topic of discussion during this meeting will be the ongoing process of BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Samantha Budd, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail: [samantha.budd@dep.state.fl.us](mailto:samantha.budd@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. Samantha Budd at (850)245-8418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: November 19, 2010, 8:00 a.m. – 12:00 Noon

PLACE: City Hall, 2nd Floor, Hagler-Mason Conference Room, 222 W. Main Street, Pensacola, Florida 32502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a technical meeting to review draft documents related to the Bayou Chico Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Bayou Chico Fecal Coliform Total Maximum Daily Loads (TMDLs). Technical meetings serve a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding the development of the Bayou Chico Basin Management Action Plan.

A copy of the agenda may be obtained by contacting: Ms. Bonita Gorham, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3000, Tallahassee, Florida 32399-2400 or by e-mail: [bonita.gorham@dep.state.fl.us](mailto:bonita.gorham@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Bonita Gorham at (850)245-8513. If you are

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

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The Florida **Department of Environmental Protection**, Beaches and Coastal Systems announces a workshop to which all persons are invited.

DATE AND TIME: December 1, 2010, 2:00 p.m.

PLACE: 5050 W. Tennessee Street, Building B, Tallahassee, FL 32304

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, proposes amendments to Chapter 62B-36, F.A.C. (Rule 62B-36.001, F.A.C.: Purpose; Rule 62B-36.002, F.A.C.: Definitions; Rule 62B-36.003, F.A.C.: Policy; Rule 62B-36.005, F.A.C.: Annual Funding Requests; Rule 62B-36.006, F.A.C.: Project Ranking Procedure; Rule 62B-36.007, F.A.C.: Project Cost Sharing; Rule 62B-36.009, F.A.C.: Project Agreements), in order to implement the new inlet management priorities and procedures set forth in Section 161.143, F.S., and make other changes to improve program implementation. Further, the amendments to the Chapter will incorporate recommendations made by the Beach Management Working Group.

THIS IS A CORRECTION TO THE WORKSHOP DATE PUBLISHED ON OCTOBER 29, 2010 IN VOL. 36, ISSUE 43 OF THE FLORIDA ADMINISTRATIVE WEEKLY. THE NEW WORKSHOP DATE WILL BE DECEMBER 1, 2010, 2:00 p.m.

A copy of the agenda may be obtained by contacting: Roxane Dow, Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, Tallahassee, Florida 32399-3000, (850)922-7852, email: [roxane.dow@dep.state.fl.us](mailto:roxane.dow@dep.state.fl.us) or by checking the Bureau's website: <http://www.dep.state.fl.us/beaches/>.

Pursuant to the provisions of 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: As sited above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: As sited above.

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#### DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, November 19, 2010, 9:00 a.m. – 4:00 p.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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Chapter 63M-2, F.A.C., Statewide requirements for the administration of health services in juvenile delinquency programs.

A copy of the agenda may be obtained by contacting: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us.

## DEPARTMENT OF HEALTH

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 comments on Rule 64B-7.001, F.A.C., 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). If you are 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 **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 2, 2010, 9:00 a.m.

**PLACE:** Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at chandra\_prine@doh.state.fl.us or call (850)245-4135.

Pursuant to the provisions of 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: Chandra Prine at chandra\_prine@doh.state.fl.us or call (850)245-4135. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine**, Physician Assistants Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 2, 2010, 3:00 p.m.

**PLACE:** Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Cheryl Smiley at cheryl\_smiley@doh.state.fl.us, (850)245-4131, ext. 3506.

Pursuant to the provisions of 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: Cheryl Smiley at cheryl\_smiley@doh.state.fl.us or call (850)245-4131, ext. 3506. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**DATE AND TIME:** Thursday, December 2, 2010, immediately following the Anesthesiologist Assistants Committee. (The Anesthesiologist Assistants Committee is a tentative meeting and may be cancelled. If so, the Rules/Legislative Committee will begin immediately following the Physician Assistants Council meeting)

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at email: [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Medicine**, Dietetics/Nutrition & Electrolysis Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 2, 2010, immediately following Expert Witness Committee

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Dietetics-Nutrition and Electrolysis Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

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

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

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

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

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The **Board of Medicine**, Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 2, 2010, immediately following Finance and Statistics Committee

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

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

A copy of the agenda may be obtained by contacting: George Johnson at [george\\_johnson@doh.state.fl.us](mailto:george_johnson@doh.state.fl.us), (850)245-4134.

Pursuant to the provisions of 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: George Johnson at [george\\_johnson@doh.state.fl.us](mailto:george_johnson@doh.state.fl.us) or call (850)245-4134. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Thursday, December 2, 2010, immediately following the Physician Assistants Council (this meeting is tentative)

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please

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

A copy of the agenda may be obtained by contacting: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135.

Pursuant to the provisions of 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: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Thursday, December 2, 2010, immediately following Rules/Legislative Committee

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at email: [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Thursday, December 2, 2010, immediately following Surgical Care/Quality Assurance Committee

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Expert Witness Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at email: [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATES AND TIME: Friday and Saturday, December 3-4, 2010, 8:00 a.m.

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, Hotel phone #: (407)240-1000

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

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

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

state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: November 17, 2010, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 2458182#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

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The Florida **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 2, 2010, 9:00 a.m. or soon thereafter

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walker Blvd., Tampa, FL 33607, (813)877-9200

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

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: December 2, 2010, 9:00 a.m.

PLACE: Capital Circle Office Complex, Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss numerous issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code. Issues to discuss will include proposed rules implementing provisions of Laws of Florida, 2010-205 (SB 550) related to the statewide evaluation of onsite sewage treatment and disposal systems on a five-year recurring basis. The panel may also discuss research proposals as requested by the Research review and Advisory Committee.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 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).

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

For more information, you may contact: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.



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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 3, 2010, 1:30 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 4883169#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These are subcommittee meetings of the Advisory Committee on Economic Security subcommittee to strengthen economic security. The subcommittee will continue to review services offered for citizens with income at or below 200% of the poverty level. Recommendations on improvement of services will be discussed.

A copy of the agenda may be obtained by contacting: ACCESS Headquarter's Office at (850)488-3169.

Pursuant to the provisions of 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: Cathy Kenyon at cathy\_kenyon@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).

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The **Orange County Alliance for Children** announces a public meeting to which all persons are invited.

DATE AND TIME: November 10, 2010, 12:15 p.m.

PLACE: Facilities Management Training Room, 2010 E. Michigan St., Orlando, Florida 32806

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Issues related to children and families.

A copy of the agenda may be obtained by contacting: Kristi Gray at (407)317-7000.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Kristi Gray at (407)317-7000. If you are 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: Kristi Gray at (407)317-7000.

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The **Child Care Standards and Improvements Work Group** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 12, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: 9393 N. Florida Avenue, Room 807, Tampa, FL 33612; 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).

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

DATE AND TIME: November 8, 2010, 3:00 p.m.

PLACE: 1317 Winewood Boulevard, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this meeting is to; provide instructions to the evaluation team; allow evaluators to familiarize themselves with the evaluation process; and provide evaluators with copies of the responsive replies received in response to the ITN. ITN #09D10GC1 Substance Abuse Training & Technical Assistance-Initial Meeting of Department Evaluators.

For more information, you may contact: Michele Staffieri, Procurement Manager at (850)921-5724.

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

DATES AND TIME: November 29, 2010 through December 3, 2010, to be determined

PLACE: 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of these meetings will be to negotiate with the "short list" of vendors to discuss the services being procured in order to obtain the best possible delivery of services at the best value to the State.

Detailed information such as date of each negotiation, conference call number (if applicable), and location will be posted on the Vendor Bid System. ITN #09D10GC1 Substance Abuse Training & Technical Assistance Anticipated Negotiation Period.

For more information, you may contact: Michele Staffieri at (850)921-5724.

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The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Broward 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335. If you are 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

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The **Palm Beach Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 19, 2010, 10:00 a.m. – 12:00 Noon

PLACE: United Way of Palm Beach County, Countess de Hoernle Community Campus, 2600 Quantum Blvd., Boynton Beach, FL 33426, (561)375-6666

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335. If you are 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

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The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 19, 2010, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335. If you are 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: Miriam Rosario at (561)837-5022 or Taddese Fessehaye at (407)317-7335.

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The **Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIMES: November 15, 2010, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m. (If Necessary)

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting and conference call to gather information and comments from the legal and advocacy community and any other parties on the implementation of the iBudget Florida system created by Section 393.0662, F.S.

The agenda and conference call number will be posted on the Agency website: <http://apd.myflorida.com/ibudget/meetings-and-schedules/>. Also by contacting: Marc Ito, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-4556, email: [marc\\_ito@apd.state.fl.us](mailto:marc_ito@apd.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: Marc Ito, Agency for Persons with Disabilities,

4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-4556, email: marc\_ito@apd.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: Marc Ito, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-4556, email: marc\_ito@apd.state.fl.us.

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## NAVIGATION DISTRICTS

The **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2010, 8:00 a.m.

PLACE: City of Neptune Beach City Council Chambers, 116 First Street, Neptune Beach, Duval County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Commissioners will meet to conduct the regular business of the District.

A copy of the agenda may be obtained by contacting: The District at 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386 or go to our website: [aicw.org](http://aicw.org) for more information or meeting details.

Pursuant to the provisions of 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 District at the above contact numbers. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATES AND TIME: December 4, 2010, Volusia County; January 14, 2011, St. Johns County; February 19, 2011, St. Lucie County; March 18, 2011, Martin County; April 18, 2011, Flagler County; May 20, 2011, Indian River County; June 17-18, 2011, Brevard County; July 15, 2011, Nassau County; August 13, 2011, Miami-Dade County; September 17, 2011, Palm Beach County, 8:00 a.m.

PLACE: Above as noted

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Commissioners meet monthly to conduct the regular business of the District.

A copy of the agenda may be obtained by contacting: The District at 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386 or go to our website: [aicw.org](http://aicw.org) for more information or meeting details.

Pursuant to the provisions of 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 District at the above contact numbers. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2010, 3:00 p.m. – until adjourned

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4884197#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.

9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the November 15, 2010, telephonic Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, approximately 2 days prior to the meeting or by visiting the Corporation's website at: [www.floridahousing.org](http://www.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: Sheila Freaney, 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.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2010, 1:30 p.m. – 5:00 p.m.  
 PLACE: Florida Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 329, 620 South Meridian Street, Tallahassee, Florida 32399-1600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Evaluations for the FY 10-11 Florida's Wildlife Legacy Initiative's General Grant proposals.

Communications Media Technology will be used via video conferencing at the Florida Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701-5095. Public should attend at the Tallahassee location.

A copy of the agenda may be obtained by contacting: Laura Morse, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

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

For more information, you may contact: Laura Morse, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

**CITRUS COUNTY TRANSIT**

The **Citrus County Transit** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2010, 10:30 a.m. – 12:00 Noon

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Room 166, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 1) Approval of last meeting minutes (8/20/10)
- 2) Statistics 7/10 – 9/10
- 3) Approval of CTC Evaluation
- 4) Approval of 2011 TD Meeting Calendar

Discussion of: Nursing home transport committee meeting 11/18/10, update on additional fixed route service, etc.

A copy of the agenda may be obtained by contacting: Becky Ear at (352)527-7630, email: [becky.ear@bocc.citrus.fl.us](mailto:becky.ear@bocc.citrus.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: County Administrator's Office, 110 N. Apopka Ave., Inverness, FL 34450. If you are 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: Becky Ear at (352)527-7630 between 8:00 a.m. – 4:00 p.m. or email: becky.ear@bocc.citrus.fl.us.

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#### **H. LEE MOFFITT CANCER CENTER & RESEARCH INSTITUTE, INC.**

The **H. Lee Moffitt Cancer Center & Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2010, 11:30 a.m.

PLACE: Stabile Trustees Boardroom, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler at (813)745-1888. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **H. Lee Moffitt Cancer Center & Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2010, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

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

A copy of the agenda may be obtained by contacting: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lori Payne at (813)745-1798. If you are hearing or

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

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#### **TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority (TRDA)** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2010, 2:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors, TRD Foundation will immediately follow.

A copy of the agenda may be obtained by contacting: Dave Kershaw, Deputy Director at (321)872-1050, ext. 102 or email: dkershaw@trda.org.

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#### **TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY**

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 2010, 2:00 p.m.

PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at (772)467-3107.

Pursuant to the provisions of 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: Treasure Coast Research Park (TCRP) Office at (772)467-3107. If you are 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: Treasure Coast Research Park (TCRP) Office at (772)467-3107.

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**CAPITAL REGION TRANSPORTATION PLANNING AGENCY**

The **Capital Region Transportation Agency** announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2010, 2:00 p.m.

PLACE: City of Tallahassee, City Hall Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This public meeting is being held to afford the public the opportunity to receive information and express opinions regarding the Regional Mobility Plan (including Gadsden, Jefferson, Wakulla and Leon Counties) under development by the Capital Region Transportation Planning Agency (CRTPA).

Pursuant to the provisions of 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: Mellisa McColley at (850)210-2450 or email: mellisa@qcausa.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Beverly Davis, Project Manager at (912)236-3540 or email: Beverly.Davis@rsandh.com; Jack Kostrzewa, Transportation Planning Manager, CRTPA at (850)891-6809, email: John.Kostrzewa@talgov.com.

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**CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA**

The **Center for Independent Living of South Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 15, 2010, 6:00 p.m.

PLACE: Sun Trust Plaza, 201 Alhambra Circle, Suite 601, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Fund Development and PR Awareness Committee of the Center for Independent Living of South Florida.

To request auxiliary aids please contact: Mary Fountain at (305)751-8025 (Voice), (305)751-8891 (TTY) or email: Mary@soflacil.org as soon as possible.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or call (305)751-8025, ext. 110.

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**FLORIDA CLERKS OF COURT OPERATIONS CORPORATION**

The **Florida Clerks of Court Operations Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 22, 2010, 10:00 a.m.

PLACE: Hyatt, Orlando International Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Clerks of Court Budgets for SFY 11-12.

A copy of the agenda may be obtained by contacting: [www.flccoc.org](http://www.flccoc.org) or calling the CCOC office at (850)386-2223.

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**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATES AND TIMES: Management Board, Thursday, November 18, 2010, 1:30 p.m.; Policy Board, Friday, November 19, 2010, 10:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval of the 2010-2011 Bay Mini-Grants, Approval of the SWFWMD/TBEP Old Tampa Bay Agreement, Approval of Contractor for Fertilizer Education/Marketing Campaign.

A copy of the agenda may be obtained by contacting: [ron@tbep.org](mailto:ron@tbep.org).

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

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

For more information, you may contact: [ron@tbep.org](mailto:ron@tbep.org).

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**SOIL AND WATER CONSERVATION DISTRICTS**

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 18, 2010, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Avenue, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular agenda items for presentation to the Board of Supervisors: Nursery BMP Lab, MIL Lab, and District Projects and reports.

A copy of the agenda may be obtained by contacting: Norma Wilson, SDSWCD Administrative Assistant at (305)242-1288.

For more information, you may contact: Morgan Levy, SDSWCD Administrator at (305)242-1288.

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**FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation**, Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 10, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4888347#; 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The promotion and development of sports within the state of Florida.

For more information, you may contact: Brenda W. Johnson at info@flsports.com.

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**FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION**

The Investment Committee of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 16, 2010, 1:00 p.m. (Eastern)

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Investment Committee will meet for presentations from the RFP Investment Advisor 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 2 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).

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**FLORIDA ASSOCIATION OF COMMUNITY COLLEGES**

The **Florida College System Council of President** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2010, 10:00 a.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public state and community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingram at (850)222-3222.

For more information, you may contact: Michael Brawer at (850)222-3222.

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**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The **FWCJUA Audit Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 18, 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 may include the Audit Committee Charter procedures checklist.

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.

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The **FWCJUA Investment Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 19, 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 topics may include a compliance review of the current investment portfolio; a review of policy and guidelines for the investment of assets and associated matters; and investment manager selection.

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.

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**ESCAMBIA COUNTY OFFICE OF TRANSPORTATION AND TRAFFIC OPERATIONS**

The **Escambia County Office of Transportation and Traffic Operations** announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2010, 6:00 p.m. – 7:30 p.m. (CT)

PLACE: Perdido Key Community Center, 13660 Innerarity Point Road, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held regarding the Project Development and Environment (PD&E) study being conducted to consider options to 4-lane Perdido Key Drive (SR 292) from the Alabama state line to its intersection with Innerarity Point Road and Gulf Beach Highway, approximately 7 miles. This meeting will provide the public with an opportunity to review and comment on the proposed improvements, including

conservation measures, which are being drafted for submittal to the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Greg Vaughn with PBS&J toll-free at 1(866)940-7275.

Pursuant to the provisions of 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 Vaughn with PBS&J toll-free at 1(866)940-7275. If you are 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: Greg Vaughn with PBS&J at the toll-free number above.

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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

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

### **DEPARTMENT OF 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 Robert Scarmazzo, In Re: The Resort at Singer Island, Residential Condominium, Docket No. 2010052411, on October 19, 2010. The petition seeks the agency's opinion as to the applicability of Section 718.303, 718.106(3) or 718.123, Florida Statutes, as it applies to the petitioner.

Whether the board may rent a common element management office to a director for use as a real estate office under article 15.6 of the Declaration of Condominium of the Resort at Singer Island and under Section 718.303, 718.106(3) or 718.123, 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 Roger Pickles, Esq., on behalf of Richard Vecchio, Unit Owner, In re: Hillsboro Imperial Condominium Association, Inc., Docket No. 2010052831, on October 21, 2010. The petition seeks the agency's opinion as to the applicability of Sections 718.106(3), 718.113(1), 718.123, Florida Statutes, and subsection 61B-22.003(5), Florida Administrative Code, as it applies to the petitioner.

Whether Hillsboro Imperial Condominium Association, Inc. may deny the use of limited common element recreation facilities in the East tower to an owner from the West tower under Sections 718.106(3), 718.113(1), 718.123, Florida Statutes, and subsection 61B-22.003(5), Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Construction Industry Licensing Board hereby gives notice that on October 22, 2010, it received a Petition for Declaratory Statement filed by Richard P. Conway and Marcelo Kronenberg, The Original Five Star Pools LLC. The petition seeks the Board's interpretation of Sections 489.105(3)(1), (o), Florida Statutes, and whether a swimming pool/spa servicing contractor may install a solar pool water heater.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Bruce Landers, filed on August 9, 2010. The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 35, of the September 3, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 10, 2010. The



petition requested the Board’s interpretation of Section 489.105(3)(c), Florida Statutes, and whether building contractors permitted to perform remodeling, repair, or improvement of any size building if the services do not affect the structural members of a building.

The Board’s Order, filed on October 15, 2010 answers the Petition for Declaratory Statement. Building contractors may install non-structural, non-load-bearing windows and doors in buildings greater than 3 stories in height, pursuant to Section 489.105(3)(c), Florida Statutes.

A copy of the Board’s Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN THAT on October 25, 2010, the Electrical Contractors’ Licensing Board has received the petition for declaratory statement from Deidre A. Blair. The petition seeks the agency’s opinion as to the applicability of Section 489.505, F.S. as it applies to the petitioner.

The petition seeks the Board’s interpretation of Section 489.505, F.S., as to whether the petitioner can operate a monitoring company without an electrical contractor license.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Shores of Madeira Condominium (Numerous Unit Owners at) 15400 Gulf Boulevard, Madeira Beach, Florida; Donald Kieffer, Petitioner on October 12, 2010. The following is a summary of the agency’s declination of the petition:

The petition for declaratory statement was WITHDRAWN on October 18, 2010.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would

like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request: [Lesley.Mendelson@myfloridacfo.com](mailto:Lesley.Mendelson@myfloridacfo.com).

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from David Woodside, Assistant Fire Chief, Petitioner, filed on October 12, 2010, regarding Boca Raton Fire Rescue. The petition seeks the agency’s opinion as to the applicability of Section 633.0215(13), F.S., as amended by SB 1196 effective July 1, 2010, as it applies to the petitioner.

The address of the structure is 921 Osceola Drive, Boca Raton, FL 33432. The petitioner has fire code enforcement authority within the City limits of Boca Raton, Palm Beach County, Florida. Based on the statute change effective July 1, 2010, petitioner was petitioned to allow the removal of a fire alarm system from a three story townhouse development built in 1999. The largest buildings in the development is a three story four unit building. Each building has a separate alarm system and sprinkler system. The HOA voted to remove the fire alarm system that affected all members living in the development. An owner has requested relief from the removal of the alarm system stating that it was not the state’s intent in SB 1196 to lessen the fire protection and life safety of the individual units and homeowners.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request: [Lesley.Mendelson@myfloridacfo.com](mailto:Lesley.Mendelson@myfloridacfo.com).

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges

NONE

Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida announces Construction Management Services will be required for the project listed below:

PROJECT NO: 537

PROJECT AND LOCATION: USF Sun Dome Arena and Convocation Center – Renovation Project, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION: The USF Sun Dome Arena and Convocation Center – Renovation Project (“Sun Dome Project”) includes modifications to the existing 250,000 gsf facility aimed at improving the overall building functionality. The modifications would extend the useful life of the Sun Dome for an additional 20 to 30 years and would include reconfiguration of the 10,000 seat bowl, adding a center hung scoreboard, adding concessions and restrooms at the Concourse Level, adding an east expansion building, modifying the southeast and southwest entries, and restoration of existing exterior concrete.

Building systems that require a major upgrade and replacement include the existing mechanical infrastructure, the existing electrical systems and retractable seating systems. The modified electrical system must accommodate the increasing electrical needs for NCAA Division I sound, broadcasting and lighting standards.

Building components that require improvements include correction of water penetration at the lower roof membranes, upgrade of entries to be appealing to Sun Dome patrons attending events, upgrades to entries to be code compliant, and repair of sections of concrete to protect steel reinforcements from the elements.

The renovation would provide a solution to the current state of the Sun Dome. Two new entries and club lounge as well as other exterior improvements will enhance the exterior appearance of the facility. Through permanent and interactive signage, the exterior of the new entries would allow for facility and event identification. The interior of the new entries would provide an opportunity for an impactful first impression.

Enhancing the patron experience and providing increased participation in events will be achieved by providing a fixed seating bowl from the main concourse that allows for the best sightlines with an intimate atmosphere and resolves accessibility and seating issues. A fixed bowl would also provide an interior concourse, concessions, restrooms, club rooms, and lounge boxes all increasing revenues. These improvements would allow the Sun Dome to secure more events which would benefit the campus life of the students and student athletes. The upgrades will allow the Sun Dome to be at par and competitive with other NCAA Division I and Big East collegiate basketball arenas.

The project time frame requires initial demolition in March 2011, and construction of the improvements to be completed for occupancy by the end of November 2011.

The construction budget is estimated to be approximately \$28,500,000. Project development, including construction management services, is contingent upon availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract. The construction delivery method is anticipated to be Construction Management.

The University is seeking to hire a Construction Management team with extensive experience in arena construction and arena renovation – NCAA Division I collegiate basketball arenas.

The contract for Construction Management Services with the Construction Manager and the USF Financing Corporation shall consist of a pre-construction services phase and a construction phase. The pre-construction services phase, for which the Construction Manager will be paid a fixed fee, will include value engineering, constructability analysis, development of cost models, estimating, and the development of a Guaranteed Maximum Price (GMP) at the 50% Construction Document phase. If the GMP is accepted, the Construction Phase will be implemented. Early bid packages for fast track and multi-phase development may be required to meet project goals. In the Construction Phase of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for Phase I of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager’s contract. It is the University’s responsibility to negotiate a fair, competitive, and reasonable compensation for pre-construction services, construction management costs

(staffing, field office, etc.) overhead and profit, and general conditions (including bonds and insurance). A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects, (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short listed firms based upon a scope of services document to be provided at the time of negotiations. Selection of finalists for interviews will be made on the basis of Construction Manager qualifications including applicant's experience particularly with arena construction and arena renovation – NCAA Division I collegiate basketball arenas, applicant's personnel, applicant's ability to provide service, (record-keeping/administrative ability, recording of as-built conditions, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, etc.) and the applicant's license, bondability and insurability. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. Finalists will be provided with a copy of a description of the final interview requirements, and a copy of the standard University of South Florida Construction Management Agreement. The Construction Manager shall have no ownership, entrepreneurial, or financial affiliation with the selected Architect/Engineer involved with this project.

**INSTRUCTIONS:** Firms desiring to apply to provide Construction Management services for the project shall submit one (1) original submittal and five (5) bound copies consisting of the information required in the Submittal Requirements of the Project Fact Sheet, including a letter of interest and a completed "USF Construction Manager Qualifications Supplement, dated October 2010" with attachments and additional information required. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are part of the public record and no submittal material will be returned. 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 \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The University of South Florida Construction Manager Qualifications Supplement Form, dated October 2010 and the Project Fact Sheet may be obtained by contacting: Ms. Kathy Bennett, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, via e-mail: kbennett@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or Fax: (813)974-3542. Interested firms are invited to attend a Pre-Submittal Meeting to be held at 2:00 p.m. (Eastern Time), Thursday, November 18, 2010, at the University of South Florida, Tampa Campus, Sun Dome (Entry 4, Southwest Corner of the Sun Dome), Green and Gold Room, 4202 East Fowler Avenue, Tampa, Florida 33620, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, consult a campus map website at: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>, and parking information at [http://usfweb2.usf.edu/parking\\_services/default.asp](http://usfweb2.usf.edu/parking_services/default.asp).)

Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants, and the employees of the University of South Florida, except as provided at the Pre-Submittal Meeting and the request for project information (the CMQS and Fact Sheet) and clarifications. Requests for any project information or clarification must be in writing to: Ms. Kathy Bennett, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, via e-mail: kbennett@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or Fax: (813)974-3542.

One (1) original and five (5) copies of the above requested data, bound in the order listed shall be addressed to: Ray Gonzalez, RA, Facilities Planning and Construction, FPC110, University of South Florida, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Submittals must be received at the above campus address by 2:00 p.m. (Eastern Time), Friday, December 3, 2010. Facsimile (Fax) or electronic submittals are not acceptable and will not be considered. 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 Construction Manager proposals without obligation to the respondent.

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

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

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**DEPARTMENT OF MANAGEMENT SERVICES**

**PUBLIC ANNOUNCEMENT FOR  
ELECTRICAL CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED ELECTRICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: MSFM-29003026

PROJECT NAME: Furnish Labor and Material to Replace Electrical Switchgear at the Larson Building

PROJECT LOCATION: Tallahassee, Florida

MANDATORY PRE-BID MEETING: Thursday, November 18, 2010

BID OPENING: Tuesday, November 30, 2010

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$439,300.00

PREQUALIFIED BIDDERS: Refer to DMS Website (below) for further details

Please visit the Department’s Website listed below and click on “Search Advertisements – Division of Real Estate Development and Management” [http://fc.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fc.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

The work includes but is not limited to Furnish all labor, material, equipment and incidentals required for a complete and fully operational Electromechanical Door Locks and Proximity Card Access system for Buildings 1029 and Building 1262, Florida State Hospital.

**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: Owners Office, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 170, Room 170-J, Tallahassee, Florida 32399-0950, Thursday, December 2, 2010, until 2:00 p.m. (EST), at which time they will be publicly opened and read aloud.

**MANDATORY PRE-BID INSPECTION:** The mandatory pre-bid inspection will be held at the: Operations & Facilities Building, Florida State Hospital, Chattahoochee, Tuesday, November 16, 2010, 2:00 p.m. (Eastern Standard Time). An informative meeting will take place at this location followed by a visit to the project location, Building 1029, and Building 1262. All other visits after this time shall be by Florida State Hospital appointed set time only. All questions pertaining to this project must be addressed to: The Owner, Mr. Stephen Boley.

**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 \$25.00 non- refundable from the Owner:

Mr. Stephen Boley  
Construction Project Manager  
Agency For Persons With Disabilities  
4030 Esplanade Way, Suite 170, Room 170-J  
Tallahassee, Florida 32399-0950  
e-mail: [stephen\\_boyly@apd.state.fl.us](mailto:stephen_boyly@apd.state.fl.us)  
Telephone No.: (850)922-4575

**CONTRACT AWARD:** The bid tabulation and Notice of Award Recommendation will be posted by 3:00 p.m. (Local Time), December 3, 2010, The Office of the Owner, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 170, Room 170-J, Tallahassee, Florida 32399-0950. 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

**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 Electrical Contractors by the Agency for Persons with Disabilities, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: APD 07216100

Proximity Card Access System Design  
Buildings #1029 and #1262

Mentally Retarded Defendant Program  
Florida State Hospital, Chattahoochee

**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 hereinbefore and in the project specifications.

Procedures: the Owner will award the contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C.

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## SCHOOL BOARD OF PASCO COUNTY

### INVITATION TO BID

11-042-AF Purchase and Installation of Storage Sheds – “As Needed” / FEPC

On behalf of Florida Education Purchasing Consortium

Notice is hereby given that sealed bids will be accepted, and publicly opened thereafter, at the office of the Purchasing Agent, 20430 Gator Lane, Land O’Lakes, FL 34638-2803 on or until November 30, 2010, 2:30 p.m. (EST). Bids will be accepted and publicly opened on November 30, 2010, if date/time stamped 2:30 p.m.; date/time stamps of 2:30:01 p.m. or later will be rejected and returned unopened. Late bids, regardless of reason, will be considered non-responsive.

PROJECT: BID No. 11-042-AF, Purchase and Installation of Storage Sheds

The intent of this bid is to establish a three-year contract (renewable annually upon mutual consent of both parties) between the District School Board of Pasco County and a supplier for the Purchase and Installation of Storage Sheds on an “as needed” basis for various members of the Florida Education Purchasing Consortium, throughout the state of Florida. The award of this bid will be based on an “all or none” basis by group to the lowest and best, responsive and responsible, bidder meeting written specifications for the estimated quantities listed.

DOCUMENTS: Available through  
<http://purchasing.pasco.k12.fl.us/>.

INSURANCE: Standard Workman’s Comprehensive, General Liability, etc.

PLANS: None

The District School Board of Pasco County reserves the right to waive minor formalities in any bid and to accept any bid which they consider to be in the best public interest, and to reject any part of, or any and all bids. Award will be made to the lowest and best, responsive and responsible, bidder in the opinion and at the option of the Board. Their decision shall be final and conclusive.

/s/ Heather Fiorentino

Superintendent of Schools

District School Board of Pasco County

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## PUTNAM COUNTY PUBLIC WORKS

### REQUEST FOR QUALIFICATIONS

RFQ NO: 11-02

The Putnam County Board of County Commissioners is requesting interested firms to provide Statements of Qualifications and Letters of Interest for the FLORIDA

BLACK BEAR SCENIC BYWAY MASTER PLAN STUDY. The work shall consist of, but not be limited to, the preparation of a master plan written report for the Florida Black Bear Scenic Byway through Marion, Lake, Putnam and Volusia Counties a total of 126 miles.

The Putnam County Board of County Commissioners solicits responses from qualified and experienced Professional Engineering and Surveying, Design and Planning Consultants for the purpose of providing the County with an active list of available consulting firms for Selection to provide a Master Plan Study and Report. The selection process shall meet the requirements of the Consultants Competitive Negotiation Act “CCNA” Chapter 287, Florida Statutes, and in accordance with FDOT current standards.

A detailed Request for Qualifications Proposals information packet is available for download at: [www1.putnam-fl.com /live/gscfb.asp](http://www1.putnam-fl.com/live/gscfb.asp) or a copy may be obtained from: Putnam County General Services Department, 223 Putnam County Boulevard, East Palatka, Florida, (386)329-0346, for a non-refundable cost of \$25.00 each (check or cash only, exact change).

Deadlines for receipt of RFQ responses has been set for 2:00 p.m., Friday, December 3, 2010. Send one (1) original and five (5) copies of complete responses or deliver in person to: Putnam County General Services Department, 223 Putnam County Boulevard, East Palatka, Florida 32131. Only Statements of Qualifications received on or before the aforesaid time and date will be considered. Responders must indicate the RFQ number and description on the submittal package front cover.

There will be a mandatory pre-submittal conference held at 10:00 a.m., Friday, November 19, 2010, Putnam County Commission Meeting Room, 2509 Crill Avenue, Suite 100, Palatka, Florida 32177. Questions concerning this project may be directed to: Mr. Angelo A Speno, P.E. at (386)329-0346 or Fax: (386)329-0340.

Putnam County complies with all federal status relating to non-discrimination.

The local preference provisions of the County Purchasing Ordinance do not apply to this RFQ.

The Board of County Commissioners reserves the right to accept or reject any and all submittals of qualifications and to waive all informalities.

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**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

Notice Of Funding Availability  
Post-Disaster Redevelopment Planning Initiative  
COMPETITIVE GRANT

All PDRP applications must be received at the Division by December 6, 2010, 4:00 p.m. (EST)

The Florida Division of Emergency Management (DEM or the Division) announces the advertisement of the availability of approximately \$600,000.00 in Post-Disaster Redevelopment Planning funding. Eligible applicants may submit applications for a maximum grant of \$100,000 as a Florida sub-grantee from the Hazard Mitigation Grant Program. Eligible applicants include county and municipal governments, and Regional Planning Councils.

Application Due Dates

Application Deadline December 6, 2010

Award Announcements No later than 30 days from application deadline

Applications must be received on or before December 6, 2010, 4:00 p.m. (Local Time). Applications may be delivered in person or by mail to the following address:

Emily Meyer, Community Assistance Consultant  
Florida Division of Emergency Management  
Bureau of Recovery  
Attention: PDRP Grant  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Application Submission

This is a competitive program. This NOFA solicits only proposals that are cost reimbursement subgrant agreements.

General Information Regarding Application Submission

- All eligible applicants shall be limited to one (1) application submission per jurisdiction. Each application must be for no more than \$100,000.00.
- No application may be amended, added to, or otherwise modified after 4:00 p.m. (EST), on the date of the published application deadline, other than to provide clarifying information as requested by the Division.
- An original and five (5) copies of the application must be received along with a CD containing the application electronically. The original must be labeled "Original" and must contain an original signature in ink of the authorized official.

To Download Application packet and form, please visit our website at <http://www.floridadisaster.org/Recovery/IndividualAssistance/pdredevelopmentplan/Index.htm>. Please contact:

Emily Meyer, Community Assistance Consultant via email: [emily.meyer@em.myflorida.com](mailto:emily.meyer@em.myflorida.com), if you have any questions about this NOFA.

In Re: POLK COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY  
POLK COUNTY ORDINANCE NO. 10-059

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving Polk County Ordinance No. 10-059.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On September 2, 2010, the Department received for review Polk County Ordinance No. 10-059 that was adopted by the Polk County Board of County Commissioners on August 18, 2010.
3. Proposed Ordinance No. 10-059 amends Ordinance No. 00-09, Land Development Code, and Section 503.D, Performance Standards for Mixed Use Planned Developments in the Green Swamp Area of Critical State Concern for the purpose of deleting the 5,000 square foot footprint restriction for all structures within the non-residential portion of the residentially based Mixed Use developments.

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 Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
5. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in

the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code (“Principles”).

- 8. Ordinance No. 10-059 is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.
- 9. Ordinance No. 10-059 is consistent with the Polk County Comprehensive Plan Policy 2.132-B5: Modified Special Uses.

WHEREFORE, IT IS ORDERED that Ordinance No. 10-059 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 CHARLES GAUTHIER, AICP  
 Director, Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 26th day of October, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Sam Thomas, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

In Re: POLK COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
POLK COUNTY ORDINANCE NO. 10-060

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6) and (11), Florida Statutes, (2009), approving Polk County Ordinance No. 10-060.

FINDINGS OF FACT

- 1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On September 2, 2010, the Department received for review Polk County Ordinance No. 10-060 that was adopted by the Polk County Board of County Commissioners on August 18, 2010.
3. Proposed Ordinance No. 10-060 amends Ordinance No. 00-09, Land Development Code, Section 401.03, North U.S. 27 Selected Area Plan, and Table 4.8, Use Table for U.S. 27 Selected Area Plan Land Use District to add the use Government Facility to Table 4.8 and provide for permitted and conditional reviews for corresponding land use districts within the U.S. 27 Selected Area Plan.

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 Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
5. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
8. Ordinance No. 10-060 is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.
9. Ordinance No. 10-060 is consistent with the Polk County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ordinance No. 10-060 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

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#### 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 26th day of October, 2010.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Michael F. Craig, Esq.  
Polk County Attorney  
Drawer AT01  
P. O. Box 9005  
Bartow, FL 33831

Thomas Deardorff, Director  
Growth Management Department  
P. O. Box 9005, Drawer GM03  
Bartow, FL 33831

Sam Thomas, Chairman  
Board of County Commissioners  
P. O. 9005, Drawer BC01  
Bartow, FL 33831

#### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motors North America, Inc., intends to allow the establishment of Import Sales of Lake County, LLC, d/b/a Bill Bryan Mitsubishi as a dealership for the sale of

automobiles manufactured by Mitsubishi (MITS) at 8644 US Highway 441, Leesburg (Lake County), Florida 34788, on or after December 5, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Import Sales of Lake County, LLC, d/b/a Bill Bryan Mitsubishi are dealer operator(s): John N. Bryan, 8644 US Highway 441, Leesburg, Florida 34788, principal investor(s): John N. Bryan, 8644 US Highway 441, Leesburg, Florida 34788, F. William Bryan, 1001 North Highway 17-92, Winter Park, Florida 32789.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Andrew Stewart, Mitsubishi Motors North America, Inc., 516 Heron Drive, Swedesboro, New Jersey, 08085.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Puma Cycles Corporation, intends to allow the establishment of Palm City Corporation, Inc., d/b/a Tropic Powersports as a dealership for the sale of motorcycles manufactured by Foshan City Fosti Motorcycle Manufacturer Co., Ltd., (FSTI) at 11100 South Cleveland Avenue, Ft. Myers (Lee County), Florida 33907, on or after December 5, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc., d/b/a Tropic Powersports are dealer operator(s): James Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901, Lucille Wilson, 2104 West First Street, # 1903, Fort Myers, Florida

33901; principal investor(s): James Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901, Lucille Wilson, 2104 West First Street, #1903, Fort Myers, Florida 33901.

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: Mike Byrne, Puma Cycles Corporation, 1550 South Sinclair Street, Anaheim, California 92806.

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**

**BATCHED APPLICATION DECISIONS**

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Hospital Beds and Facilities batching cycle with an application due date of September 8, 2010:

County: Okaloosa Service District: 1  
 CON # 10093 Decision Date: 10/25/2010 Decision: A  
 Facility/Project: Fort Walton Beach Medical Center  
 Applicant: Fort Walton Beach Medical Center, Inc.  
 Project Description: Establish a 20-bed comprehensive medical rehabilitation hospital through the delicensure of 20 CMR beds at Fort Walton Beach Medical Center.  
 Approved Cost: \$1,509,510.00  
 County: Sumter Service District: 3

CON # 10096 Decision Date: 10/15/2010 Decision: W  
Facility/Project: Central Florida Health Alliance, Inc.  
Applicant: Central Florida Health Alliance, Inc.  
Project Description: Establish a comprehensive medical  
rehabilitation hospital of up to 60 beds  
Approved Cost: \$.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b. and paragraph 62-4.244(5)(c), F.A.C., to Indian River County, File No. 0285993-005-EV, to temporarily establish an expanded mixing zone with a maximum allowable turbidity level of 11NTUs above the background measurement at the edge of the mixing zone for beach nourishment work within the Archie-Carr National Wildlife Refuge, Atlantic Ocean, Outstanding Florida Waters (OFW), which extends up to 750 meters north of the northern limit of the project (through Golden Sands Beach Park). The maximum allowable distance of the expanded mixing zone is 3,000 meters down current from the point of discharge. As described in pending Permit Modification No. 0285993-004-JN, the 3,000-meter limit within OFW will be contingent upon initial turbidity compliance sampling at 2,000 meters. If the initial compliance measurement at 2,000 meters leads to excessive shut downs, then the 3,000 meter limit will be authorized. Within the expanded OFW mixing zone, project-related turbidity over hard bottom resources will be restricted to a maximum of 29 NTUs over background.

Outside of Outstanding Florida Waters, the variance is to allow a temporary expanded mixing zone at the beach placement site of 500 meters down drift and up to 130 meters offshore when using the upland sand sources in Class III waters of the Atlantic, unless further constrained in the offshore direction by

the near shore limits of hard bottom; or 750 meters down drift and up to 130 meters offshore when using the offshore source in Class III waters of the Atlantic, unless further constrained in the offshore direction by the near shore limits of hard bottom. A standard compliance threshold of 29 NTUs over background shall apply at the edge of this mixing zone outside of OFW.

No mixing zone variance is granted for the offshore borrow area. This temporary variance shall only be valid during the construction activities authorized in Permit No. 0285993-001-JC, as modified by pending Permit Modification No. 0285993-004-JN, and shall expire when the permit expires on February 8, 2015, unless the permit is modified to grant a time extension. This variance shall SUPERSEDE Variance No. 0285993-002-EV.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 5050 West Tennessee Street, Building B, Tallahassee, FL 32304, Telephone: (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension

of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and paragraph 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise

statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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#### FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at [http://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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#### DEPARTMENT OF HEALTH

On October 20, 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 Carl M. Desmond a/k/a/ Chase E. Masters, L.P.N. License #PN

1159991. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 26, 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 Carrie Lynn Neff, L.P.N., C.N.A. License #PN 5184481, CNA 74289. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 22, 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 Debra Lee Snedaker Nettler, R.N., License #RN 1350402. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 26, 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 Amanda M. Roesch, C.N.A., License #CNA 193684. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 25, 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 Joe W. Morgan,

D.O., License #OS 3199. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 22, 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 Shewanda M. Harper, RPT, License #RPT 7839. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 25, 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 Courtney R. Watts, RPT, License #RPT 25904. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 26, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Ricki Renee Wright, R.P.T. Registration #RPT 25822. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Note: Effective December 3, 2010, the Office of Financial Regulation will no longer publish notices in the F.A.W., regarding applications from credit unions for bylaw amendments requesting changes in their fields of membership. Such notices will continue to be published on the website of the Office of Financial Regulation at the following web address: <http://www.flofr.com/banking/cufm.asp>. For more information, contact: C. Michael Marschall, Assistant General Counsel, Office of Financial Regulation at (850)410-9800 or [Mike.Marschall@flofr.com](mailto:Mike.Marschall@flofr.com).

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>. Comments may be submitted to: 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 26, 2010):	
Name and Address of Applicant: FOCUS Credit Union, Post Office Box 835, Chattahoochee, FL 32324	
Expansion Includes: Select Employee Group	
Received: October 25, 2010	
Name and Address of Applicant: MIDFLORIDA Credit Union, 129 South Kentucky Avenue, Suite 700, Lakeland, FL 33801	
Expansion Includes: Geographic	
Received: October 26, 2010	

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN October 18, 2010  
 and October 22, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF STATE**  
**Division of Elections**

1S-2.0001	10/18/10	11/7/10	36/32	36/38
1S-2.045	10/18/10	11/7/10	36/32	36/38

**DEPARTMENT OF STRANSPORTATION**

14-85.022	10/19/10	11/8/10	36/27	36/36
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**WATER MANAGEMENT DISTRICTS**  
**South Florida Water Management District**

40E-63.400	10/20/10	11/9/10	36/26	36/38
40E-63.401	10/20/10	11/9/10	36/26	36/38
40E-63.402	10/20/10	11/9/10	36/26	36/38
40E-63.404	10/20/10	11/9/10	36/26	36/38
40E-63.406	10/20/10	11/9/10	36/26	36/38
40E-63.415	10/20/10	11/9/10	36/26	36/38
40E-63.420	10/20/10	11/9/10	36/26	36/38
40E-63.430	10/20/10	11/9/10	36/26	36/38
40E-63.432	10/20/10	11/9/10	36/26	
40E-63.434	10/20/10	11/9/10	36/26	
40E-63.435	10/20/10	11/9/10	36/26	36/38
40E-63.436	10/20/10	11/9/10	36/26	
40E-63.437	10/20/10	11/9/10	36/26	36/38
40E-63.438	10/20/10	11/9/10	36/26	36/38
40E-63.439	10/20/10	11/9/10	36/26	36/38
40E-63.440	10/20/10	11/9/10	36/26	
40E-63.441	10/20/10	11/9/10	36/26	36/38
40E-63.442	10/20/10	11/9/10	36/26	
40E-63.443	10/20/10	11/9/10	36/26	36/38
40E-63.444	10/20/10	11/9/10	36/26	36/38
40E-63.446	10/20/10	11/9/10	36/26	36/38
40E-63.450	10/20/10	11/9/10	36/26	
40E-63.452	10/20/10	11/9/10	36/26	
40E-63.454	10/20/10	11/9/10	36/26	
40E-63.456	10/20/10	11/9/10	36/26	
40E-63.458	10/20/10	11/9/10	36/26	
40E-63.460	10/20/10	11/9/10	36/26	
40E-63.461	10/20/10	11/9/10	36/26	36/38

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40E-63.462	10/20/10	11/9/10	36/26	36/38
40E-63.464	10/20/10	11/9/10	36/26	36/38
40E-63.470	10/20/10	11/9/10	36/26	

**DEPARTMENT OF SMANAGEMENT SERVICES**  
**Agency for Workforce Innovation**

60BB-10.003	10/19/10	11/8/10	36/36	
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**DEPARTMENT OF SBUSINESS AND PROFESSIONAL  
 REGULATION**

**Construction Industry Licensing Board**

61G4-15.034	10/21/10	11/10/10	36/30	
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**DEPARTMENT OF SENVIRONMENTAL  
 PROTECTION**

62-304.600	10/22/10	11/11/10	36/17	36/28
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**DEPARTMENT OF SHEALTH**  
**Board of Orthotists and Prosthetists**

64B14-1.004	10/20/10	11/9/10	36/36	
64B14-4.100	10/20/10	11/9/10	36/36	

**Board of Osteopathic Medicine**

64B15-14.0051	10/19/10	11/8/10	36/16	36/38
64B15-14.0052	10/19/10	11/8/10	36/16	36/38

**Board of Psychology**

64B19-13.003	10/19/10	11/8/10	36/35	
64B19-15.003	10/19/10	11/8/10	36/35	

**FISH AND WILDLIFE CONSERVATION  
 COMMISSION**

**Freshwater Fish and Wildlife**

68A-1.004	10/19/10	11/8/10	36/2	
68A-1.004	10/20/10	1/1/11	36/30	36/38
68A-6.003	10/19/10	11/8/10	36/12	36/38
68A-12.002	10/20/10	1/1/11	36/30	36/38
68A-15.004	10/20/10	1/1/11	36/30	36/38
68A-15.006	10/20/10	11/9/10	36/30	36/38
68A-17.004	10/20/10	1/1/11	36/30	36/38
68A-27.0001	10/19/10	11/8/10	36/2	36/38
68A-27.001	10/19/10	11/8/10	36/2	36/38
68A-27.0011	10/19/10	11/8/10	36/2	
68A-27.0012	10/19/10	11/8/10	36/2	36/38

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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
68A-27.0021	10/19/10	11/8/10	36/2	
68A-27.003	10/19/10	11/8/10	36/2	36/38
68A-27.004	10/19/10	11/8/10	36/2	
68A-27.005	10/19/10	11/8/10	36/2	36/38
68A-27.006	10/19/10	11/8/10	36/2	
68A-27.007	10/19/10	11/8/10	36/2	36/38

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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Vessel Registration and Boating Safety**

68D-18.004	10/22/10	11/11/10	36/37	
68D-18.005	10/22/10	11/11/10	36/37	

**DEPARTMENT OF SFINANCIAL SERVICES  
Division of Insurance Agents and Agency Services**

69B-220.001	10/20/10	11/9/10	36/26	
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**Section XIV  
List of Rules Affected**

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w – Signifies Withdrawal of Proposed Rule(s)
- c – Rule Challenge Filed
- v – Rule Declared Valid
- x – Rule Declared Invalid
- d – Rule Challenge Dismissed
- dw – Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6A-6.0788	36/6	36/29	
6A-6.0907	35/5	35/12 35/16	
6A-6.0960	36/33		36/42
6A-10.041	36/33		36/42
6A-18.042	36/33		36/42
6A-18.0421	36/33		36/42
6A-20.027	36/33		36/42
6B-4.010	33/10		
6B-11.009	36/44		
6M-7.0055	30/26		

**COMMUNITY AFFAIRS**

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
			9B-7.002 36/29
			9B-62.003 36/41
			9B-70.002 36/29 36/40 36/44
<b>STATE</b>			
			9J-5 32/32c
1A-31.035	34/39	35/12	9J-5.003 36/39
1A-31.045	34/39	35/12	9J-5.005(6) 36/43c
1A-37.001	36/42		9J-5.006 36/39
1B-30.002	36/41		9J-5.006(6) 36/43c
1B-30.005	36/41		9J-5.013 36/39
1SER10-3			9J-5.019 36/39
1S-2.0001	36/32	36/38	9K-9 35/43c
1S-2.021	36/27	36/32	9N-3.002 36/34
1S-2.041	35/44		9N-3.007 36/34
1S-2.043	36/32		9N-3.008 36/34
1S-2.045	36/32	36/38	9N-3.011 36/34

**LAW ENFORCEMENT**

2AER10-1			36/33	11B-30.007 36/31	36/41w
				11D-2.005 36/40	

**AGRICULTURE AND CONSUMER SERVICES**

5B-58.001	27/29			12ER10-3	36/29
5E-14.106	33/7			12ER10-4	36/30
5E-14.117	33/7			12-22.008	36/40
5I-4.002	32/49 36/37			12AER10-5	36/30
5I-4.006	32/49			12AER10-6	36/31
5L-1.003	36/42			12A-1.005	33/41 36/40

**REVENUE**

<b>EDUCATION</b>					
6A-1.0404	36/33		36/42	12A-1.009	36/40
6A-1.06421	33/45			12A-1.0091	36/40
6A-1.0955	36/33		36/42	12A-1.0092	36/40
6A-1.099811	36/18c			12A-1.011	36/40
6A-1.099821	36/33		36/42	12A-1.0161	36/40
6A-4.0251	32/3	32/5		12A-1.044	36/40
6A-6.03315	36/33		36/42	12A-1.0615	36/40
6A-6.0781	36/33			12A-1.094	36/40
6A-6.0786	36/33		36/42	12A-1.096	36/40
				12A-1.097	36/40
				12A-15.001	36/33
				12A-15.004	36/33

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
12A-15.005	36/33			14-26.006	35/34	35/49	
12A-15.006	36/33			14-26.008	36/27		36/39
12A-15.007	36/33			14-26.009	36/27		36/39
12A-15.008	36/33			14-26.010	35/34	35/49	
12A-15.009	36/33				36/27		36/39
12A-16.008	36/40			14-26.012	36/27		36/39
12A-17.005	32/2	32/31		14-26.01311	36/27		36/39
12A-19.021	36/21	36/31		14-26.015	36/27		36/39
		36/43		14-46.001	36/36		
12A-19.041	36/40			14-51.010	36/41		
12A-19.100	36/40			14-51.011	36/41		
12BER10-7			36/41	14-51.012	36/41		
12B-5.150	36/40			14-51.013	36/41		
12B-7.006	36/40			14-51.014	36/41		
12B-7.008	36/40			14-51.020	36/41		
12B-7.026	36/40			14-51.021	36/41		
12B-8.003	36/40			14-51.030	36/41		
12C-1.051	36/40			14-51.031	36/41		
12C-2.0115	36/40			14-51.040	36/41		
	TRANSPORTATION			14-51.041	36/41		
				14-51.042	36/41		
				14-51.043	36/41		
14-1.020	36/35		36/42	14-51.051	36/41		
14-1.021	36/35		36/42	14-51.052	36/41		
14-10.0011	36/24		36/39	14-51.053	36/41		
14-10.0022	36/24		36/39	14-51.054	36/41		
14-10.003	36/24		36/39	14-51.061	36/41		
14-10.004	36/24		36/39	14-51.062	36/41		
14-10.0041	36/24		36/39	14-51.063	36/41		
14-10.0042	36/24		36/39	14-51.064	36/41		
14-10.006	36/24		36/39	14-51.065	36/41		
14-15.0081	36/42			14-57.003	36/39		
14-15.012	36/27	36/35	36/42	14-57.010	36/39		
14-22.0011	36/20		36/40	14-57.011	36/39		
14-22.002	36/20	36/31	36/40	14-57.012	36/39		
14-22.003	36/20	36/31	36/40	14-57.013	36/39		
14-22.0041	36/20		36/40	14-57.014	36/39		
14-22.0042	36/20		36/40	14-79.006	36/40		
14-22.005	36/20		36/40	14-85.001	35/35	35/49	
14-22.006	36/20	36/31	36/40	14-85.002	35/35	35/49	
14-22.007	36/20	36/31	36/40	14-85.003	35/35	35/49	
14-22.008	36/20		36/40	14-85.004	35/35		
14-22.009	36/20		36/40	14-85.005	35/35	35/49	
14-22.0101	36/20		36/40	14-85.006	35/35	35/49	
14-22.0111	36/20		36/40	14-85.007	35/35	35/49	
14-22.012	36/20		36/40	14-85.008	35/35	35/49	
14-22.0121	36/20		36/40	14-85.009	35/35	35/49	
14-22.014	36/20		36/40	14-85.010	35/35	35/41	
14-22.0141	36/20		36/40			35/49	
14-22.015	36/20		36/40	14-85.011	35/35	35/49	
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15A-11.002	35/49	36/31	36/37	19B-9.004	36/34		36/41
15A-11.003	35/49	36/31	36/37	19B-11.001	36/34		36/41
15A-11.004	35/49	36/31	36/37	19B-11.004	36/34		36/41
15A-11.0045	35/49	36/31		19B-11.005	36/34		36/41
15A-11.005	35/49	36/31	36/37	19B-11.007	36/34		36/41
15A-11.006	35/49	36/31	36/37	19B-14.001	36/34		36/41
15A-11.007	35/49	36/31	36/37	19B-16.002	36/34		36/41
15A-11.008	35/49	36/31	36/37	<b>FLORIDA PAROLE COMMISSION</b>			
15A-11.009	35/49	36/31	36/37	23-21.015(9)	35/43c		
15A-11.010	35/49	36/31	36/37	23-21.0155	35/43c		
15A-11.011	35/49	36/31	36/37	23-21.0615	35/43c		
15A-11.012	35/49	36/31	36/37	<b>PUBLIC SERVICE COMMISSION</b>			
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15A-12.005	36/33	36/43		25-56.034	32/32c		
15A-12.006	36/33	36/43		25-56.0341	32/32c		
15A-12.007	36/33	36/43		25-56.0342	32/32c		
15A-12.008	36/33	36/43		25-56.0343	32/32c		
15A-12.009	36/33		36/43w	25-56.064	32/32c		
15C-7.005	33/8c			25-56.078	32/32c		
15C-16.004	34/18			25-56.115	32/32c		
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61J1-8.002	36/35			62-346.020	35/20		36/43
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61J2-3.011	36/29		36/40	62-346.050	35/20	36/29	36/43
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61K1-1.0055	36/30			62-346.100	35/20	36/29	36/43
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61K1-1.011	36/30			62-346.120	35/20		36/43
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64B16-30.001	35/39	36/26		64I-1.004	36/3		36/41w
		36/38		64I-1.005	36/3	36/11	36/41w
		36/43			36/41		
64B16-30.002	35/39			64J-2.010	36/37		
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64I-1.001	36/3	36/11	36/41w	65CER10-6			36/37
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65C-5.003	32/29	32/37		65G-4.0021	35/49	36/3	
65C-5.004	32/29	32/37			36/35		
65C-5.005	32/29	32/37		65G-4.0022	35/49	36/3	
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65C-5.007	32/29	32/37			36/35		
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65C-31.001	36/38			65G-4.004	36/12		36/43w
65C-31.002	36/38				36/43		
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65C-31.009	36/38			65G-4.008	36/12		36/43w
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65C-33.003	34/46	36/34	36/40	65G-4.010	36/12		36/43w
65C-33.004	34/46	36/34	36/40		36/43		
65C-33.005	34/46	36/34	36/40	65G-4.011	36/12		36/43w
65C-33.006	34/46	36/34	36/40		36/43		
65C-33.007	34/46	36/34	36/40	65G-4.012	36/12		36/43w
65C-33.008	34/46	36/34	36/40		36/43		
65C-33.009	34/46	36/34	36/40	65G-4.014	36/7		
65C-33.010	34/46	36/34	36/40		36/13c		
65C-33.011	34/46	36/34		65G-4.014(1)	36/13c		
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65C-36.005	36/39			65G-11.001	36/20	36/25	36/42
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67ER09-3	35/43c		35/43d	68B-23.107	32/18		
	35/43c		35/43d	68B-23.108	32/18		
	35/43c		35/43d	68B-23.109	32/18		
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67ER09-4	35/43c		35/12	68B-23.112	32/18		
	35/43c		35/43d	68B-45.004	36/43		
	35/43c		35/43d	68B-45.0045	36/43		
	35/43c		35/12	68B-45.007	36/43		
	35/43c		35/43d	68B-220.001	36/26	36/38	
	35/43c		35/43d	68D-18.004	36/21		36/37w
	35/43c		35/43d		36/37		36/44
	35/43c		35/43d	68D-18.005	36/21		36/37w
	35/43c		35/12		36/37		36/44
67ER09-5			35/12	68D-21.001	36/21	36/33	36/39
67-18.005	28/42			68D-21.002	36/21	36/33	36/39
67-48.002	30/39			68D-21.003	36/21	36/33	36/39
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67-48.004(5)	36/18c			68D-23.101	36/21		36/39
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68A-6.0022	33/1	33/11		68D-23.106	36/21		36/39
68A-6.0024	36/40			68D-23.107	36/21		36/39
68A-6.0025	36/40			68D-23.108	36/21		36/39
68A-6.003	36/12	36/38	36/44	68D-23.109	36/21	36/33	36/39
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68A-12.002	36/30	36/38	36/44	68D-23.111	36/21		36/39
68A-13.003	36/43			68D-23.112	36/21		36/39
68A-13.004	36/38			<b>FINANCIAL SERVICES</b>			
68A-15.004	36/30	36/38	36/44	69-1	30/42c		
68A-15.006	36/30	36/38	36/44	69A-47.011	36/43		
68A-17.004	36/30	36/38	36/44	69A-47.012	36/43		
68A-24.002	36/30		36/39	69A-47.019	36/43		
68A-24.003	28/17			69A-51.060	36/26		36/38
68A-24.004	28/17			69A-220.001	36/26		
68A-24.006	28/17			69B-33.005(3)(a)	32/32c		
68A-25.0032	35/19				32/32c		
68A-27.0001	36/2	36/38	36/44	69B-41.002(19)	32/32c		
68A-27.001	36/2	36/38	36/44		32/32c		
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68A-27.0012	36/2	36/38	36/44	69B-210.010	36/33		
68A-27.002	36/2			69B-211.011	36/33		
68A-27.0021	36/2		36/44	69B-211.012	36/33		
68A-27.003	36/2	36/38	36/44	69B-211.042(7),(b)1.	36/13c		36/43d
68A-27.004	36/2		36/44	69B-220.001	36/26		36/44
68A-27.005	36/2	36/38	36/44	69B-220.051	36/26		36/37w
68A-27.006	36/2		36/44		36/43c		36/43w
68A-27.007	36/2	36/38	36/44	69B-220.201	36/26		36/37w
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69B-241.030	36/23				36/32		
69B-241.035	36/23			69M-236.005	35/47	36/2	
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69B-241.070	36/23				36/32		
69B-241.080	36/23			69O-1	31/37c		
69B-241.090	36/23				31/37c		
69B-241.100	36/23			69O-136.0075	35/20		
69B-241.110	36/23			69O-136.009	35/20		
69B-241.120	36/23			69O-136.011	35/20		
69B-241.130	36/23			69O-137.001	36/26		36/42w
69B-241.140	36/23				36/44		
69B-241.150	36/23			69O-137.002	36/12	36/28	36/37
69B-241.160	36/23					36/30	36/37
69B-241.165	36/23			69O-138.001	36/26		36/42w
69B-241.170	36/23				36/44		
69H-1.003	36/40			69O-138.047	36/35		
69H-2.008	36/40			69O-139.019	33/10		
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69I-20.0026	36/25		36/40	69O-162.203	36/35		
69I-20.0037	36/25		36/40	69O-164.020	36/35		
69I-20.090	36/25	36/32	36/40	69O-167.024	36/24		36/37
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69M-236.001	35/47	36/2				34/15	36/39w
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69M-236.002	35/47	36/2		69O-204.060	33/50		
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69V-40.028	36/24		36/38	69W-200.001	36/24		36/38
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69V-40.036	36/24		36/38	69W-600.0015	36/33		
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69V-40.0511	36/24		36/38	69W-600.005	36/33		
69V-40.053	36/24		36/38	69W-600.006	36/33		
69V-40.058	36/24		36/38	69W-600.007	36/33		
69V-40.060	36/24		36/38	69W-600.008	36/33		
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69V-40.0612	36/24	36/32	36/38	69W-600.0091	36/33		
69V-40.066	36/24		36/38	69W-600.0092	36/33		
69V-40.088	36/24		36/38	69W-600.0093	36/33		
69V-40.099	36/24		36/38	69W-600.010	36/33		
69V-40.100	36/24		36/38	69W-600.012	36/33	36/40	
69V-40.105	36/24		36/38	69W-600.013	36/33	36/40	
69V-40.155	36/24		36/38	69W-600.0131	36/33	36/40	
69V-40.156	36/24	36/32	36/38	69W-600.0132	36/33		
69V-40.160	36/24		36/38	69W-600.014	36/33		
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69V-40.205	36/24		36/38	69W-700.015	36/33		
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71A-1.003	36/24			71A-1.018	36/24		
71A-1.004	36/24	36/35		71A-1.019	36/24	36/35	
71A-1.005	36/24			71A-1.020	36/24		
71A-1.006	36/24			71A-1.021	36/24		
71A-1.007	36/24			71A-1.022	36/24		
71A-1.008	36/24			71A-1.023	36/24		
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