

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: Ombudsman; Election Monitoring; Monitor’s Role; Scope and Extent

RULE NO.: 61B-23.00215

PURPOSE AND EFFECT: This rule amendment specifically permits the Office of the Ombudsman to issue an interim report prior to the actual election event recommending that an election be cancelled where the pre-election procedure was fatally flawed. The rule amendment will provide flexibility and will save associations the time and expense of waiting until the election has occurred to address fatal flaws in the process. The rule amendment also highlights the advisory role of the Office of the Ombudsman and clarifies that the Ombudsman properly observes the election, but does not affirmatively direct the operation of the election. This change is consistent with the recently issued opinion of the Attorney General (AGO 2005-53, Sept. 22, 2005) wherein it is concluded that the authority of the Office of the Ombudsman is primarily advisory in nature.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses the Office of the Ombudsman’s role in the election monitoring process.

SPECIFIC AUTHORITY: 718.5012(9) FS.

LAW IMPLEMENTED: 718.1255, 718.5012(9) FS.

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

TIME AND DATE: 10:00 a.m., January 23, 2006

PLACE: Suite 16, Conference Room, Northwood Centre, 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/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting

Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. A copy of the preliminary text of the proposed rule amendment is available online at: <http://www.state.fl.us/dbpr/lsc/index.shtml>.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Certificates of Authorization

RULE NO.: 61G17-7.003

PURPOSE AND EFFECT: The Board is amending Rule 61G17-7.003, F.A.C., to clarify when licensed surveyors and mappers must obtain certificates of authorization.

SUBJECT AREA TO BE ADDRESSED: Certificates of Authorization.

SPECIFIC AUTHORITY: 472.021 FS.

LAW IMPLEMENTED: 472.021 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Knap, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: License Reactivation Education for

RULE NO.:

Brokers and Sales Associates 61J2-3.010

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: License Reactivation Education for Brokers and Sales Associates.

SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61J2-3.010 License Reactivation Education for Brokers and Sales Associates.
- (1) through (2) No change.
 - (3) A licensee may reactivate a license, which has been involuntarily inactive for 12 months but less than 24 months, by satisfactorily completing two different a 14-hour Commission-prescribed continuing education courses for each 2-year license period.
 - (4) through (5) No change.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History–New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Registration of Corporation
 RULE NO.: 61J2-5.014
 PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Registration of a Corporation.

SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 455.227, 475.15, 475.17 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-5.014 Registration of Corporation.

Unless the Commission or BPR shall have information that the corporation has been in violation of Chapters 475 and 455, Florida Statutes, or the rules promulgated under said chapters, it will be assumed to be qualified for registration if its officers and directors are qualified and if the answers to questions in the application, or in supplemental inquiries, are satisfactory. Otherwise, investigation and other proceedings, as in cases of individual applicants, shall commence. No registration shall be granted or renewed for any corporation if it shall appear that the individual(s) having control of the corporation has been denied, revoked, or suspended and not reinstated, or if a person having control of the corporation has been convicted of a felony in any court and has not had civil rights restored for at least 5 years, or if an injunction has been entered against the individual for operating as a real estate licensee without a license. A person shall be deemed to be in control of a corporation where such person or spouse, children, or member of the household shall own or control, directly or indirectly, more than 40 percent of the voting stock of such corporation. No corporation shall operate as a real estate broker until they have received written notification from the Department that the corporation has been properly registered.

Specific Authority 475.05 FS. Law Implemented 455.227, 475.15, 475.17 FS. History–New 1-1-80, Amended 7-15-84, Formerly 21V-5.14, Amended 7-20-93, Formerly 21V-5.014, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Advertising
 RULE NO.: 61J2-10.025
 PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Advertising.
 SPECIFIC AUTHORITY: 120.53 FS.
 LAW IMPLEMENTED: 475.01, 475.25, 475.42, 475.421, 475.4511 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, Executive Director, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-10.025 Advertising.

(1) All advertising must be in a manner in which reasonable persons would know they are dealing with a real estate licensee. All real estate advertisements must include the licensed name and phone number of the brokerage firm. No real estate advertisement placed or caused to be placed by a licensee shall be fraudulent, false, deceptive or misleading.

(2) through (3)(b) No change.

Specific Authority 120.53, 475.05 FS. Law Implemented 475.01, 475.25, 475.42, 475.421, 475.4511 FS. History—New 1-1-80, Amended 2-17-81, 3-14-85, Formerly 21V-10.25, Amended 12-29-91, 7-20-93, Formerly 21V-10.025, Amended 4-18-99,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Definitions
 RULE NO.: 61J2-14.008

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.25(1)(k) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-14.008 Definitions.

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

(2)(a) “Trust” or “escrow” account means an account in a bank or trust company, title company having trust powers, credit union, or a savings and loan association within the State of Florida. Only funds described in this rule shall be deposited in trust or escrow accounts. No personal funds of any licensee shall be deposited or intermingled with any funds being held in escrow, trust or on condition except as provided in subsection 61J2-14.010(2), F.A.C.

(b) When escrow funds are placed with a title company or an attorney the licensee shall indicate on the sales contract the name and address of said entity. The licensee shall obtain and retain written verification of said deposit upon delivery of the funds to the title company or attorney.

(3) No change.

Specific Authority 475.05 FS. Law Implemented 475.25(1)(k) FS. History—New 1-1-80, Formerly 21V-14.08, Amended 10-13-88, 12-29-91, 7-20-93, Formerly 21V-14.008, Amended 7-5-95,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Notice of Noncompliance
 RULE NO.: 61J2-24.003

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 120.695, 455.22(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE CHAPTER TITLE: Qualifications for Licensure
 RULE CHAPTER NO.: 64B3-5

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the clinical laboratory personnel profession or other mandatory requisites, pursuant to Section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Qualifications for clinical laboratory personnel licensure.

SPECIFIC AUTHORITY: 483.051, 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.041(5), 483.051(1), 483.800, 483.809, 483.809(2), 483.811(2), 483.812, 483.815, 483.823, 483.823(1), 483.824 FS.

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

TIME AND DATE: 2:00 p.m., January 26, 2006

PLACE: Florida Gulf Coast University, 10501 FGCU Street, Second Floor, Room 214, Ft. Myers, Florida

Pursuant to the provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this meeting are asked to advise the Board at least five business days prior to the meeting by contacting the Board's Call Center at (850)488-0595. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE CHAPTER TITLE: Scope of Practice for Clinical Laboratory Personnel
 RULE CHAPTER NO.: 64B3-10

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the clinical laboratory personnel profession or other mandatory requisites, pursuant to Section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Scope of practice for licensed clinical laboratory personnel.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.835 FS.

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

TIME AND DATE: 2:00 p.m., January 26, 2006

PLACE: Florida Gulf Coast University, 10501 FGCU Street, Second Floor, Room 214, Ft. Myers, Florida

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impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE CHAPTER TITLE: Continuing Education
 RULE CHAPTER NO.: 64B3-11

PURPOSE AND EFFECT: The Board proposes to review the entirety of this Chapter to ensure that all rules conform with existing statutory requirements and to determine if amendments and/or new rule language is necessary pertaining to all matters concerning the clinical laboratory personnel profession or other mandatory requisites, pursuant to Section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Continuing education for clinical laboratory personnel.

SPECIFIC AUTHORITY: 456.013, 456.013(8), 456.013(9), 483.805(4), 483.807(1), 483.821, 483.823 FS.

LAW IMPLEMENTED: 456.013, 456.013(8), 456.013(9), 456.033(6), 483.807, 483.821, 483.823 FS.

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

TIME AND DATE: 2:00 p.m., January 26, 2006

PLACE: Florida Gulf Coast University, 10501 FGCU Street, Second Floor, Room 214, Ft. Myers, Florida

Pursuant to the provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this meeting are asked to advise the Board at least five business days prior to the meeting by contacting the Board's Call Center at (850)488-0595. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Delinquent Status License Fee

RULE NO.: 64B12-11.0095

PURPOSE AND EFFECT: The Board proposed amending the rule to lower the fee for delinquent status licenses, in compliance with Section 456.036(7), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: \$150.00 delinquent status license fee.

SPECIFIC AUTHORITY: 456.036, 484.005 FS.

LAW IMPLEMENTED: 456.036 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-11.0095 Delinquent Status License Fee.

The fee for a delinquent status license shall be \$150.00 ~~\$200.00~~.

Specific Authority 456.036, 484.005 FS. Law Implemented 456.036 FS. History—New 10-24-94, Formerly 59U-11.0095, Amended _____.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Procedures for Approval of Attendance at

RULE NO.:

Continuing Education Courses

64B32-6.004

PURPOSE AND EFFECT: The Board proposes to amend the rule for continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Procedures for approval of attendance at continuing education courses.

SPECIFIC AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

TIME AND DATE: 10:00 a.m., January 13, 2006

PLACE: 4042 Bald Cypress Way, Third Floor, Room 301, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this meeting are asked to advise the Board at least five business days prior to the meeting by contacting the Board's Call Center at (850)488-0595. If you are hearing or speech

impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: State Temporary Recovery Assistance Program

RULE NO.:

65A-4.2082

PURPOSE AND EFFECT: The purpose of this proposed rule is to keep the subject matter of Emergency Rule 65AER05-3 in effect without interruption for the provision of the State Temporary Recovery Assistance Program (STRAP) benefit to eligible families residing in Rural Areas of Critical Economic Concern. The State Temporary Recovery Assistance Program provides a non-recurrent cash assistance diversion payment of \$1,000 to meet the needs of families residing in Rural Areas of Critical Economic Concern (as defined in Section 288.0656(7), F.S.) that have experienced persistent adverse economic impact on their core industry(ies) as the result of natural phenomena and disaster. The areas must also have been federally declared as disaster areas two or more times in the past six months and be experiencing persistent adverse economic impact on their core industry(ies) as evidenced by increased unemployment claims, small business losses, and other adverse economic conditions resulting from natural phenomena and disaster.

SUBJECT AREA TO BE ADDRESSED: Specific provisions for STRAP include definitions; requirements related to application, eligibility, income and assets, residency, and verification; and the establishment of a non-recurring cash assistance payment of \$1,000. Also, forms for the program are incorporated by reference.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.16, 414.1559 FS.

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

TIME AND DATE: 10:30 a.m., January 25, 2006

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jennifer Lange, Chief, Program Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 450, Tallahassee, FL 32399-0700, telephone (850)921-0253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-4.2082 State Temporary Recovery Assistance Program.

(1) Definitions:

(a) Application for STRAP means CF-ES Form 2351, Application for State Temporary Recovery Assistance Program (STRAP), Dec 2005, incorporated by reference.

(b) Assistance Group or Eligible Family means individuals whose needs, income, and resources are considered to determine eligibility for STRAP.

(c) Available Countable Income and Assets means only income and assets available to the family at the time of application based on the applicant's statement of circumstances.

(d) Designated Geographic Area means a county that has been:

1. Designated by the Governor as a Rural Area of Critical Economic Concern in accordance with Section 288.0656(7), F.S.;

2. Declared as a major federal disaster area two or more times within the past 6 months from the date the first disaster occurred; and is

3. Evidencing persistent adverse economic impact on its core industry(ies) as a result of natural phenomena and disasters evidenced by increased unemployment claims, small business losses, and other adverse economic conditions resulting from natural phenomena and disasters.

(2) Household Eligibility Requirements for STRAP. The family:

(a) Would most likely meet all requirements of eligibility for Temporary Cash Assistance in accordance with Section 414.095, F.S., except for income and assets. The household must contain an eligible adult household member and at least one minor related child.

(b) Must be a resident of the Designated Geographic Area at the time of application.

(c) Must apply for STRAP within 10 working days from the date of the first day the department declares the program will accept applications in a designated county(ies).

(d) Must be experiencing emergency situations caused by the disaster that are impeding their ability to obtain or maintain employment. It must be reasonably determined that short term assistance could meet their needs and enable them to achieve self-sufficiency and avoid the need for ongoing Temporary Cash Assistance (TCA). These situations include the need to:

1. Replace a loss or reduction in income;

2. Replace or repair housing or necessary items for the home or pay temporary shelter expenses;

3. Repair or replace self-employment property or equipment; or

4. Pay other expenses.

(e) Must have available income equal to or less than 200 percent of the federal poverty level for their household size.

(f) Must have available liquid assets equal to or less than \$2,000.

(g) Must meet the technical requirements of citizenship/ alien status set forth in Section 414.095(3), F.S., and the non-fleeing felon status set forth in Section 414.095(14)(g), F.S.

(h) Cannot receive STRAP more than once.

(i) Cannot be concurrently receiving TCA.

(j) Must sign an agreement, using CF-ES Form 2352, State Temporary Recovery Assistance Program (STRAP) Agreement, Dec 2005, incorporated by reference, not to apply for TCA for three consecutive months beginning with the month of receipt of the STRAP payment unless a demonstrated emergency occurs.

(3) Approval for Payment. Upon determination of eligibility, the household will be approved for the receipt of a nonrecurring payment of \$1,000.

(4) Current recipients of TCA may request closure of their ongoing TCA benefit and apply for STRAP without a separate application.

(5) For STRAP, the following verification procedures apply:

(a) Identity and residency in the disaster area will be verified through readily accessible documentation such as a driver's license, utility or other bill with the applicant's name and address, tax records or other government documents with the applicant's name and address if available, or a collateral contact verifying the applicant's identity and family's residence.

(b) Acceptance of the applicant(s) or assistance group statement, unless questionable, as to household composition, income, resources, citizenship, non-fleeing felon status, or other information pertinent to determining eligibility.

(c) Any applicant (including the designated or authorized representative) who intentionally does not tell the truth, hides information, pretends to be someone else, does not give all the information needed about themselves, the person(s) they are applying for, or other people in their home or does anything else unlawful in order to get state or federal public assistance benefits is guilty of a crime and will be punished as state or federal law allows as set forth in Section 414.39, F.S. and 45 CFR 235.110.

(6) Hardship Exceptions. Households that receive a STRAP payment cannot receive TCA benefits for three consecutive months beginning with the month of receipt of STRAP benefits unless a demonstrated emergency occurs. If the household applies for TCA within the three-month period, the household must demonstrate that an emergency necessitates a hardship exception to the policy. The following are allowable hardship exceptions to receiving TCA:

(a) A significant loss of income or employment;

- (b) Loss of housing; or
- (c) Other unforeseen emergencies.

(7) STRAP Repayment. Upon determination that the household meets a hardship exception, the department will complete the TCA eligibility determination and calculate the repayment amount of the STRAP payment. The STRAP repayment amount will be reduced by one-third for each month the family does not receive TCA (i.e., the month of receipt of the STRAP payment and subsequent months). The repayment amount will be prorated over the next eight months for which TCA is received.

(8) Effective Date. Implemented in Franklin County and Gulf County. STRAP may be implemented in other Designated Geographic Areas that meet the criteria in paragraph (1)(d) of this rule as determined by the department.

Specific Authority 414.45 FS. Law Implemented 414.16, 414.1599 FS. History—New

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE TITLE: Minimum Flows

RULE NO.: 40D-8.041

PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C. to establish minimum flows and levels for the upper Myakka River pursuant to Section 373.042, Florida Statutes (F.S.).

SUMMARY: The District has identified seasonal low, medium and high flow periods for the Myakka River. Short-term minimum flow compliance standards were developed for each of these periods using a “building block” approach. For the Myakka River, historic flows demonstrate that a Minimum Flow for the low flow period greater than 0 cubic feet per second (cfs) is inappropriate due to the historically ephemeral nature of the system. Therefore, the Minimum Low Flow for the low flow period (Block 1, April 20 through June 25) is the natural flow minus 15% at the Sarasota USGS Gage.

For the Minimum High Flow for the high flow period (Block 3, June 26 through October 26), is a stepped flow reduction of 16% and 7% of the historic flows, with the step occurring at the 15% exceedance flow (577 cfs) at the Sarasota USGS Gage.

For the medium flow period (October 27 to April 19) it was determined that changes in habitat availability for fish and macroinvertebrates determined the Minimum Medium Flow. The Minimum Medium Flow is established as the flow less 5% at the Sarasota USGS Gage.

Five and ten year means and medians are proposed as long-term compliance standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) Minimum Flows for the Lower Hillsborough River.

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

(2)(3) No change.

(3) Minimum Flows for Myakka River

(a) The Minimum Flows are to ensure that the minimum hydrologic requirements of the water resources or ecology of the natural systems associated with the river are met.

(b) Minimum Flows for the Myakka River at the USGS Myakka River near Sarasota Gage USGS # 02298830 (“Sarasota Gage”) are set forth in Table 8-10 below. The long-term compliance standards set forth in Table 8-B are established based on the application of the Minimum Flows to the lowest anticipated natural flow conditions. Minimum Flows for the Myakka River are both seasonal and flow dependent. Two standards are flow-based and applied continuously regardless of season. The first is a Minimum Low Flow threshold of 0 cfs at the Sarasota Gage. The second is a Minimum High Flow threshold of 577 cfs at the Sarasota Gage. The Minimum High Flow is based on changes in the number of days of inundation of floodplain features. There are also three seasonally dependent or Block specific Minimum Flows. The Block 1 and Block 2 Minimum Flows are based on potential changes in habitat availability for fish species and macroinvertebrate diversity. The Block 3 Minimum Flow is based on changes in the number of days of connection with floodplain features.

Table 8-10 Minimum Flow for Myakka River at USGS Myakka River near Sarasota Gage

Period	Effective Dates	Where Flow on Previous Day Equals:	Minimum Flow Is
Annually	January 1 to December 31	0 cfs >0 cfs	0 cfs Seasonally dependent – see Blocks below
Block 1	April 20 to June 25	0 cfs >0 cfs	0 cfs previous day flow minus 15%
Block 2	October 27 to April 19	0 cfs >0 cfs	0 cfs previous day flow minus 5%
Block 3	June 26 to October 26	0 cfs >0 cfs and <577 cfs >577 cfs	0 cfs previous day flow minus 16% previous day flow minus 7%

(c) Compliance – The Minimum Flows are met when the flows in Table 8-11 are achieved.

Table 8-11 Compliance Standards for Myakka River at USGS Myakka River near Sarasota Gage

Minimum Flow	Hydrologic Statistic	Flow (cfs)
Annual Flow	10-Year Mean	172
	10-Year Median	12
	5-Year Mean	149
	5-Year Median	5
Block 1	10-Year Mean	23
	10-Year Median	0
	5-Year Mean	4
	5-Year Median	0
Block 2	10-Year Mean	28
	10-Year Median	4
	5-Year Mean	15
	5-Year Median	3
Block 3	10-Year Mean	324
	10-Year Median	181
	5-Year Mean	241
	5-Year Median	133

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00.

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Marty Kelly, Manager, Ecologic Evaluation, Resource Conservation and Development, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4235
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 14, 2005

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE TITLE: Minimum Flows
PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., to establish minimum flows and levels for the freshwater segment of the Alafia River pursuant to Section 373.042, Florida Statutes (F.S.).
RULE NO.: 40D-8.041

SUMMARY: The District has identified seasonal low, medium and high flow periods for the Alafia River. Short-term minimum flow compliance standards were developed for each of these periods using a “building block” approach. Two standards are flow-based and applied continuously regardless of season. The first is a Minimum Low Flow threshold of 59 cubic feet per second (cfs) at the Lithia Gage. The second is a Minimum High Flow threshold of 375 cfs at the Lithia Gage. The Minimum Low Flow for the river during the low flow period (April 20 through June 24) is based on fish passage depth and wetted perimeter inflection points.

For the high flow period of the year (which runs from June 25 to October 27), a Minimum High Flow of 374 cfs is established.

For the medium flow period (October 28 to April 19) it was determined that inundation of woody habitat would define the Minimum Flow. Using these limiting factors, the Minimum Medium Flow is the flow minus 19 percent at the Lithia Gage site, with the exception that the flows cannot go below 59 cfs at the Lithia Gage site and that minimum flows above 374 cfs need to be limited to an 8 percent reduction of the flows over 374 cfs.

Five and ten year means and medians are proposed as long-term compliance standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) Minimum Flows for the Lower Hillsborough River.

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

(2)(3) No change.

(3) Minimum Flows for Alafia River.

(a) The Minimum Flows are to ensure that the minimum hydrologic requirements of the water resources or ecology of the natural systems associated with the river are met.

(b) Minimum Flows for the Alafia River at the USGS Alafia River at Lithia Gage USGS # 02301500 (“Lithia Gage”) are set forth in Table 8-8 below. The long-term compliance standards set forth in Table 8-9 are established based on the application of the Minimum Flows to the lowest anticipated natural flow conditions. Minimum Flows for the Alafia River are both seasonal and flow dependent. Two standards are flow-based and applied continuously regardless of season. The first is a Minimum Low Flow threshold of 59 cfs at the Lithia Gage. The second is a Minimum High Flow threshold of 375 cfs at the Lithia Gage. The Minimum High Flow is based on changes in the number of days of inundation of floodplain features. There are also three seasonally dependent or Block specific Minimum Flows. The Block 1 and Block 2 Minimum Flows are based on potential changes in habitat availability for fish species and macroinvertebrate diversity. The Block 3 Minimum Flow is based on changes in the number of days of connection with floodplain features.

Table 8-8 Minimum Flow for Alafia River at USGS Alafia River at Lithia Gage

Period	Effective Dates	Where Flow on Previous Day Equals:	Minimum Flow Is
Annually	January 1 to December 31	≤59 cfs	59 cfs
		>59 cfs and <374 cfs	Seasonally dependent – see Blocks below
		>374 cfs	Previous day flow minus 8%
Block 1	April 20 to June 25	≤57 cfs	59 cfs
		>57 cfs and <66 cfs	67 cfs
		>66 cfs and <374 cfs	previous day flow minus 10%
		>374 cfs	previous day flow minus 8%
Block 2	October 27 to April 19	≤59 cfs	59 cfs
		>59 cfs and <69 cfs	67 cfs
		>69 cfs and <374 cfs	previous day flow minus 15%
		>374 cfs	previous day flow minus 8%

<u>Block 3</u>	<u>June 26 to October 26</u>	<u>≤59 cfs</u> <u>>59 cfs and <64 cfs</u> <u>>64 cfs and <374 cfs</u> <u>>374 cfs</u>	<u>59 cfs</u> <u>67 cfs</u> <u>previous day flow minus 13%</u> <u>previous day flow minus 8%</u>
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(c) Compliance – The Minimum Flows are met when the flows in Table 8-9 are achieved.

Table 8-9 Compliance Standards for Alafia River at Lithia Gage

<u>Minimum Flow</u>	<u>Hydrologic Statistic</u>	<u>Flow (cfs)</u>
<u>Annual Flow</u>	<u>10-Year Mean</u>	<u>192</u>
	<u>10-Year Median</u>	<u>101</u>
	<u>5-Year Mean</u>	<u>163</u>
	<u>5-Year Median</u>	<u>86</u>
<u>Block 1</u>	<u>10-Year Mean</u>	<u>85</u>
	<u>10-Year Median</u>	<u>35</u>
	<u>5-Year Mean</u>	<u>53</u>
	<u>5-Year Median</u>	<u>27</u>
<u>Block 2</u>	<u>10-Year Mean</u>	<u>137</u>
	<u>10-Year Median</u>	<u>82</u>
	<u>5-Year Mean</u>	<u>110</u>
	<u>5-Year Median</u>	<u>66</u>
<u>Block 3</u>	<u>10-Year Mean</u>	<u>318</u>
	<u>10-Year Median</u>	<u>179</u>
	<u>5-Year Mean</u>	<u>276</u>
	<u>5-Year Median</u>	<u>163</u>

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marty Kelly, Manager, Ecologic Evaluation, Resource Conservation and Development, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4235

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 14, 2005

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE:
Renewal of Inactive Registrations, Licenses and Certifications

RULE NO.:
61J1-4.007

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is amending Rule 61J1-4.007, F.A.C., to add updated and increased education requirements for appraisers to renew inactive registrations, licenses, and certifications. The Board is also updating this rule to comply with the January 1, 2008, AQB licensure criteria.

SUMMARY: The Board is amending Rule 61J1-4.007, F.A.C., to require inactive appraisers of all licensure categories to complete updated and additional education before being permitted to renew their inactive licenses. The Board is also updating this rule to comply with the January 1, 2008, AQB licensure criteria.

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

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

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.618, 475.619 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.007 Renewal of Inactive Registrations, Licenses and Certifications.

(1) through (4) No change.

(5)(a) Registered, ~~and licensed, and certified~~ appraisers – 30 hours of Appraisal Board Course II (ABII) with end-of-course exam; however, effective January 1, 2008, the Appraisal Board Course I (ABI) with end-of-course exam shall be 100 hours and 30 hours of ACE, or 75 hours of Appraisal Board Course I (ABI) with end-of-course exam.

(b) No change.

(6)(a) Registered and licensed appraisers – 75 hours of ABI with end-of-course exam, and complete a current 7 hour national USPAP update course taught by an AQB certified instructor or equivalent; however, effective January 1, 2008, the Appraisal Board Course I (ABI) with end-of-course exam shall be 100 hours.

(b) Certified residential appraisers – 75 hours of ABI with end-of-course exam, 30 hours of ABII with end-of-course exam, and complete a current 7 hours national USPAP update course taught by an AQB certified instructor or equivalent; however, effective January 1, 2008, the Appraisal Board Course I (ABI) with end-of-course exam shall be 100 hours and the Appraisal Board Course II (ABII) with end-of-course exam shall be 30 hours.

(c) Certified general appraisers – 30 hours of ABII with end-of-course exam, 60 hours of Appraisal Board Course III (ABIII) with end-of-course exam, and complete a 7 hours national USPAP update course taught by an AQB certified instructor or equivalent.

(7) through (8) No change.

Specific Authority 475.614, 475.619 FS. Law Implemented 475.618, 475.619 FS. History–New 8-8-93, Amended 2-16-04, _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2005

DATE NOTICE OR PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Supervision of Registered Trainee Appraisers
RULE NO.: 61J1-4.010

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is updating its rule governing the supervision of registered trainee appraisers.

SUMMARY: The Board is revising subsection 61J1-4.010(3), F.A.C., to state that a registered trainee appraiser is permitted to have more than one supervising appraiser as specified in Section 475.6221, F.S.

Additionally, the Board is revising subsection 61J1-4.010(6), F.A.C., to require that appraisal logs be maintained by both the registered trainee appraiser and the supervisory appraiser.

SUMMARY OF STATEMENT OF ESTIMATE REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.010 Supervision of Registered Trainee Appraisers.

(1) through (2) No change.

(3) A registered trainee appraiser is permitted to have more than one supervising appraiser as specified in Section 475.6221 of the Florida Statutes.

(4) through (5) No change.

(6) ~~An~~ Appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser and shall, at a minimum, include the following for each appraisal:

(a) through (7) No change.

Specific Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS. History–New 2-16-04, Amended _____.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2005
 DATE NOTICE OR PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Office Entrance Signs
 RULE NO.: 61J2-10.024

PURPOSE AND EFFECT: The Board proposes to repeal the rule because it only duplicates a provision in Chapter 475, Florida Statutes.

SUMMARY: The rule is being repealed.

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

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

SPECIFIC AUTHORITY: 120.53, 475.05 FS.

LAW IMPLEMENTED: 475.22 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.024 Office Entrance Signs.

Specific Authority 120.53, 475.05 FS. Law Implemented 475.22 FS. History—New 1-1-80, Amended 2-17-81, Formerly 21V-10.24, Amended 9-26-88, 10-15-91, 6-28-93, Formerly 21V-10.024, Repealed_____

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES: General Requirements of Clinical Laboratory Personnel Training Programs
 RULE NOS.: 64B3-3.001

Curriculum Requirements for Clinical Laboratory Personnel Training Programs 64B3-3.003

PURPOSE AND EFFECT: The Board proposes to amend requirements for clinical laboratory personnel programs and curriculum requirements, and include molecular pathology.

SUMMARY: The proposed rules will add a molecular pathology subcategory to curriculum requirements and training programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared.

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.

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

LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) through (4) No change.

(5) Each training program shall:

(a) through (p) No change.

(q) In the category of molecular pathology, a minimum of six months of instruction.

~~(r)(e)~~ No change.

(6) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, 2-2-04, 12-5-04, _____

64B3-3.003 Curriculum Requirements for Clinical Laboratory Personnel Training Programs.

(1) through (8) No change.

(9) For the category of molecular pathology, technologist level program shall at a minimum include instructions in the following competencies:

(a) Applies knowledge of basic and special laboratory procedures, sources of error, fundamental characteristics of molecular theory, molecular biology, and molecular genetics.

(b) Selects appropriate courses of actions for method and test requested.

(c) Selects and prepares appropriate methods, instruments, reagents, controls and appropriate procedures to verify test results.

(d) Calculates results and assesses test results by correlating laboratory data with clinical data, quality control data, and physiological process to validate results and procedures.

(e) Evaluates laboratory data to recognize health and disease states, make identifications, verify test results, resolve inconsistent results and sources of error, take corrective actions, and recognize the need for additional testing.

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

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 5-9-95, Amended 12-4-95, 4-24-96, Formerly 590-3.003, Amended 3-19-98, 9-20-98, 1-11-99, 10-30-02, 7-18-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2005

DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2005

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLES:	RULE NOS.:
Supervisor	64B3-5.002
Technician	64B3-5.004
Director; Limitations and Qualifications	64B3-5.007

PURPOSE AND EFFECT: The Board proposes amendments for the academic qualifications of clinical laboratory personnel supervisors, technicians, and directors with regard to the category of molecular pathology and diagnostics.

SUMMARY: The proposed rules will add molecular pathology to supervisor technician and director qualifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 483.051, 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.041(5), 483.051(1), 483.800, 483.809, 483.811(2), 483.815, 483.823, 483.823(1), 483.824 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist and complete a Board approved examination or complete 25 hours of Board approved continuing education in the area of administration and supervision, which includes examination(s) accumulated over no longer than five years prior to application for licensure, shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and one of the following:

(a) through (g) No change.

(h) In the category of molecular pathology, have a minimum of a baccalaureate degree, with eight semester hours each of academic biological and chemical science included in a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in molecular pathology.

(2) In lieu of one year of experience required by paragraphs 64B3-5.002(1)(b), ~~and (c)~~, and (h), F.A.C., an applicant may use Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the ASCP, National Credentialing Agency of Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysts, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(3) through (4) No change.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, _____.

64B3-5.004 Technician.

(1) General Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university, or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a laboratory technician, which includes the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, histology, molecular genetics, andrology and embryology, an applicant shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, a minimum of a high school diploma or a high school equivalency diploma and one of the following:

(a) through (f) No change.

(g) Qualifications for Molecular ~~Pathology Genetics~~ Technician. To be licensed as a molecular ~~pathologist genetics~~ technician, an applicant shall have a minimum of a high school diploma or high school equivalent, and be licensed as a clinical laboratory technologist or technician in any specialty area.

(h) No change.

(2) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, 10-29-02, 2-11-03, 4-20-04, _____.

64B3-5.007 Director; Limitations and Qualifications.

(1) through (4) No change.

(5) Approved examinations for licensure as a director: An applicant who qualifies for licensure as a director herein is required to pass a supervision and administration examination covering the subject matter of subsection 64B3-3.003(7), F.A.C., the Clinical Laboratory Director examination administered by the National Credentialing Agency for Laboratory Personnel (NCA), the examination for High Complexity Laboratory Director (HCLD) or one of the following:

(a) through (e) No change.

(f) In the specialty of molecular ~~pathology genetics~~, the specialty examination in molecular ~~diagnostics genetics~~ prepared by the American Board of Medical Genetics.

(g) and (h) No change.

(6) No change.

Specific Authority 483.051, 483.805(4) FS. Law Implemented 483.041(5), 483.051(1), 483.809, 483.811(2), 483.823(1), 483.824 FS. History—New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 590-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2005

DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2005

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RULE NO.:

Scope of Practice Relative to Specialty 64B3-10.005
of Licensure

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language with regard to the scope of practice relative to specialty licenses held by clinical laboratory personnel.

SUMMARY: The proposed rule outlines scope of molecular pathology specialty.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

The following rules are not intended to prevent collection and storage of specimens or the performance of manual pretesting procedures by persons who are exempt by statute or statutorily authorized within their scope of practice. Clinical laboratory personnel qualified as a physician director, a licensed director, supervisor, technologist or technician in the specialty or specialties indicated can perform testing identified as being within the specialty. Tests which are not yet classified shall be assigned by the Board upon review.

(1) through (11) No change.

(12) The purpose of the specialty of cytology is to process and interpret cellular material derived from the human body delineating data regarding human cytopathological disease. Cytology includes: (a) review and interpretation of gynecological cytology preparations in accordance with the provisions of Rule Chapter 64B3-7, F.A.C.; (b), and screening of non-gynecological cytology preparations where final review and interpretation is the responsibility of a qualified physician; and (c) process, perform, review and correlate diagnostic techniques ancillary to liquid based cytology.

(13) No change.

(14) The purpose of the specialty of molecular pathology is the use of molecular techniques for the characterization of gene expression (protein, RNA), genetic lesions (DNA) in cells, gene products (proteomics) and analysis genetics is to perform an analyses on human DNA, RNA and chromosomes to detect heritable or acquired disease-related genotypes, mutations, and phenotypes ~~for clinical purposes. It includes the study of how the changes found lead to the disease process, monitoring of the effectiveness of therapy, and detection of residual disease. Techniques included are but not limited to immunohistochemistry, in situ hybridization, mutational analysis, protein analysis, polymerase chain reactions, cell culture and isolation, expression profiling, blotting and microarrays. Such purposes would include predicting risk of disease; identifying carriers; and establishing prenatal or clinical diagnoses or prognoses in individuals, families, or populations.~~

(15) through (19) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.813, 483.823, 483.825 FS. History—New 2-7-95, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-10.005, Amended 3-19-98, 1-28-99, 11-24-99, 2-15-01, 2-20-02, 10-30-02, 4-27-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2005

DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2005

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B3-12.001

PURPOSE AND EFFECT: The Board proposes to amend the rule to add disciplinary fines for clinical laboratory personnel who are terminated from a treatment program for impaired practitioners, fail to comply without good cause with the terms

of a monitoring or treatment contract entered into by the licensee, or fail to successfully complete any drug-treatment or alcohol treatment program.

SUMMARY: The proposed rules amend guidelines to comply with Chapter 456, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared. 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.

SPECIFIC AUTHORITY: 456.079, 483.805(4) FS.

LAW IMPLEMENTED: 456.079, 483.825, 483.827 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-12.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. For applicants, all violations are sufficient for refusal to certify an application for licensure. For registrants or licensees, the imposition of probation as a penalty shall ordinarily require compliance with conditions such as restitution, continuing education and/or training, indirect or direct supervision by a Board-approved monitor, restrictions on practice, submission of reports, appearances before the Board, and/or hours of community service. As appropriate, such conditions of probation also shall be required following any period of suspension. In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case. In imposing discipline pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty as authorized by Section 456.072(2), F.S., within the range corresponding to the violations set forth below. Offense identifications are descriptive only; the full language of each statutory provision must be considered in order to determine the conduct included.

(a) through (x) No change.

(y) Section 456.072(1)(gg), F.S.: Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant, as described in Section 456.076, F.S., for failure to comply without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing

any drug-treatment or alcohol treatment program – from a minimum fine of \$500 to \$1000 and suspension until complaint up to revocation.

(3) through (6) No change.

Specific Authority 456.079, 483.805(4) FS. Law Implemented 456.079, 483.825, 483.827 FS. History–New 8-3-93, Formerly 61F3-12.002, 59O-12.002, Amended 4-10-01, 9-9-02, 2-24-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2005

DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2005

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: RULE NO.:

Disciplinary Guidelines 64B5-13.005

PURPOSE AND EFFECT: The Board proposes the substantial rewriting of the rule to bring the disciplinary guidelines up to date as it has not been reviewed in ten or more years.

SUMMARY: The amendments to the rule brings it up to date as it has not been reviewed in ten or more years.

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

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

SPECIFIC AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.072(2), 456.079(1), 466.028 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-13.005 follows. See Florida Administrative Code for present text.)

64B5-13.005 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, or certificate holder whom it regulates under Chapter 466, F.S., has committed any of the acts set forth in Section 456.072(1), F.S., or Section 466.028, F.S., it shall issue a final order

imposing appropriate penalties as recommended in these disciplinary guidelines. For any violation found that is for fraud or making a false or fraudulent representation, the Board will impose a fine of \$10,000.00 per count or offense. The use of terms to describe the offenses herein within the individual guidelines is intended to be only a generally descriptive use of the terms. For an accurate description of the actual offenses, the reader should refer to the statutory disciplinary provisions. The maximum penalties set forth in any individual offense guideline include all of the less severe penalties that would fall in between the maximum and the minimum penalties stated:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) <u>Attempting to obtain, obtaining or renewing a license by bribery, fraudulent misrepresentations or error of the Board.</u> (466.028(1)(a), 456.072(1)(h)) <u>First Offense.</u>	Denial \$500 fine and referral to State Attorney's office if not Licensed	Denial/Revocation \$10,000 fine and referral to State Attorney's office if not Licensed
<u>Second Offense.</u>	Probation with Conditions \$500 fine	Revocation \$10,000 fine Permanent denial and revocation
(b) <u>Having a license to practice dentistry or dental hygiene revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.</u> (466.028(1)(b), 456.072(1)(f)) <u>First Offense.</u>	\$1000 fine	Suspension/ denial until the license is unencumbered and active in the jurisdiction in which the disciplinary action was originally taken, or up to five years followed by probation and \$10,000 fine or revocation
<u>Second Offense.</u>	Imposition of discipline which would have been imposed if the substantive violation occurred in Florida. Probation and \$1000 fine	Revocation until the license is unencumbered in the jurisdiction in which disciplinary action was taken and \$10,000 fine
<u>Third Offense.</u>	One year suspension followed by probation and \$5000 fine	Revocation and Permanent denial and \$10,000 fine
(c) <u>Guilt of a crime directly relating to practice or ability to practice.</u> (466.028(1)(c), 456.072(1)(c)) <u>First Offense.</u>	\$1000 fine	Denial or 2 years suspension, 2 years probation with

		<u>conditions and \$10,000 fine, or revocation</u>	<u>First Offense.</u>	<u>\$1000 fine</u>	<u>2 years probation with conditions and up to suspension, and \$10,000 fine</u>
<u>Second Offense.</u>	<u>One year suspension followed by probation and \$1000 fine</u>	<u>Denial or revocation and \$10,000 fine, conditions</u>	<u>Second Offense.</u>	<u>1 year probation with conditions, Reprimand and \$3000 fine</u>	<u>Suspension, 1 year probation with conditions, and \$10,000 fine</u>
<u>Third Offense.</u>	<u>Revocation and \$2500 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>Third Offense.</u>	<u>1 year suspension, Reprimand and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>
<u>(d) Advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form (466.028(1)(d))</u>			<u>(i) Failing to perform any statutory or legal obligation placed upon a licensee. (466.028(1)(i), 456.072(1)(k))</u>		
<u>First Offense.</u>	<u>\$500 fine</u>	<u>1 year probation with conditions and \$10,000 fine</u>	<u>First Offense.</u>	<u>\$500 fine</u>	<u>2 year probation with conditions and \$10,000 fine</u>
<u>Second Offense.</u>	<u>1 year probation with conditions and \$3000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$10,000 fine</u>	<u>Second Offense.</u>	<u>1 year probation conditions and \$1000 fine</u>	<u>2 year probation with conditions and \$10,000 fine</u>
<u>Third Offense.</u>	<u>2 year probation with conditions and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>Third Offense.</u>	<u>2 year probation with conditions and \$2000 fine</u>	<u>1 year suspension and \$10,000 fine</u>
<u>(e) Advertising, practicing, or attempting to practice under a name other than one's own. (466.028(1)(e))</u>			<u>(j) Making or filing a false report, failing to file a report or record required by state or federal law, knowingly impeding or obstructing such filing. (466.028(1)(j), 456.072(1)(l))</u>		
<u>First Offense.</u>	<u>\$1000 fine</u>	<u>1 year suspension and \$10,000 fine</u>	<u>First Offense.</u>	<u>\$1000 fine</u>	<u>1 year probation with conditions and up to suspension, and \$10,000 fine</u>
<u>Second Offense.</u>	<u>Probation with conditions and \$3000 fine</u>	<u>Denial or revocation and \$10,000 fine</u>	<u>Second Offense.</u>	<u>1 year probation with conditions and \$2500 fine</u>	<u>Suspension, probation with conditions and \$10,000 fine</u>
<u>Third Offense.</u>	<u>Probation with conditions and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>Third Offense.</u>	<u>2 year probation with conditions and \$5000 fine</u>	<u>Denial/Revocation and \$10,000 fine</u>
<u>(f) Failing to report any person in violation of this chapter or of the rules of the department or the board. (466.028(1)(f), 456.072(1)(i))</u>			<u>(k) Sexual battery, as defined in Chapter 794, upon a patient. (466.028(1)(k), 456.072(1)(u))</u>		
<u>First Offense.</u>	<u>\$500 fine</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>First Offense.</u>	<u>6 month suspension followed by probation and \$2500 fine</u>	<u>Denial/or Revocation and \$10,000 fine</u>
<u>Second Offense.</u>	<u>1 year probation with conditions, and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$3000 fine</u>	<u>Second or Subsequent Offense.</u>	<u>5 year suspension followed by probation with conditions and \$5000 fine</u>	<u>Denial/Revocation \$10,000 fine</u>
<u>Third Offense.</u>	<u>1 year probation with conditions and \$3000 fine</u>	<u>1 year suspension, 1 year probation with conditions and \$5000 fine</u>	<u>(l) Making deceptive, untrue, or fraudulent representations in or related to the practice of dentistry. (466.028(1)(l), 456.072(1)(a))</u>		
<u>(g) Aiding, assisting, procuring, or advising any unlicensed person to practice dentistry or dental hygiene. (466.028(1)(g), 456.072(1)(j))</u>			<u>First Offense.</u>	<u>\$1000 fine</u>	<u>6 month probation with conditions and \$10,000 fine</u>
<u>First Offense.</u>	<u>\$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$10,000 fine</u>	<u>Second Offense.</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>6 month suspension and \$10,000 fine</u>
<u>Second Offense.</u>	<u>1 year suspension, 2 years probation with conditions and \$5000 fine</u>	<u>2 years suspension, 2 years probation with conditions and \$10,000 fine</u>	<u>Third Offense.</u>	<u>2 years probation with conditions and \$2500 fine</u>	<u>Revocation and \$10,000 fine</u>
<u>Third Offense.</u>	<u>2 years suspension followed by 2 years probation with conditions and \$10,000 fine</u>	<u>Denial/Revocation and \$10,000 fine</u>	<u>(m) Failing to keep written records and history justifying the course of treatment of the patient. (466.028(1)(m))</u>		
<u>(h) Being employed by any corporation, organization, group, or person other than a dentist or a professional corporation or limited liability company composed of dentists to practice dentistry. (466.028(1)(h))</u>			<u>First Offense.</u>	<u>\$500 fine</u>	<u>Probation with conditions and \$7,500.00 fine</u>
			<u>Second Offense.</u>	<u>Probation with conditions and \$1000 fine</u>	<u>Suspension and \$10,000 fine</u>
			<u>Third Offense.</u>	<u>Probation with conditions and \$2500 fine</u>	<u>Revocation and \$10,000 fine</u>
			<u>(n) Failing to make available to a patient or client, copies of documents which relate to the patient or client.</u>		

(466.028(1)(n)) First Offense.	\$500 fine	Probation with conditions and \$7500 fine	the Board and demonstrates ability to practice with reasonable skill and safety, followed by probation with conditions and up to \$5000 fine	\$10,000 fine
Second Offense.	\$1000 fine	Probation with conditions and \$10,000 fine	Denial, or suspension until licensee petitions the Board and demonstrates ability to practice with reasonable skill and safety, followed by probation with conditions and up to \$10,000 fine	
Third Offense.	\$2500 fine	Revocation and \$10,000 fine	Third Offense.	Revocation and \$10,000 fine
(o) Performing professional services which have not been authorized by the patient or client (466.028(1)(o)) First Offense.	\$1000 fine	Probation with conditions and \$8000 fine	(t) Fraud, deceit, or misconduct in the practice of dentistry or dental hygiene. (466.028(1)(t)) First Offense.	Probation with conditions and \$8000 fine
Second Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine	Second Offense.	Probation with conditions and \$8000 fine
Third Offense.	Probation with conditions and \$5000 fine	Revocation and \$10,000 fine	Third Offense.	Suspension followed by probation and \$10,000 fine
(p) Prescribing a legend drug, other than in the course of the professional practice of the dentist. (466.028(1)(p)) First Offense.	\$500 fine	Probation with conditions, \$10,000 fine and up to suspension	(u) Failure to provide and maintain reasonable sanitary facilities and conditions. (466.028(1)(u)) First Offense.	Revocation and \$10,000 fine
Second Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine	Second Offense.	Probation with conditions and \$3000 fine
Third Offense.	Suspension followed by probation and \$5000 fine	Revocation and \$10,000 fine	Third Offense.	Probation with conditions and \$8000 fine
(q) Prescribing any medicinal drug scheduled in Chapter 893, to herself or himself. (466.028(1)(q)) First Offense.	\$500 fine	Suspension followed by probation with conditions and \$10,000 fine	(v) Failure to provide adequate radiation safeguards. (466.028(1)(v)) First Offense.	Probation with conditions and \$8000 fine
Second Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine	Second Offense.	Probation with conditions and \$3000 fine
Third Offense.	Suspension followed by probation and \$5000 fine	Revocation and \$10,000 fine	Third Offense.	Probation with conditions and \$8000 fine
(r) Prescribing any drug which is a Schedule II amphetamine or a Schedule II sympathomimetic amine drug, pursuant to Chapter 893. (466.028(1)(r)) First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine	(w) Performing any procedure which would constitute experimentation on human subjects, without first obtaining full, informed, and written consent. (466.028(1)(w)) First Offense.	Revocation and \$10,000 fine
Second Offense.	Probation with conditions and \$2500 fine	Suspension followed by probation and \$10,000 fine	Second Offense.	Probation with conditions and \$3500 fine
Third Offense.	Probation with conditions and \$5000 fine	Revocation and \$10,000 fine	Third Offense.	Suspension followed by probation and \$5000 fine
(s) Being unable to practice her or his profession with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. (466.028(1)(s), 456.072(1)(y)) First Offense.	Denial, or suspension until licensee petitions the Board and demonstrates ability to practice with reasonable skill and safety, followed by probation with conditions and up to \$5,000 fine	Suspension followed by probation and \$10,000 fine	(x) Being guilty of incompetence or negligence, including, but not limited to, being guilty of dental malpractice. (466.028(1)(x)) First Offense.	Probation with conditions and \$8000 fine
Second Offense.	Denial, or suspension until licensee petitions	Suspension followed by probation and	Second Offense.	Suspension and \$10,000 fine
			Third Offense.	Revocation and \$10,000 fine
			(y) Practicing beyond the scope that she or he is competent to perform. (466.028(1)(y), 456.072(1)(o))	

First Offense.	\$500 fine	Probation with conditions and \$10,000 fine	the purpose of muscle building or to enhance athletic performance. (466.028(1)(ee))		
Second Offense.	Probation with conditions and \$1000 fine	Suspension and \$10,000 fine	First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine
Third Offense.	\$2500 fine	Revocation and \$10,000 fine	Second Offense.	Probation with conditions and \$2500 fine	Probation with conditions and \$10,000 fine
(z) Delegating or contracting for professional responsibilities to a person who is not qualified to perform them. (466.028(1)(z), 456.072(1)(p))			Third Offense.	\$5000 fine	Suspension and \$10,000 fine
First Offense.	\$2500 fine	Probation with conditions, \$10,000 fine and suspension	(ff) Operating a dental office such as to result in dental treatment that is below minimum acceptable standards of performance for the community. (466.028(1)(ff))		
Second Offense.	Probation with conditions and \$5000 fine	Suspension followed by probation and \$10,000 fine	First Offense.	\$500 fine	Probation with conditions and \$10,000 fine
Third Offense.	Probation with conditions and \$7500 fine	Revocation and \$10,000 fine	Second Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine
Any violation of Section 466.028(1)(z), Florida Statutes, will result in a minimum licensure suspension of six months, in addition to any other penalty authorized for this violation, except where revocation is imposed.			Third Offense.	Probation with conditions and \$4000 fine	Revocation and \$10,000 fine
(aa) The violation of a lawful order of the Board, or failure to comply with subpoena of the Board or department. (466.028(1)(aa), 456.072(1)(q))			(gg) Administering anesthesia in a manner which violates rules of the Board. (466.028(1)(gg))		
First Offense.	\$1000 fine	Suspension until compliant with order or subpoena, probation with conditions and \$10,000 fine.	First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine
Second Offense.	Probation with conditions and \$2500 fine	Suspension until compliant with order or subpoena followed by probation with conditions and \$10,000 fine	Second Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine
Third Offense.	Suspension until compliant with order or subpoena, followed by probation and \$5000 fine	Revocation and \$10,000 fine	Third Offense.	Probation with conditions and \$4000 fine	Revocation and \$10,000 fine
(bb) Conspiring with another licensee or with any person to commit an act which would tend to coerce, intimidate, or preclude another licensee from advertising services. (466.028(1)(bb))			(hh) Failing to report any licensee under Chapter 458 or Chapter 459 who the dentist knows has violated the grounds for disciplinary action. (466.028(1)(hh))		
First Offense.	\$ 1,000 fine	\$10,000 fine	First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine
Second Offense.	Probation with conditions and \$2500 fine	Probation with conditions and \$10,000 fine	Second Offense.	\$2500 fine	\$10,000 fine
Third Offense.	Probation with conditions and \$5000 fine	Suspension and \$10,000 fine	Third Offense.	\$3500 fine	\$10,000 fine
(cc) Being adjudged mentally incompetent in this or any other state, the discipline for which shall last only so long as the adjudication. (466.028(1)(cc))			(ii) Failing to report to the Board, within 30 days action has been taken against one's license to practice dentistry in another state, territory, or country. (466.028(1)(ii))		
First and any subsequent offense.	Suspension until adjudged competent by same court.	Suspension until adjudged competent by same court	First Offense.	\$ 1,000 fine	Denial, revocation and \$8000 fine
(dd) Presigning blank prescription forms.			Second Offense.	Probation and \$1500 fine	Denial, revocation and \$10,000 fine
First Offense.	\$ 500 fine	Probation with conditions and \$500 fine	Third Offense.	Suspension followed by probation and \$3000 fine	Denial, revocation and \$10,000 fine
Second Offense.	\$1000 fine	Probation with conditions and \$7500 fine	(jj) Advertising specialty services in violation of this chapter. (466.028(1)(jj))		
Third Offense.	Probation with conditions and \$2500 fine	Suspension and \$10,000 fine	First Offense.	\$1000 fine	\$7500 fine
(ee) Prescribing growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for			Second Offense.	\$2500 fine	Probation with conditions and \$10,000 fine
			Third Offense.	Probation with conditions and \$5000 fine	Suspension followed by probation and \$10,000 fine
			(kk) Allowing any person to interfere with a dentist's clinical judgment. (466.028(1)(kk))		
			First Offense.	\$1000 fine	\$5000 fine
			Second Offense.	Probation with conditions and \$2500 fine	Probation with conditions and \$10,000 fine
			Third Offense.	Probation with conditions and \$5000 fine	Suspension and \$10,000 fine

(ll) Violating any provision of Chapter 456, 466, or any rules adopted pursuant thereto. (466.028(1)(ll), 456.072(1)(b), 456.072(1)(cc))			Third Offense.	Suspension followed by probation with conditions and \$3000 fine	Revocation and \$10,000 fine
First Offense.	\$750 fine	Probation with conditions and \$10,000 fine	(rr) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (456.072(1)(r))		
Second Offense.	Probation with conditions and \$1000 fine	Probation with conditions and \$10,000 fine	First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine
Third Offense.	Probation with conditions and \$2500 fine	Suspension followed by probation and \$10,000 fine	Second Offense.	Probation with conditions and \$2500 fine	Suspension followed by probation and \$10,000 fine
(mm) Failing to comply with the educational course requirements for HIV. (456.072(1)(e))			Third Offense.	Probation with conditions and \$5000 fine	Revocation and \$10,000
First Offense.	\$500 fine	Probation with conditions and \$1500 fine	(ss) Failing to comply with the educational course requirements for domestic violence. (456.072(1)(s))		
Second Offense.	\$1000 fine	Probation with conditions and \$5000 fine	First Offense.	\$500 fine	Probation with conditions and \$2500 fine
Third Offense.	\$1500 fine	Probation with conditions and \$7500 fine	Second Offense.	Probation with conditions and \$1000 fine	Probation with conditions and \$4000 fine
(nn) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee. (456.072(1)(g))			Third Offense.	\$2500 fine	Probation with conditions and \$8000 fine
First Offense.	\$1000 fine	Probation with conditions and \$8000 fine	(tt) Failing to comply with ss. 381.026 and 381.0261, patient rights and how to file a patient complaint. (456.072(1)(t))		
Second Offense.	\$3500 fine	Probation with conditions and \$10,000 fine	First Offense.	\$500 fine	Probation with conditions and \$2500 fine
Third Offense.	Probation with conditions and \$5,000 fine	Suspension and \$10,000 fine	Second Offense.	Probation with conditions and \$1000 fine	Probation with conditions and \$4000 fine
(oo) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (456.072(1)(m))			Third Offense.	\$2500 fine	Probation with conditions and \$8000 fine
First Offense.	\$1000 fine	Probation with conditions and \$8000 fine	(uu) Engaging or attempting to engage in sexual misconduct as defined and prohibited in s. 456.063(1). (456.072(1)(u))		
Second Offense.	\$3500 fine	Probation with conditions and \$10,000 fine	First Offense.	\$2500 fine	Revocation or probation with conditions and \$10,000 fine
Third Offense.	Probation with conditions and \$5000 fine	Suspension and \$10,000 fine	Second Offense.	Probation with conditions and \$5000 fine	Suspension followed by probation with conditions or revocation, and \$10,000 fine
(pp) Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party. (456.072(1)(n))			Third Offense.	Suspension followed by probation with conditions and \$8000 fine	Revocation and \$10,000 fine
First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine	(vv) Failing to report to the Board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. (456.072(1)(v))		
Second Offense.	\$10,000 fine	Suspension and \$2500 fine	First Offense.	\$500 fine	Probation with conditions and \$10,000 fine
Third Offense.	Probation with conditions and \$3500 fine	Revocation and \$10,000 fine	Second Offense.	Probation with conditions and \$1000 fine	Probation with conditions and \$10,000 fine
(qq) Wrong patient, wrong-site procedure, a wrong procedure, medically unnecessary. (456.072(1)(aa))			Third Offense.	Suspension followed by probation with conditions and \$2500 fine	Revocation and \$10,000 fine
First Offense.	\$1000 fine	Probation with conditions and \$10,000 fine	(ww) Using information about people involved in motor vehicle accidents which has been derived from accident reports.		
Second Offense.	Probation with conditions and \$2000 fine	Suspension followed by probation with conditions and \$10,000 fine			

<p>(456.072(1)(x)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(xx) Leaving a foreign body in a patient. (456.072(1)(bb)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(yy) Testing positive for any drug, on any preemployment or employer-ordered drug screening. (456.072(1)(z)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(zz) Intentionally submitting a personal injury protection claim required by s. 627.736, statement that has been "upcoded" as defined in s. 627.732. (456.072(1)(dd)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(aaa) Intentionally submitting a personal injury protection claim required by s. 627.736, for services that were not rendered. (456.072(1)(ee)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(bbb) Engaging in a pattern of practice of prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients. (456.072(1)(ff)) First Offense.</p> <p>Second Offense.</p> <p>Third Offense.</p> <p>(ccc) Failing to comply with, failing to successfully complete, or being terminated from an impaired practitioner treatment program.</p>	<p>\$500 fine</p> <p>\$1000 fine</p> <p>\$2500 fine</p> <p>\$1000 fine</p> <p>Probation with conditions and \$2500 fine</p> <p>Probation with conditions and \$5000 fine</p> <p>\$500 fine</p> <p>\$1000 fine</p> <p>\$2500 fine</p> <p>\$500 fine</p> <p>\$1000 fine</p> <p>\$2500 fine</p> <p>\$500 fine</p> <p>\$1000 fine</p> <p>\$2500 fine</p> <p>\$1500 fine</p> <p>Probation with conditions and \$3000 fine</p> <p>\$5000 fine</p>	<p>Probation with conditions and \$5000 fine</p> <p>Probation with conditions and \$8000 fine</p> <p>Suspension followed by probation and \$10,000 fine</p> <p>Probation with conditions and \$10,000 fine</p> <p>Suspension followed by probation with conditions and \$10,000 fine</p> <p>Probation with conditions and \$8000 fine</p> <p>Probation with conditions and \$10,000 fine</p> <p>Suspension followed by probation with conditions and \$10,000 fine</p> <p>Probation with conditions and \$8000 fine</p> <p>Suspension and \$10,000 fine</p> <p>Revocation and \$10,000 fine</p>	<p>(456.072 (1) (gg)) First Offense.</p> <p>Second or subsequent Offense.</p> <p>(2) Based upon consideration of aggravating or mitigating factors, present in an individual case, except for explicit statutory maximum and minimum penalty requirements, the Board may deviate from the penalties recommended in subsections (1) above and (3) below. The Board shall consider as aggravating or mitigating factors the following:</p> <p>(a) The length of time the licensee has practiced;</p> <p>(b) The actual damage, physical or otherwise, caused by the violation and the reversibility of the damage;</p> <p>(c) The deterrent effect of the penalty imposed;</p> <p>(d) The effect of the penalty upon the licensee;</p> <p>(e) Efforts by the licensee towards rehabilitation;</p> <p>(f) The actual knowledge of the licensee pertaining to the violation;</p> <p>(g) Attempts by the licensee to correct or stop the violation or refusal by the licensee to correct or stop violation;</p> <p>(h) Any other relevant mitigating or aggravating factor under the circumstances.</p> <p>(3) Penalties imposed by the Board pursuant to subsections (1) and (2) above may be imposed in combination or individually, and are as follows:</p> <p>(a) Issuance of a reprimand or letter of concern, which may be imposed in any disciplinary case, regardless of whether the penalty is referenced in any individual offense guideline;</p> <p>(b) Imposition of an administrative fine not to exceed \$10,000.00 for each count or separate offense; for any violation found that is for fraud or making a false or fraudulent representation, the Board will impose a fine of \$10,000.00 per each count or offense, pursuant to Section 456.072(2)(d), Florida Statutes;</p> <p>(c) Restriction of the authorized scope of practice or license. In taking disciplinary action against any person, whether or not the action also involves placing a licensee on probation, or imposing any penalty, the Board may impose restrictions on the practice or the license that include, but are not limited to the following: Having a license to practice dentistry or dental hygiene revoked, suspended, or otherwise acted against, including the denial of licensure by the licensing authority of another state, territory, or country. The usual action of the Board shall be to impose a period of probation, restriction of practice, suspension and/or revocation depending upon the conduct involved and penalties imposed by the other jurisdiction. In the case of an applicant, the Board shall deny the application.</p>	<p>Suspension, until compliant, followed by 2 years probation with conditions and \$2000 fine</p> <p>Three year suspension followed by 5 years probation with conditions and \$10,000 fine</p> <p>Suspension until compliant, followed by five years probation with conditions and \$5000.00 fine</p> <p>Revocation and \$10,000 fine</p>
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1. Requiring remedial education as a requirement of continued practice;

2. Restricting the licensee from practicing in certain settings;

3. Restricting the licensee to work in only certain settings or under designated conditions;

4. Restricting the licensee from performing or providing designated clinical and administrative services;

5. Restricting the licensee from practicing a designated number of hours;

6. Any other restriction found to be necessary for the protection of the public health, safety, and welfare.

(d) Placement of the licensee on probation for a period of time and subject to such conditions as the Board may specify:

1. Probation Term. Unless otherwise specified above within each individual offense guideline, or unless a lesser period of time is stated in the order imposing probation, the period of probation will be for a period of five (5) years;

2. Probation Conditions. Probation conditions may include but not be limited to the following and may be imposed regardless of whether the term "conditions" is referenced in an individual offense guideline:

a. Requiring the licensee to attend additional continuing education courses or remedial education.

b. Requiring the licensee to pass an examination on the content and requirements of Chapters 456 and 466, Florida Statutes, and Chapter 64B5, Florida Administrative Code.

c. Requiring the licensee to work under the supervision of another licensee, including the submission of documents and reports from the supervisor and licensee.

d. Tolling of the running of the probationary period when the licensee ceases to practice in Florida, or fails to maintain compliance with the probation requirements.

e. Compliance with all terms of the order that imposes probation.

f. Evaluation by an impaired practitioners network or program and entering or maintaining compliance with a recommended impaired practitioners program contract.

g. Submitting to a continuing education audit for the next two consecutive biennial licensure renewal periods beginning with the date of the order imposing probation

h. Corrective action related to the violation, including but not limited to the repayment of any fees billed and collected from a patient or third party on behalf of the patient.

i. The licensee is responsible for all costs associated with compliance with the terms of probation.

(e) Suspension of a license. Unless otherwise specified above within each individual offense guideline, or unless a lesser period of time is stated in the order imposing suspension, the period of suspension will be for a period of three years;

(f) Revocation of a license; which shall be permanent unless specified otherwise in the final order;

(g) Denial of an application for licensure, any violation of a provision of Section 456.072(1) or Section 466.028(1), Florida Statutes, may be the basis for denial or issuance of licensure with restrictions or conditions; and

(h) Costs. The licensee is responsible for payment of all costs of investigation and prosecution related to a disciplinary case. Additionally, all costs related to compliance with an order taking disciplinary action are the obligation of the licensee.

(4) The provisions of subsections (1) through (3) above are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement or consent order pursuant to Section 120.57(4), F.S.

(5) The provisions of subsections (1) through (4) above are not intended and shall not be construed to limit the ability of the Board to pursue or recommend the Agency pursue collateral civil or criminal actions when appropriate.

Specific Authority 456.079(1) FS. Law Implemented 456.072(2), 456.079(1), 466.028 FS. History—New 12-31-86, Amended 2-21-88, 1-18-89, 12-24-91, Formerly 21G-13.005, 61F5-13.005, 59Q-13.005, Amended 4-2-02, 8-25-03,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 15, 2005

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Fees
RULE NO.: 64B32-4.001

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language for retired status fees.

SUMMARY: The proposed rule will create a fee for retired status licenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 456.025(1), 456.036(7), (8), 456.065, 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 456.025(1), (6), 456.036, 456.065, 468.364 FS.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Respiratory Care
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 14, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 23, 2005

DEPARTMENT OF FINANCIAL SERVICES

Division of Agent and Agency Services

RULE TITLES:	RULE NOS.:
Purpose	69B-231.010
Scope	69B-231.020
Definitions	69B-231.030
Calculating Penalty	69B-231.040
Prosecutorial Discretion	69B-231.070
Penalties for Violation of Section 626.611	69B-231.080
Penalties for Violation of Section 626.621	69B-231.090
Penalties for Violation of Subsection 626.9541(1)	69B-231.100
Penalties for Violation of Other Specific Provisions of the Florida Insurance Code	69B-231.110
Penalties for Violation of Other Insurance Code Provisions	69B-231.120
Penalties for Violation of Department Rules	69B-231.130
Penalties for Violation of Department Orders	69B-231.140
Criminal Proceedings	69B-231.150
Aggravating/Mitigating Factors	69B-231.160

PURPOSE AND EFFECT: The purpose of the proposed rule development is to update the rules that govern suspension and revocation of licenses of insurance agents, customer representatives, service representatives and adjusters. The rules are updated by adding new regulations adopted by the Florida Legislature and deleting laws that have been repealed. The rules are also updated by increasing penalties for violating certain laws in order to reflect the Department’s experience in dealing with the frequency and severity of these violations. The purpose of other changes is to clarify the rules.

SUMMARY: The amendment to Rule 69B-231.010, F.A.C., adds a reference to the Department’s authority that is contained in Section 626.201, F.S. Rule 69B-231.020, F.A.C., is amended to clarify which licenses are subject to the rule chapter and which are not. Rule 69B-231.030, F.A.C., is amended to correct a cross-reference. Rule 69B-231.040, F.A.C., is amended to provide that the Department may, rather than shall, impose a fine and probation in lieu of a suspension or revocation in certain circumstances. This corresponds to the law being implemented. Rule 69B-231.070, F.A.C., is amended to add specific authority and laws implemented. Rule 69B-231.080, F.A.C., is amended to increase the length of license suspension for violations of certain provisions of Section 626.611, F.S. Rule 69B-231.090, F.A.C., is amended to

increase the length of license suspension for violations of certain provisions of Section 626.621, F.S. Rule 69B-231.100, F.A.C., is amended to increase the length of license suspension for violations of certain unfair and deceptive insurance practices and to add penalties for churning by life insurance agents and for use of financial institution names or logos in advertising by insurance agents. Rule 69B-231.110 is amended to increase the length of license suspension for violations certain other provisions of the Florida Insurance Code and to repeal penalties for violating the primary agent law which has been repealed. Rules 69B-231.120 and 69B-231.130, F.A.C., contain technical changes. Rule 69B-211.140, F.A.C., is amended to provide a penalty for willful violations of a Department order. Rule 69B-211.150, F.A.C., is amended to provide that revocation of a license is immediate upon a conviction of a felony and to eliminate unnecessary provisions relating to foreign crimes. The amendments to Rule 69B-211.160, F.A.C., are technical.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 624.308(1), 626.207(2) FS.

LAW IMPLEMENTED: 624.307(1), 626.308, 626.207(2), 626.611, 626.621, 626.631, 626.641, 626.681, 626.691, 626.9521, 626.9541, 626.9561, 626.9571, 626.9581 FS.

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

TIME AND DATE: 1:30 p.m. – 3:30 p.m., February 6, 2006

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barry Lanier, Chief of the Bureau of Investigations, Division of Agent & Agency Services, Department of Financial Services, 200 E. Gaines Street, Room 412, Larson Building, Tallahassee, FL 32399-0319, (850)413-5601

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Serica Johnson, (850)413-4241.

THE FULL TEXT OF THE PROPOSED RULES IS:

69B-231.010 Purpose.

The purpose of this rule chapter is to implement the Department’s duty under Sections 624.307(1) and 626.207(2), F.S., to enforce Sections 626.611, 626.621, 626.631, 626.641,

626.681, 626.691, F.S., by establishing standards for penalties described in those statutory sections, and interpreting provisions in those sections as they relate to penalties imposed upon licensees specified in Rule 69B-231.020, F.A.C.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.631, 626.641, 626.681, 626.691, FS. History–New 7-13-93, Amended 9-23-02, Formerly 4-231.010, Amended.

69B-231.020 Scope.

(1) This rule chapter shall apply to all resident and nonresident insurance agents, customer representatives, ~~solicitors~~, adjusters and service representatives ~~claims investigators~~ licensed under Chapter 626, F.S., who are subject to discipline under Sections 626.611 and 626.621, F.S.

(2) This rule chapter does not apply to insurance agencies, title insurance agencies, title insurance agents, insurance administrators, surplus lines agents, bail bond agents or managing general agents.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History–New 7-13-93, Amended 8-15-00, 9-23-02, Formerly 4-231.020, Amended.

69B-231.030 Definitions.

The following definitions shall apply for purposes of this rule chapter.

(1) through (3) No change.

(4) “Crimes involving moral turpitude” means each felony crime identified in subsection 69B-211.042(21)(23), F.A.C., and each felony crime not identified in subsection 69B-211.042(21), F.A.C., that is substantially similar to a crime identified in subsection 69B-211.042(21), F.A.C.

(5) through (9) No change.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History–New 7-13-93, Amended 9-23-02, Formerly 4-231.030, Amended.

69B-231.040 Calculating Penalty.

(1) through (2) No change.

(3) Final Penalty.

(a) The final penalty which will be imposed against a licensee under these rules shall be the total penalty, as adjusted to take into consideration any aggravating or mitigating factors; ~~provided however~~

(b) ~~T~~he Department may shall convert the total penalty to an administrative fine and probation if the licensee has not previously been subjected to an administrative penalty and the current action does not involve in the absence of a violation of Section 626.611, F.S., if warranted upon

(c) ~~T~~he Department’s will ~~consideration of~~ the factors set forth in rule subsection 69B-231.160(1), F.A.C., in determining whether to convert the penalty to an administrative fine and probation.

(d) In the event that the final penalty would exceed a suspension of twenty-four (24) months, the final penalty shall be revocation.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.641, 626.681, 626.691 FS. History–New 7-13-93, Formerly 4-231.040, Amended.

69B-231.070 Prosecutorial Discretion.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9521, 626.9561, 626.9571, 626.9581 FS. History–New 7-13-93, Formerly 4-231.070.

69B-231.080 Penalties for Violation of Section 626.611.

If it is found that the licensee has violated any of the following subsections of Section 626.611, F.S., for which compulsory suspension or revocation of license(s) and appointment(s) is required, the following stated penalty shall apply:

(1) Section 626.611(1), F.S. – revocation ~~surrender of license.~~

(2) Section 626.611(2), F.S.

(a) Suspension 12 months if, had the license application been accurate, the application would have been granted, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license, and the documentation in the applicant’s file at the time the Department issued the license.

(b) Revocation if, had the license application been accurate, the application would have been denied, based on the statutes and Department licensing rules applicable to the application at the time the Department issued the license.

(3) Section 626.611(3), F.S. – revocation ~~surrender of license~~

(4) Section 626.611(4), F.S. – suspension 6 ~~3~~ months

(5) Section 626.611(5), F.S. – suspension 9 ~~6~~ months

(6) Section 626.611(6), F.S. – suspension 9 ~~6~~ months

(7) through (9) No change.

(10) Section 626.611(10), F.S. – suspension 12 ~~9~~

(11) Section 626.611(11), F.S. – suspension 6 months. This provision does not apply if the facts constitute a violation of Section 626.753, F.S.

(12) through (14) No change.

(15) Section 626.611(15), F.S. – suspension 12 ~~3~~

(16) No change.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History–New 7-13-93, Amended 9-23-02, Formerly 4-231.080, Amended.

69B-231.090 Penalties for Violation of Section 626.621.

If it is found that the licensee has violated any of the following subsections of Section 626.621, F.S., for which suspension or revocation of license(s) and appointment(s) is discretionary, the following stated penalty shall apply:

(1) Section 626.621(1), F.S. – revocation ~~suspension 3 months~~

(2) through (5) No change.

(6) Section 626.621(6), F.S. – ~~see suspension 6 months of~~ Rule 69B-231.100, F.A.C.

(7) through (11) No change.

(12) Section 626.621(12), F.S. – suspension ~~6~~ 3 months

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691~~ FS. History–New 7-13-93, Formerly 4-231.090, ~~Amended~~ _____.

69B-231.100 Penalties for Violation of Subsection ~~626.621(6)~~ ~~626.9541(1)~~.

If a licensee is found to have violated subsection 626.621(6), F.S., by engaging in unfair methods of competition or in unfair or deceptive acts or practices as defined in any of the following paragraphs of subsection 626.9541(1), F.S., the following stated penalty shall apply:

(1) through (4) No change.

(5) Section 626.9541(1)(e), F.S. – suspension 6 months; except that the penalty for a violation of Section 626.9541(1)(e)1., F.S., shall be a suspension of 12 months.

(6) through (10) No change

(11) Section 626.9541(1)(k), F.S. – suspension ~~2~~ 6 months

(12) Section 626.9541(1)(l), F.S. – suspension ~~2~~ 6 months

(13) Section 626.9541(1)(m), F.S. – suspension ~~3~~ 2 months

(14) through (26) No change.

(27) Section 626.9541(1)(aa), F.S. – suspension 9 months

(28) Section 626.9541(1)(bb), F.S. – suspension 3 months

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691, 626.9541(1)~~ FS. History–New 7-13-93, Formerly 4-231.100, ~~Amended~~ _____.

69B-231.110 Penalties for Violation of Other Specific Provisions of the Florida Insurance Code.

If the licensee is found to have violated any of the following provisions of the Insurance Code, the following stated penalty shall apply:

(1) Section ~~624.318(2)~~ ~~626.041(2)~~, F.S. – suspension ~~for~~ 3 months

~~(2) Section 626.051(2), F.S. – suspension 3 months~~

~~(3) Section 626.062(2), F.S. – suspension 3 months~~

~~(2)(4) Section 626.112(2), F.S. – suspension 3 months~~

~~(3)(5) Section 626.342(1), F.S. – suspension 3 months~~

~~(4)(6) Section 626.441, F.S. – suspension 6 months~~

(5) Section 626.536, F.S. – administrative fine of \$500

~~(6)(7) Section 626.541 F.S. – suspension 2 months~~

(7)(8) Section 626.551, F.S. – administrative fine of not more than \$250 for the first violation; administrative fine of not less than \$500 for the second violation; administrative fine of not less than \$500 and suspension for 2 months for the third and subsequent violations.

~~(8)(9) Section 626.561(1), F.S. – suspension 9 months~~

~~(9)(10) Section 626.561(2), F.S. – suspension ~~3~~ 2 months~~

~~(10)(11) Section 626.572, F.S. – suspension 3 months~~

~~(11)(12) Section ~~626.591~~ ~~626.592(1)~~, F.S. – suspension ~~6~~ 3 months~~

~~(13) Section 626.592(4), F.S. – suspension 6 months~~

~~(14) Section 626.592(5), F.S. – suspension 9 months~~

~~(15) Section 626.592(6), F.S. – suspension 6 months~~

~~(16) Section 626.592(7), F.S. – suspension 3 months~~

(12) Section 626.593, F.S. – suspension 3 months

~~(13)(17) Section 626.601(2), F.S. – suspension ~~3~~ 2 months~~

~~(14)(18) Section 626.631(1), F.S. – revocation~~

~~(15)(19) Section 626.641(4), F.S. – revocation~~

(16) Section 626.7315, F.S. – suspension 3 months

~~(17)(20) Section 626.741(3), F.S. – suspension 3 months~~

~~(18)(21) Section 626.741(4), F.S. – suspension 6 months~~

~~(19)(22) Section 626.747, F.S. – suspension 3 months~~

~~(20)(23) Section 626.748, F.S. – suspension 2 months~~

~~(21)(24) Section 626.752, F.S. – suspension 3 months~~

~~(22)(25) Section 626.753, F.S. – revocation~~

(23) Section 626.7845, F.S. – suspension 3 months

~~(24)(26) Section 626.792(3), F.S. – suspension 3 months~~

~~(25)(27) Section 626.792(6), F.S. – revocation~~

~~(26)(28) Section 626.793, F.S. – suspension 2 months~~

~~(27)(29) Section 626.794, F.S. – suspension 6 months~~

~~(28)(30) Section 626.798, F.S. – suspension ~~2~~ 6 months~~

(29) Section 626.8305, F.S. – suspension 3 months

~~(30)(31) Section 626.835(3), F.S. – suspension 3 months~~

~~(31)(32) Section 626.835(6), F.S. – revocation~~

~~(32)(33) Section 626.837, F.S. – suspension 6 months~~

~~(33)(34) Section 626.8373, F.S. – suspension 6 months~~

~~(34)(35) Section 626.838, F.S. – suspension 6 months~~

~~(35)(36) Section 626.901(1), F.S. – suspension 6 months~~

~~(36)(37) Section 626.901(2), F.S. – suspension 12 months~~

(37) Section 627.4554, F.S. – suspension 12 months

(38) Section 627.901, F.S. – suspension 3 months

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691~~ FS. History–New 7-13-93, Formerly 4-231.110, ~~Amended~~ _____.

69B-231.120 Penalties for Violation of Other Insurance Code Provisions.

If the licensee is found to have violated a provision of the Insurance Code, the stated penalty, unless otherwise prescribed in these rules or in the code provision violated, shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful.

Specific Authority 624.308, ~~626.207(2)~~ FS. Law Implemented 624.307(1), ~~624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691~~ FS. History–New 7-13-93, Formerly 4-231.120.

69B-231.130 Penalties for Violation of Department Rules.

If the licensee is found to have violated a Department rule, the stated penalty, unless otherwise prescribed in these rules or in the specific rule violated, shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History—New 7-13-93, Formerly 4-231.130.

69B-231.140 Penalties for Violation of Department Orders.

If a licensee is found to have violated a Department order, the stated penalty shall be a six (6) month suspension if the violation was willful, or shall be a three (3) month suspension if the violation was nonwillful, unless the penalty is prescribed in the order itself; except that if a licensee or an affiliated party knowingly transacts insurance in violation of an order of suspension, the penalty shall be revocation of license(s) and appointment(s) if the violation was willful, or shall be an additional suspension of three (3) months if the violation was nonwillful.

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.681, 626.691 FS. History—New 7-13-93, Formerly 4-231.140, Amended _____.

69B-231.150 Criminal Proceedings.

~~(1) If it is found that a licensee has violated either Section 626.611(14) or 626.621(8), F.S., the following stated penalty shall apply:~~

~~(1)(a) If a licensee is convicted by a court of a violation of the Insurance Code or a felony (regardless of whether or not such felony is related to an insurance license), the penalty shall be immediate revocation.~~

~~(2)(b) If a licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, which involves moral turpitude and is a crime involving breach of trust or dishonesty, the penalty shall be revocation.~~

~~(3)(c) If a licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States of America or of any state thereof or under the law of any other country, which involves moral turpitude or is a crime involving breach of trust or dishonesty, the penalties are as follows:~~

~~(a) If the conduct directly relates to activities involving the business of insurance an insurance license, the penalty shall be revocation a 24-month suspension.~~

~~(b) If the conduct indirectly relates to the business of insurance or involves dishonesty or breach of trust, such as theft of money or property, or mishandling or misappropriation of money, the penalty shall be a 12 month suspension.~~

~~(c) If the conduct is not related to the business of insurance and does not involve dishonesty or breach of trust license, the penalty shall be a 6 month suspension.~~

~~(4)(d) If a licensee is not convicted of, but has been found guilty of or has pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the laws of the United States of America or of any state thereof or under the law of any other country, which does not involve moral turpitude and is not a crime involving breach of trust or dishonesty, the penalties are as follows:~~

~~(a) If the conduct directly relates to the business of insurance activities involving an insurance license, the penalty shall be a 24-month suspension.~~

~~(b) If the conduct indirectly relates to the business of insurance involves dishonesty or breach of trust such as theft of money or property, or mishandling or misappropriation of money, the penalty shall be a 12-month suspension.~~

~~(c) If the conduct is not related to the business of insurance license, the penalty shall be a 3-month suspension.~~

~~(2) Foreign Law Enforcement Records. In the event that a law enforcement record includes convictions, charges, or arrests outside the United States, the Department shall consider the following factors to reduce, eliminate, or apply a waiting period:-~~

~~(a) Whether the crime in the criminal record would be a crime under the laws of the United States or any state within the United States;~~

~~(b) The degree of penalty associated with the same or similar crimes in the United States; and~~

~~(c) The extent to which the foreign justice system provided safeguards similar to those provided criminal defendants under the Constitution of the United States.~~

Specific Authority 624.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.601, 626.611, 626.621, 626.631, 626.631(1), 626.681, 626.691 FS. History—New 7-13-93, Amended 9-23-02, Formerly 4-231.150, Amended _____.

69B-231.160 Aggravating/Mitigating Factors.

The Department shall consider the following aggravating and mitigating factors and apply them to the total penalty in reaching the final penalty assessed against a licensee under this rule chapter. After consideration and application of these factors, the Department shall, if warranted by the Department's consideration of the factors, either decrease or increase the penalty to any penalty authorized by law.

(1) For penalties other than those assessed under Rule 69B-231.150, F.A.C.:

- (a) Willfulness of licensee's conduct;
- (b) Degree of actual injury to victim;
- (c) Degree of potential injury to victim;
- (d) Age or capacity of victim;
- (e) Timely restitution;
- (f) Motivation of licensee agent;

- (g) Financial gain or loss to licensee agent;
 - (h) Cooperation with the Department;
 - (i) Vicarious or personal responsibility;
 - (j) Related criminal charge; disposition;
 - (k) Existence of secondary violations in counts;
 - (l) Previous disciplinary orders or prior warning by the Department; and
 - (m) Other relevant factors.
- (2) No change.

Specific Authority 626.308, 626.207(2) FS. Law Implemented 624.307(1), 624.308, 626.207(2), 626.611, 626.621, 626.631, 626.681, 626.9541 FS. History—New 7-13-93, Formerly 4-231.160, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Philip Fountain, Assistant Director, Division of Agent and Agency Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Alice Palmer, Director, Division of Agent and Agency Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	69O-213.010
Definitions	69O-213.020
Who May Appoint a Customer Representative	69O-213.040
Limits on Lines and Products the Customer Representative May Handle	69O-213.050
Appointment of Customer Representative and Designation of Supervising Agent	69O-213.060
Termination of Appointment or Supervision	69O-213.070
Duties of Appointment Agent	69O-213.080
Duties of Appointment Agency	69O-213.090
Duties of Designated Supervising Agent	69O-213.100
Customer Representative’s Duties	69O-213.110
Duty to Supervise Explained	69O-213.120
The Customer Representative’s Authority; Limitations	69O-213.130

PURPOSE, EFFECT, AND SUMMARY: To repeal Rule Chapter 69O-213, F.A.C., regulating customer representatives, which predates the reorganization of the Department of Insurance. Customer Representatives are regulated by the Department of Financial Services, not the Office of Insurance Regulation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.072, 626.112, 626.471, 626.561(2), 626.592, 626.734, 626.7351, 626.7352, 626.7353, 626.7354, 626.747, 626.748 FS.

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

TIME AND DATE: 9:30 a.m., February 1, 2006

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail bob.prentiss@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-213.010 Purpose and Scope.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History—New 12-19-93, Formerly 4-213.010, Repealed _____.

69O-213.020 Definitions.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History—New 12-19-93, Formerly 4-213.020, Repealed _____.

69O-213.040 Who May Appoint a Customer Representative.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History—New 12-19-93, Formerly 4-213.040, Repealed _____.

69O-213.050 Limits on Lines and Products the Customer Representative May Handle.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History—New 12-19-93, Formerly 4-213.050, Repealed _____.

69O-213.060 Appointment of Customer Representative and Designation of Supervising Agent.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History—New 12-19-93, Formerly 4-213.060, Repealed _____.

69O-213.070 Termination of Appointment or Supervision.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.112, 626.471, 626.561(2), 626.7351, 626.7352, 626.7353, 626.7354, 626.748 FS. History--New 12-19-93, Formerly 4-213.070, Repealed.

69O-213.080 Duties of Appointing Agent.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.734, 626.7351, 626.7352, 626.7353, 626.7354 FS. History--New 12-19-93, Formerly 4-213.080, Repealed.

69O-213.090 Duties of Appointing Agency.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.592, 626.7351, 626.7352, 626.7353, 626.7354 FS. History--New 12-19-93, Formerly 4-213.090, Repealed.

69O-213.100 Duties of Designated Supervising Agent.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.734, 626.7351, 626.7352, 626.7353, 626.7354 FS. History--New 12-19-93, Formerly 4-213.100, Repealed.

69O-213.110 Customer Representative's Duties.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354, 626.747 FS. History--New 12-19-93, Formerly 4-213.110, Repealed.

69O-213.120 Duty to Supervise Explained.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History--New 12-19-93, Formerly 4-213.120, Repealed.

69O-213.130 The Customer Representative's Authority; Limitations.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.072, 626.7351, 626.7352, 626.7353, 626.7354 FS. History--New 12-19-93, Formerly 4-213.130, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven H. Parton, General Counsel, Office of Insurance Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Scope	69O-215.210
Twisting	69O-215.215
Rebating	69O-215.220
Defamation	69O-215.225
Misrepresentations	69O-215.230

PURPOSE, EFFECT, AND SUMMARY: To repeal Part III of Rule Chapter 69O-215, Code of Ethics – Life Underwriters.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.797, 626.9541(1)(a), (b), (c), (h), (l) FS.

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

TIME AND DATE: 9:30 a.m., February 1, 2006

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail bob.prentiss@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-215.210 Scope.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797 FS. History--Repromulgated 12-24-74, Formerly 4-9.01, 4-9.001, 4-215.210, Repealed.

69O-215.215 Twisting.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797, 626.9541(1)(l) FS. History--Repromulgated 12-24-74, Formerly 4-9.02, 4-9.002, 4-215.215, Repealed.

69O-215.220 Rebating.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797, 626.9541(1)(h) FS. History--Repromulgated 12-24-74, Formerly 4-9.03, 4-9.003, 4-215.220, Repealed.

69O-215.225 Defamation.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797, 626.9541(1)(c) FS. History--Repromulgated 12-24-74, Formerly 4-9.04, 4-9.004, 4-215.225, Repealed.

69O-215.230 Misrepresentations.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797, 626.9541(1)(a), (b) FS. History--Repromulgated 12-24-74, Formerly 4-9.05, 4-9.005, 4-215.230, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven H. Parton, General Counsel, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
License Required	69O-221.001
Managing General Agents	69O-221.003
Currently Revoked, Suspended or Denied License	69O-221.005
Actively Engaged in Business; Place Suitably Designated; Accessible to Public	69O-221.051
Permanent Office Records Required	69O-221.055
Notice of Change of Address	69O-221.060
Statistical Reporting Form	69O-221.065
Build-up Funds; Reporting	69O-221.070
Power of Attorney; Penal Sum of Bond; Not Applicable to Automobile Clubs	69O-221.075
Professional Bail Bond Agent; Justification and Sufficiency of Sureties	69O-221.080
Rate Filing; Approval; Proof	69O-221.085
Soliciting Business	69O-221.095
Terms and Conditions of Contract; Surrender Form	69O-221.100
Premium Charge Only Permitted	69O-221.105
Premium Shall be Term Charge; Premium Refund; When	69O-221.110
Pre-numbered Receipt as Evidence of Payment	69O-221.115
Pre-numbered Receipt as Evidence of Collateral	69O-221.120
Collateral Security; Affidavit; Form	69O-221.125
Collateral Security; Statement; Form	69O-221.130
Collateral Security Requirements	69O-221.135
Indemnity Agreement; Form	69O-221.140
Use of Credit Cards and Cash Advance Facilities in Conjunction with Issuing Bail Bonds	69O-221.145
Department May Request Information	69O-221.150

PURPOSE, EFFECT AND SUMMARY: Rule Chapter 69O-221, F.A.C., is being repealed. The Office does not regulate bail bonds. At reorganization, this chapter was given to both the Office of Insurance Regulation (OIR) and the Department of Financial Services (DFS). The repeal will eliminate OIR's rule for which there is no statutory authority. DFS has its own rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 648.26, 648.442(8) FS.
LAW IMPLEMENTED: 624.307(1), 626.601, 626.744, 648.25, 648.27, 648.29, 648.295, 648.30, 648.33, 648.34, 648.35, 648.355, 648.36, 648.365, 648.387, 648.388, 648.421, 648.44, 648.442, 648.4425, 648.45, 648.48, 648.50, 903.09, 903.14(1), (3) FS.

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

TIME AND DATE: 9:30 a.m., February 1, 2006
PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail bob.prentiss@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-221.001 License Required.

Specific Authority 648.26 FS. Law Implemented 648.30, 648.35 FS. History—Repromulgated 12-24-74, Formerly 4-1.06, Amended 9-10-91, Formerly 4-1.006, Amended 4-14-97, Formerly 4-221.001, Repealed.

69O-221.003 Managing General Agents.

Specific Authority 648.26 FS. Law Implemented 648.25, 648.27, 648.388, 648.48 FS. History—New 4-14-97, Amended 1-22-03, Formerly 4-221.003, Repealed.

69O-221.005 Currently Revoked, Suspended or Denied License.

Specific Authority 648.26 FS. Law Implemented 648.45(1), (2), 648.50 FS. History—Repromulgated 12-24-74, Formerly 4-1.07, Amended 9-10-91, Formerly 4-1.007, Amended 4-14-97, Formerly 4-221.005, Repealed.

69O-221.051 Actively Engaged in Business; Place Suitably Designated; Accessible to Public.

Specific Authority 648.26 FS. Law Implemented 648.25, 648.34, 648.355, 648.387 648.44(6) FS. History—Repromulgated 12-24-74, Amended 7-27-78, 12-23-82, Formerly 4-1.04, 4-1.004, Amended 4-14-97, 7-2-98, 1-22-03, Formerly 4-221.051, Repealed.

69O-221.055 Permanent Office Records Required.

Specific Authority 648.26 FS. Law Implemented 648.25, 648.34, 648.36 FS. History—Repromulgated 12-24-74, Formerly 4-1.01, Amended 9-10-91, Formerly 4-1.001, Amended 4-14-97, 1-22-03, Formerly 4-221.055, Repealed.

69O-221.060 Notice of Change of Address.

Specific Authority 648.26 FS. Law Implemented 648.421 FS. History—New 12-23-82, Formerly 4-1.17, Amended 9-10-91, Formerly 4-1.017, Amended 4-14-97, 1-22-03, Formerly 4-221.060, Repealed.

69O-221.065 Statistical Reporting Form.

Specific Authority 648.26 FS. Law Implemented 648.365 FS. History—New 12-23-82, Formerly 4-1.19, Amended 9-10-91, Formerly 4-1.019, Amended 4-14-97, Formerly 4-221.065, Repealed.

69O-221.070 Build-up Funds; Reporting.

Specific Authority 648.26 FS. Law Implemented 648.29 FS. History—New 9-10-91, Formerly 4-1.021, Amended 4-14-97, 1-22-03, Formerly 4-221.070, Repealed.

69O-221.075 Power of Attorney; Penal Sum of Bond; Not Applicable to Automobile Clubs.

Specific Authority 648.26 FS. Law Implemented 903.09 FS. History—Repromulgated 12-24-74, Formerly 4-1.08, Amended 9-10-91, Formerly 4-1.008, Formerly 4-221.075, Repealed.

69O-221.080 Professional Bail Bond Agent; Justification and Sufficiency of Sureties.

Specific Authority 648.26 FS. Law Implemented 648.25 FS. History—Amended 7-1-69, Repromulgated 12-24-74, Formerly 4-1.03, 4-1.003, Amended 4-14-97, Formerly 4-221.080, Repealed.

69O-221.085 Rate Filing; Approval; Proof.

Specific Authority 648.26 FS. Law Implemented 648.35(2) FS. History—Repromulgated 12-24-74, Formerly 4-1.11, Amended 9-10-91, Formerly 4-1.011, Amended 4-14-97, Formerly 4-221.085, Repealed.

69O-221.095 Soliciting Business.

Specific Authority 648.26(1)(a) FS. Law Implemented 648.44 FS. History—New 12-23-82, Formerly 4-1.18, Amended 11-5-89, Formerly 4-1.018, Amended 4-14-97, 1-22-03, Formerly 4-221.095, Repealed.

69O-221.100 Terms and Conditions of Contract; Surrender Form.

Specific Authority 648.26 FS. Law Implemented 648.4425 FS. History—Repromulgated 12-24-74, Formerly 4-1.16, Amended 9-10-91, Formerly 4-1.016, Amended 1-22-03, Formerly 4-221.100, Repealed.

69O-221.105 Premium Charge Only Permitted.

Specific Authority 648.26 FS. Law Implemented 648.33, 648.44(1)(i) FS. History—Amended 7-1-69, Repromulgated 12-24-74, Amended 5-22-80, Formerly 4-1.05, Amended 9-10-91, Formerly 4-1.005, Amended 4-14-97, Formerly 4-221.105, Repealed.

69O-221.110 Premium Shall be Term Charge; Premium Refund; When.

Specific Authority 648.26 FS. Law Implemented 624.307(1), 648.295, 648.33 FS. History—Amended 7-1-69, Repromulgated 12-24-74, Formerly 4-1.09, Amended 9-10-91, Formerly 4-1.009, Amended 4-14-97, 1-22-03, Formerly 4-221.110, Repealed.

69O-221.115 Pre-numbered Receipt as Evidence of Payment.

Specific Authority 648.26 FS. Law Implemented 648.295, 648.36 FS. History—Repromulgated 12-24-74, Formerly 4-1.02, Amended 9-10-91, Formerly 4-1.002, Amended 4-14-97, 1-22-03, Formerly 4-221.115, Repealed.

69O-221.120 Pre-numbered Receipt as Evidence of Collateral.

Specific Authority 648.26 FS. Law Implemented 648.25(9), 648.36, 648.442(2) FS. History—New 12-23-82, Formerly 4-1.021, Amended 9-10-91, Formerly 4-1.021, Amended 4-14-97, 1-22-03, Formerly 4-221.120, Repealed.

69O-221.125 Collateral Security; Affidavit; Form.

Specific Authority 648.26, 648.442(8) FS. Law Implemented 903.14(1), 648.36, 648.44(1)(m), 648.442, 648.45 FS. History—Repromulgated 12-24-74, Formerly 4-1.14, Amended 9-10-91, Formerly 4-1.014, Amended 4-14-97, Formerly 4-221.125, Repealed.

69O-221.130 Collateral Security; Statement; Form.

Specific Authority 648.26 FS. Law Implemented 903.14(3), 648.36, 648.44(1)(m), 648.442, 648.45 FS. History—New 7-1-69, Repromulgated 12-24-74, Formerly 4-1.141, Amended 9-10-91, Formerly 4-1.0141, Amended 4-14-97, Formerly 4-221.130, Repealed.

69O-221.135 Collateral Security Requirements.

Specific Authority 648.26 FS. Law Implemented 648.442(1) FS. History—New 12-23-82, Formerly 4-1.142, Amended 9-10-91, Formerly 4-1.0142, Amended 4-14-97, Formerly 4-221.135, Repealed.

69O-221.140 Indemnity Agreement; Form.

Specific Authority 648.26 FS. Law Implemented 648.442 FS. History—Repromulgated 12-24-74, Formerly 4-1.15, 4-1.015, Amended 4-14-97, 1-22-03, Formerly 4-221.140, Repealed.

69O-221.145 Use of Credit Cards and Cash Advance Facilities in Conjunction with Issuing Bail Bonds.

Specific Authority 648.26(1)(a) FS. Law Implemented 648.33, 648.44(1)(j) FS. History—New 11-5-89, Formerly 4-1.020, Amended 4-14-97, 1-22-03, Formerly 4-221.145, Repealed.

69O-221.150 Department May Request Information.

Specific Authority 648.26 FS. Law Implemented 626.601, 626.744, 648.27, 648.36 FS. History—Repromulgated 12-24-74, Formerly 4-1.10, Amended 9-10-91, Formerly 4-1.010, Amended 4-14-97, 1-22-03, Formerly 4-221.150, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven H. Parton, General Counsel, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2005

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-15	Incorporation by Reference
RULE NO.:	RULE TITLE:
14-15.0081	Toll Facilities Description and Toll Rate Schedule

NOTICE OF CORRECTION OF PROPOSED
EFFECTIVE DATE

SUMMARY OF CORRECTION: There are no substantive changes to the rule or the toll rate schedule resulting from the hearings. However, the original notice had a projected effective date of January 8, 2006. Because of the rescheduled hearings, the proposed effective date is changed/corrected to February 5, 2006.

Notice of rulemaking was published in *Florida Administrative Weekly*, Vol. 31, No. 43, October 28, 2005.

Public hearings were originally scheduled, but were rescheduled in a subsequent notice published in Vol. 31, No. 45, *Florida Administrative Weekly*, dated November 10, 2005.

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Real Estate Appraisal Board

RULE NO.:	RULE TITLE:
61J1-2.001	Fees

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. 31, No. 44, of the November 4, 2005, issue of the *Florida Administrative Weekly*. The Board, at its meeting held on December 5, 2005, voted to make the following change to the rule:

The Board voted to delete proposed subsection (16) of Rule 61J1-2.001, F.A.C., because the Board does not have statutory authority to promulgate a rule implementing Section 455.271(6)(b) of the Florida Statutes pursuant to Section 455.271(12) of the Florida Statutes.

In Subsection (15), remove the word "is"

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael E. Murphy, Acting Director, Division of Real Estate, Hurston Building, North Tower, Suite N801, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section IV
Emergency Rules

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

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
General	67ER05-26
Definitions	67ER05-27
Hurricane Housing Recovery Assistance Plans and Distribution of Funds	67ER05-28
Uses of and Restrictions Upon Hurricane Housing Recovery Program Funds	67ER05-29
Hurricane Housing Recovery Program Trust Fund	67ER05-30
Annual Reports	67ER05-31
Compliance Monitoring for Housing Developed With HHR Program Funds	67ER05-32

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:

Florida experienced the destructive impact of four hurricanes in 2004. The hurricanes created both short-term and long-term housing needs for Floridians. To implement the February 2005 recommendations of the Governor's Hurricane Housing Work Group, the Hurricane Housing Recovery program, hereafter referred to as the HHR program, is created for the purpose of providing funds to assist those areas of the

state with the greatest housing damage from the hurricanes suffered by the State of Florida during 2004. Program funding is provided for eligible entities to implement a hurricane housing recovery assistance plan that may include grants and loans for homeownership and rental activities, including activities related to manufactured housing.

REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Corporation has been granted emergency rulemaking authority under Chapter Law 2005-92, formerly House Bill 1889, "Distribution of Proceeds from the Excise Tax on Documents." The HHR rules shall be effective immediately upon filing with the Florida Department of State and shall be valid for a period of 180 days.

SUMMARY OF THE RULE: The rule provides the strategy by which HHR program funds shall be utilized by eligible entities for affordable housing recovery efforts. Rules incorporated below replace Emergency Rules 67ER05-1 through 7 which will expire December 27, 2005.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Robert Dearduff, HHR Program Administrator, 227 North Bronough St., Suite 5000, Tallahassee, FL. 32301 or call (850)488-4197

THE FULL TEXT OF THE EMERGENCY RULES IS:

67ER05-26 General.

This rule chapter is established to administer the implementation of the Hurricane Housing Recovery Program (HHRP). For the purposes of this rule chapter, all provisions in Chapter 67-37, F.A.C., and Sections 420.907-9079, F.S., are applicable except where described in the chapter herein.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-27 Definitions.

(1) "Administrative Expenditures" means expenditures directly related to the implementation of the HHR funds as set forth in paragraphs 67-37.007(4)(a), (b), (c), (d), F.A.C.

(2) "Extremely low income household" or "ELI" means one or more natural persons or a family that has a total annual gross household income that does not exceed 30 percent of the area median income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

(3) "Hurricane Housing Recovery Program" or "HHR" means the Hurricane Housing Recovery Program as recommended by the Hurricane Housing Work Group dated February, 2005.

(4) "Manufactured Home" is as defined in Section 320.01(2)(b), F.S.

(5) "Mobile Home" is as defined in Section 320.01(2)(a), F.S.

(6) "Hurricane Housing Assistance Plan" or "HHAP" means a detailed description of the planned activities to be undertaken by an eligible county and eligible municipalities and as set forth in Rule 67-37.005, F.A.C.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-28 Hurricane Housing Assistance Plans and Distribution of Funds.

(1) To receive HHR program funding, an eligible county or eligible municipality must submit its Hurricane Housing Assistance Plan to and receive approval from the Corporation pursuant to Rule 67-37.005, F.A.C. Plans must be submitted to the Corporation by August 1, 2005. A local government may submit a written request to the Corporation to extend the deadline up to 45 days. No HHR program funds shall be distributed to any eligible county or eligible municipality unless and until an approved plan is in place.

(2) The effective period of the Hurricane Housing Assistance Plan is three years plus a one year extension which requires approval by Florida Housing Finance Corporation HHR Program Administrator as set forth in subparagraph 67-37.005(6)(f)2., F.A.C.

(3) Each Hurricane Housing Assistance Plan shall include a description of all activities to be undertaken in the HHR program. An eligible county or eligible municipality shall use the Hurricane Housing Assistance Plan Template in order to submit its HHAP. The Hurricane Housing Assistance Plan Template (07/05) is adopted and incorporated by reference with an effective date of 7/1/05. A copy of the Hurricane Housing Assistance Plan Template (07/05) may be obtained at <http://www.floridahousing.org/Home/Disaster/HurricaneHousingRecoveryProgram.htm> or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(4) For each use of HHR program funds, the eligible county or municipality shall provide information as required in paragraphs 67-37.005(5)(a), (b), (c), (d) and (e), F.A.C. The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods.

(5) A copy of the Hurricane Housing Assistance Plan shall be submitted to the Corporation, via U.S. Mail or electronic submission. If submitted electronically, a mailed copy shall be sent to the Corporation within three working days of the strategy being electronically transmitted. The mailed copy submitted to the Corporation shall bear the original signature of an authorized official or an authorized official's designee.

(6) Once the HHAP is approved, an eligible county or eligible municipalities shall be eligible to draw funds for activities included in the approved strategies in the HHAP. The request for funds shall be submitted in writing and include the following information: Name of local government, amount of

funds requested from the base allocation, ELI supplemental allocation and the community planning supplemental allocation as referenced in subsections 67ER05-4(3), (4) and (5), F.A.C., and a schedule of when the funds being requested are to be expended. Upon approval of the plan, each eligible county or eligible municipality as set forth in Section 420.9071(11), F.A.C., shall be eligible to request an initial amount not to exceed \$100,000 to establish a balance in the HHRP account and begin to fund expenses incurred including Administrative Expenditures. The initial request shall include all information required above in addition to the HHRP account information.

Specific Authority s. 3, ch. 2005-92, L. O. F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-29 Uses of and Restrictions Upon HHR Program Funds.

(1) HHR program funds shall be used to implement the Hurricane Housing Assistance Plan. The benefit of assistance provided through the HHR program must accrue to eligible persons occupying eligible housing. HHR program funds may be used for:

(a) Repair and replacement of site built housing;

(b) Land acquisition, through community land trusts or other means, for properties that may include scattered sites, community revitalization sites, and older manufactured home parks;

(c) Construction and development financing;

(d) Down payment, closing cost, and purchase price assistance for site-built and post-1994 Manufactured Homes where the wind load rating is sufficient for the location;

(e) Repair, replacement, and relocation assistance for post-1994 Manufactured Homes where the wind load rating is sufficient for the location, including those on leased land in stable park situations;

(f) Limited repair and relocation assistance on a case by case basis to pre-1994 Manufactured Homes and mobile homes;

(g) The acquisition of building materials for home repair and construction;

(h) Implementation of long-term recovery plans prepared through a locally initiated collaborative community partnership or in conjunction with the Department of Community Affairs and Federal Emergency Management Agency;

(i) Housing re-entry assistance, such as security deposits, utility deposits, and temporary storage of household furnishings;

(j) Foreclosure and eviction prevention, including monthly rental assistance for limited periods of time;

(k) Capital to leverage other private and public resources;
or

(1) Hazard mitigation strategies and techniques to reduce or eliminate the exposure of people’s lives or property to harm from a disaster.

(2) Each county’s allocation shall be used to meet hurricane housing recovery needs throughout the county. In the event that an eligible county and an eligible municipality within the county vie separately for funding slated for a county, the Corporation shall make a final determination of how funds shall be awarded. Criteria used to make this determination shall include the following factors:

(a) Amount requested;

(b) Number of households being served; and

(c) Strategies to be employed;

(3) The base allocation limits for eligible counties are as follows:

<u>Escambia</u>	<u>\$17,862,236</u>
<u>Charlotte</u>	<u>\$14,339,973</u>
<u>St. Lucie</u>	<u>\$16,417,481</u>
<u>DeSoto</u>	<u>\$8,147,644</u>
<u>Santa Rosa</u>	<u>\$10,930,493</u>
<u>Indian River</u>	<u>\$10,922,421</u>
<u>Hardee</u>	<u>\$5,924,895</u>
<u>Brevard</u>	<u>\$14,673,648</u>
<u>Polk</u>	<u>\$13,284,043</u>
<u>Okeechobee</u>	<u>\$5,380,098</u>
<u>Martin</u>	<u>\$6,605,068</u>
<u>Osceola</u>	<u>\$3,986,312</u>
<u>Palm Beach</u>	<u>\$6,401,838</u>
<u>Highlands</u>	<u>\$2,326,849</u>
<u>Volusia</u>	<u>\$3,730,122</u>
<u>Lee</u>	<u>\$2,502,896</u>
<u>Orange</u>	<u>\$4,393,483</u>
<u>Putnam</u>	<u>\$789,079</u>
<u>Marion</u>	<u>\$1,045,924</u>
<u>Okaloosa</u>	<u>\$1,004,135</u>
<u>Hendry</u>	<u>\$487,199</u>
<u>Dixie</u>	<u>\$451,839</u>
<u>Glades</u>	<u>\$382,944</u>
<u>Seminole</u>	<u>\$1,649,821</u>
<u>Lake</u>	<u>\$773,192</u>
<u>Sumter</u>	<u>\$434,729</u>
<u>Levy</u>	<u>\$383,163</u>
<u>Bradford</u>	<u>\$378,475</u>

(4) ELI supplemental funds shall be made available to each county to provide funding to households earning 30% or below the area median income. These funds may be used on any of the approved strategies in the HHAP so long as they are serving ELI households. If an eligible county’s ELI supplement is not requested by the eligible county or eligible municipality by September 15, 2005, the funds shall be allocated through the issuance of a request for proposals by the Corporation. Nonprofit, community-based organizations with housing experience may apply for a county’s ELI allocation. The amount of funding available for each county is as follows:

<u>Escambia</u>	<u>\$3,572,447</u>
<u>Charlotte</u>	<u>\$2,867,995</u>
<u>St. Lucie</u>	<u>\$3,283,496</u>
<u>DeSoto</u>	<u>\$1,629,529</u>
<u>Santa Rosa</u>	<u>\$2,186,099</u>
<u>Indian River</u>	<u>\$2,184,484</u>
<u>Hardee</u>	<u>\$1,184,979</u>
<u>Brevard</u>	<u>\$2,934,728</u>
<u>Polk</u>	<u>\$2,656,809</u>
<u>Okeechobee</u>	<u>\$1,076,020</u>
<u>Martin</u>	<u>\$1,321,014</u>
<u>Osceola</u>	<u>\$797,262</u>
<u>Palm Beach</u>	<u>\$1,280,368</u>
<u>Highlands</u>	<u>\$465,370</u>
<u>Volusia</u>	<u>\$746,024</u>
<u>Lee</u>	<u>\$500,579</u>
<u>Orange</u>	<u>\$878,697</u>
<u>Putnam</u>	<u>\$157,816</u>
<u>Marion</u>	<u>\$209,185</u>
<u>Okaloosa</u>	<u>\$200,827</u>
<u>Hendry</u>	<u>\$97,440</u>
<u>Dixie</u>	<u>\$90,368</u>
<u>Glades</u>	<u>\$76,589</u>
<u>Seminole</u>	<u>\$329,964</u>
<u>Lake</u>	<u>\$154,638</u>
<u>Sumter</u>	<u>\$86,946</u>
<u>Levy</u>	<u>\$76,632</u>
<u>Bradford</u>	<u>\$75,695</u>

(5) Community planning supplemental funds shall be distributed to each eligible county or eligible municipalities that submits as part of its HHAP, a summary of the collaborative efforts between it and other entities involved as part of the eligible county or eligible municipalities HHAP. Copies of interlocal agreements and contracts shall be submitted as attachments to the HHAP. The allocation of funds not requested prior to September 15, 2005 for the community planning supplemental allocation shall be determined through the issuance of a request for proposal by the Corporation. The funds shall be allocated based on the funding levels as follows:

<u>Escambia</u>	<u>\$2,381,632</u>
<u>Charlotte</u>	<u>\$1,911,996</u>
<u>St. Lucie</u>	<u>\$2,188,997</u>
<u>DeSoto</u>	<u>\$1,086,353</u>
<u>Santa Rosa</u>	<u>\$1,457,399</u>
<u>Indian River</u>	<u>\$1,456,323</u>
<u>Hardee</u>	<u>\$789,986</u>
<u>Brevard</u>	<u>\$1,956,486</u>
<u>Polk</u>	<u>\$1,771,206</u>
<u>Okeechobee</u>	<u>\$717,346</u>
<u>Martin</u>	<u>\$880,676</u>
<u>Osceola</u>	<u>\$531,508</u>
<u>Palm Beach</u>	<u>\$853,578</u>
<u>Highlands</u>	<u>\$310,247</u>
<u>Volusia</u>	<u>\$497,350</u>
<u>Lee</u>	<u>\$333,719</u>
<u>Orange</u>	<u>\$585,798</u>

<u>Putnam</u>	<u>\$105,211</u>
<u>Marion</u>	<u>\$139,457</u>
<u>Okaloosa</u>	<u>\$133,885</u>
<u>Hendry</u>	<u>\$64,960</u>
<u>Dixie</u>	<u>\$60,245</u>
<u>Glades</u>	<u>\$51,059</u>
<u>Seminole</u>	<u>\$219,976</u>
<u>Lake</u>	<u>\$103,092</u>
<u>Sumter</u>	<u>\$57,964</u>
<u>Levy</u>	<u>\$51,088</u>
<u>Bradford</u>	<u>\$50,463</u>

(6) No Administrative Expenditures may be used to pay for costs incurred prior to July 1, 2005. Eligible counties and eligible municipalities shall be allowed to use up to 15 percent of its allocation for costs to administer its program. An eligible county or eligible municipalities may subcontract their administrative functions, but in no case shall the administrative costs exceed 15 percent of the eligible county or eligible municipalities' allocation.

(7) At least 65% of the base allocation and community planning supplemental funds allocated to a county shall be used for home ownership. An eligible county and eligible municipalities shall provide justification for the need to use a higher percentage of its allocation for rental housing. The separate funding allocated for ELI households is exempt from the 65% requirement.

(8) With the exception of the income requirements and home ownership requirements, eligible counties and eligible municipalities shall be allowed to apportion their funds across their housing strategies as dictated by local needs.

(9) Eligible counties and eligible municipalities shall have two years to encumber funds for their intended use, and an additional year to fully expend the funds. If a local entity shows that it has been unable to fully expend the funds after this period, it may request a one year extension to this timeframe pursuant to subparagraph 67-37.005(6)(f)2., F.A.C. The Corporation shall grant that local entity an additional year to expend the funds upon receipt of the request.

(10) Eligible counties and eligible municipalities shall maintain the HHR program funds and any repayments, recoveries, or program income in a separate trust fund. The local entity shall use any such repayments, recoveries, or program income to further affordable housing objectives consistent with the HHR program, regardless of when such money is recycled. At the termination of the HHR Program, any such repayments, recoveries, or program income may be deposited into the local government's Local Housing Trust Fund.

(11) Any funds that are not encumbered by eligible counties or eligible municipalities by June 30, 2007, shall be re-offered by the Corporation to eligible counties and eligible municipalities with remaining hurricane housing needs.

(12) The Corporation shall approve expenditures for administration of the HHR program in accordance with subsection 67-37.007(4), F.A.C.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-30 Hurricane Housing Recovery Program Trust Fund.

(1) The HHR program trust fund account shall be separately stated as a special revenue fund in an eligible county's or eligible municipalities' audited financial statements. Copies of such audited financial statements shall be forwarded annually to the Corporation no later than June 30th of the following fiscal year. In addition to providing audited financial statements, all participating jurisdictions must provide evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97(6), F.S.

(2) An eligible county and eligible municipalities which have had an audit, review or investigation involving HHR program funds shall send the Corporation a copy of any related report within 10 days of the issuance of such report.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-31 Annual Reports.

(1) Except in 2005, by September 15 of each year each eligible county and eligible municipalities shall submit a report using the HHR Annual Report, form AR05-1 (07/05), herein incorporated by reference with an effective date of 7/1/05, of its Hurricane Housing Recovery Program and accomplishments through June 30, immediately preceding submittal of the report. A copy of HHR annual report, form AR05-1 may be obtained at <http://www.floridahousing.org/Home/Disaster/HHRPANReport.htm> or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(2) In addition to the report mentioned in (1) above, counties and SHIP eligible municipalities utilizing any HHR program funds must provide a list of recipients by strategy including names, addresses, and zip codes to Florida Housing Finance Corporation.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

67ER05-32 Compliance Monitoring for Housing Developed With HHR Program Funds.

(1) The staff or entity with administrative authority for a Hurricane Housing Assistance Plan must develop a tracking system to ensure that the hurricane housing distribution funds disbursed from the hurricane housing assistance trust fund are at all times expended in accordance with the set-aside requirements in subsection 67-37.007(2), F.A.C., and time restraints detailed at subsection 67-37.005(6), F.A.C.

(2) The combined household annual gross income of an applicant who is applying as an owner/occupant of a residence must be verified and certified by the local Hurricane Housing Recovery Program administrator or his/her designee using income verification and certification procedures as established

by the U.S. Department of Housing and Urban Development (HUD), Occupancy Handbook 4350.3 (05/03), Chapter 5, Appendix 3, and Appendix 15-C, hereby incorporated by reference. Copies of these materials may be obtained by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida or obtained at <http://www.floridahousing.org/Home/Disaster/HUDOccHndbk.htm>. Whichever verification and certification method is used, annual gross income must be used and the HHR program income limits cannot be exceeded.

(3) The staff or entity with administrative authority for a Hurricane Housing Assistance Plan assisting rental developments shall monitor and determine tenant eligibility and the amount of subsidy using the same guidelines as specified at subsection (2) above, for the term of the HHR Program. The Corporation shall monitor the activities of the local governments to determine compliance with program requirements. To ensure that communities are capable of addressing rental housing needs for hurricane recovery, eligible counties and eligible municipalities are required to perform only an initial certification of income upon move-in of the first household into a rental unit, as long as no more than \$10,000 has been provided for assistance to the unit, and the housing unit is located in a census block group in which more than 51 percent of the households have incomes at or below 80 percent of the area median income. No continuing compliance monitoring shall be required on these units.

(4) The Corporation, or its designated monitoring agent, shall be permitted to inspect the Hurricane Housing Assistance Plan, advertisements, applications, income verifications and certifications, plan participation contracts, financial records, plan tracking records, construction cost verification including receipts and contracts, and any other applicable documents at any reasonable time with or without notice. Such records must be maintained within the participating county or eligible municipality at a place accessible to the Corporation staff or its designated monitoring agent.

(5) If the Corporation staff or its designated monitoring agent determines that an eligible jurisdiction has established a pattern of violation by not complying with the criteria of its Hurricane Housing Assistance Plan established under these rules or Sections 420.907-9079, F.S., or that an eligible sponsor has established a pattern of violation by not complying with the applicable award conditions, the Corporation shall report such pattern of violation to the Executive Office of the Governor at which time the distribution of program funds to the county or eligible municipality will be suspended. The eligible jurisdiction shall develop a corrective action plan (CAP). The CAP shall be submitted to the Corporation within 60 days of the date of a letter from the Corporation, pursuant to Section 420.9075(12), F.S. notifying the eligible jurisdiction of the pattern of violation. The CAP must describe the proposed corrective action for each violation and how the correction

actions will be implemented within 3 months of the CAP's approval by the Corporation. Upon receipt of the CAP, the Corporation shall have 30 days to review and approve or recommend changes to the CAP. Upon approval of the CAP and correction of the violation, program funds will be distributed.

(6) If the Corporation's staff or its designated monitoring agent determines that the corrective actions have not been implemented, the Corporation shall report such pattern of violation of criteria or violation of award conditions to the Executive Office of the Governor. The distribution of program funds to the eligible county or eligible municipality will be suspended until such time as the corrective plan of action has been implemented, at which time funds will be distributed.

Specific Authority s. 3, ch. 2005-92, L.O.F. Law Implemented s. 2 and 3, ch. 2005-92, L.O.F. History—New 12-27-05.

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: December 27, 2005

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on December 27, 2005, South Florida Water Management District (District) received an Amended Petition for waiver from Miami-Dade County Public Works, Application No. 05-1103.1, for utilization of Works or Lands of the District known as the C-2 Canal, Miami-Dade County, to include the installation of guardrail, five (5) feet from the top of canal bank within the westerly right of way of C-2 at the District's four (4) maintenance access openings along S.W. 117th Avenue between S.W. 43rd Street to S.W. 59th Street, Miami-Dade county, Section 7, Township 50 South, Range 40 East. The Amended petition seeks relief from subsection 40E-6.011(4), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice.

To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Requests in response to a petition filed on September 6, 2005 and advertised in FAW Vol. 31, No. 38, by Patricia Serley of Otis Elevator regarding Harbour Pointe Condominium (VW2005-134). The petition sought waivers from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, and 212.9a, 4 of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Requests in response to a petition filed on September 14, 2005 and advertised in FAW Vol. 31, No. 41, by Patricia Serley of Otis Elevator regarding Elation at the Grand Sandestin (VW2005-140). The petition sought waivers from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, and 212.9a, 4 of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Requests in response to a petition filed on September 20, 2005 and advertised in FAW Vol. 31, No. 41, by Rick Dayton of Otis Elevator regarding Seacrest Condominium (VW2005-142). The petition sought waivers from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, and 212.9a, 4 of ASME A17.1, 1996 Edition with

1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Request in response to a petition filed September 30, 2005 and advertised in FAW Vol. 31, No. 42, by Steve Powell of KONE, Inc. regarding Best Western Auburndale (VW 2005-145). The variance granted a waiver from Rules 100.3a, 101.6, of ASME A17.1, 1996 Edition with 1997 Addenda and 2.29.2 of ASME A17.2, 1996 Edition, as adopted by Rule 61C-5.001, F.A.C. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Request in response to a petition filed September 30, 2005 and advertised in FAW Vol. 31, No. 42, by Steve Powell of KONE, Inc. regarding Bonita Beach Walk (VW 2005-144). The variance granted a waiver from Rules 100.3a, 101.6, of ASME A17.1, 1996 Edition with 1997 Addenda and 2.29.2 of ASME A17.2, 1996 Edition, as adopted by Rule 61C-5.001, F.A.C. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 29, 2005, it issued an Order Granting Variance Request in response to a petition filed on September 6, 2005 and advertised in FAW Vol. 31, No. 38, by Lee Rigby of Vertical Assessment Associates on behalf of DEX Imaging Office Building (VW 2005-133). The petition sought a waiver from Rules 100.3a, 101.6, 206.5a, 208.2a, 208.2b and 212.1, of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, F.A.C. The petitioner requested to not have a machine room, to use 9.5-mm governor rope metal sheaves and

drums lined with nonmetallic groove materials, sheaves with a minimum pitch diameter 40 times the diameter of the rope and to use aramid non-metallic ropes. The petition was granted as it was demonstrated that this new technology provided equivalent or greater safety than the present code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it issued an Order Granting Emergency Variance Request on December 19, 2005 in response to a petition filed on November 18, 2005, by Rodney Friedman of Master Elevator Sales & Service, Inc., regarding the Remington Place Apts. The petition sought a waiver from Rule 106.1(d)(2), ASME A17.1, 1996 Edition with 1997 addenda, as adopted by Rule 61C-5.001, F.A.C., and requested to not install a pit ladder. The petition was granted because the physical layout of the elevator and pit makes the safe installation of a fixed ladder impossible. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on December 5, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: The Plaza in Orlando, FL (Petition VW 2005-177). A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 13, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Wuestoff Hospital in Brevard County (Petition VW 2005-182).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 7, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Rick Dayton of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: The Star Tower Condominium in Orlando, FL (Petition VW 2005-178).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 7, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Robert Gerdt of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Summer Cove Condos in Siesta Key, FL (Petition VW 2005-179).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 7, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Robert Gerdt of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Summer Cove Condos, Group 1 Duplex (West) in Siesta Key, FL (Petition VW 2005-180).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 29, 2005, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1(b)(1), and 2.7.6 and, 2.15.9.2, as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and to have the guard plate less than the required 48". The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Gold Kist (Petition VW 2005-170).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 28, 2005, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1(b)(1), 2.7.6, 2.15.9.2, 2.20.4, 2.18.5 and 8.6.3 as adopted by Rule 61C-5.001, F.A.C., which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor, to have the guard plate less than the required 48" and to use ropes of a diameter less than the required size. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: 3907 Creek Wood Drive, Plant City, Florida (Petition VW 2005-168).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 9, 2005, the Bureau of Elevator Safety received a Petition for Variance from Rule 110.3(b), A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., prohibiting the doors from remaining open when not responding to a car call. The petition was received from Lee Rigby of Vertical Assessments, for the

following locations: Tri-Rail Terminals located in Mangonia Park, West Palm Beach, Lake Worth, Boynton Beach, Delray Beach and Boca Raton, Florida (Petition VW 2005-181).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 20, 2005, the Bureau of Elevator Safety received Petitions for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Rule 61C-5.001, F.A.C., which require a machine room, steel ropes and non welded terminations, from Tim Hawthorne of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Florida Hospital Altamonte (Petition VW 2005-186).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 30, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C., from Santa Cruz Mexican Food located in Orlando. The above referenced Florida Administrative Codes address food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from:

Xenia Bailey
 Division of Hotels and Restaurants
 1940 North Monroe Street
 Tallahassee, Florida 32399-1013

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 14, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C.,

from Mucho Taco located in Ft. Myers. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional sixteen (16) seats for a total of twenty-six (26) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

This variance was approved December 22, 2005 and approval is contingent upon Petitioner ensuring the public restroom inside of Mucho Taco is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-six (26) which includes inside and outside seating. This variance is not transferable under any conditions. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on December 16, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., from Nostalgia Café located in Boca Raton. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional fifteen (15) seats for a total of twenty-five (25) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

This variance request was approved December 22, 2005 and is contingent upon Petitioner ensuring the public restroom inside of the Nostalgia Cafe is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-five (25) which includes inside and outside seating. This variance is not transferable under any conditions. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on December 14, 2005, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), F.A.C., from Baron Catering Corporation located in Ft. Myers. The above referenced Florida Administrative Codes address food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved December 22, 2005 and approval is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly-according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per the 2001 FDA Food Code section 3-403.11; and potentially hazardous food is held at proper temperatures according to the 2001 FDA Food Code section 3-501.16.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), F.A.C., and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the 2001 FDA Food Code section 2-201 are to be followed. Petitioner shall also use a potable water tank(s) and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank(s); and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water tank must be from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Hearing Aid Specialists hereby gives notice that it has issued an Order of Intent to Grant Petition for Waiver or Variance for the Petition for Waiver or Variance of Rule 64B6-8.003(8), F.A.C., filed on August 29, 2005, by Solomon Gross. The Board reviewed the Petition at its meeting held on November 11, 2005, in Ft. Lauderdale, Florida. The Board's Order, filed in this cause on November 23, 2005, determined that the Petition for Waiver or Variance should be granted on the following grounds:

The Petitioner has demonstrated that his failure to submit timely paperwork for the first examination was due, in part, to an error by his first sponsor.

A copy of the Petition and the Board's Order of Intent to Grant Petition for Waiver or Variance may be obtained by contacting: The Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on December 20, 2005, Florida Housing Finance Corporation received a Petition for Waiver from paragraph 67-21.008(1)(b), F.A.C., from Fox Hollow Associates, Ltd., ("Petition"). The Petition is seeking a variance from the rule which mandates that each recipient of a mortgage loan shall provide for a fully amortized payment of the loan beginning on the earlier of 36 months after closing, or stabilized occupancy or conversion to permanent financing pursuant to the loan documents.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on December 20, 2005, Florida Housing Finance Corporation received a Petition for Waiver from paragraph 67-21.008(1)(b), F.A.C., from Huntington Reserve Associates, Ltd., ("Petition"). The Petition is seeking a variance from the rule which mandates that each recipient of a mortgage loan shall provide for a fully amortized payment of the loan beginning on the earlier of 36 months after closing, or stabilized occupancy or conversion to permanent financing pursuant to the loan documents.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, State Library and Archives** of Florida announces the Florida Library Youth Program 2007 Planning Committee Meeting.

DATE AND TIME: Thursday, January 12, 2006, 10:00 a.m. – 3:30 p.m.

PLACE: Leon County Public Library System (LeRoy Collins Leon County Public Library), 200 West Park Avenue, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the future direction of the Florida Library Youth Program.

For additional information, contact: Lynn P. Carpenter, (850)245-6630 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling (850)245-6600 or TDD (850)922-4085.

The **Division of Elections** for the Florida **Department of State** announces a public hearing pursuant to Section 120.525, Florida Statutes, to which all persons are invited.

DATE AND TIME: Monday, January 16, 2006, 1:00 p.m.

PLACE: Florida Heritage Hall, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider comments received from the Joint Administrative Procedures Committee, and to receive and consider any other additional public comments pertaining to Rule 1S-2.034, Florida Administrative Code, relating to polling place procedures, and Form DS-DE #11, entitled the Polling Place Procedures Manual, which is incorporated by reference. A proposed rule hearing was held on November 14, 2005. Additional comments may be presented orally or in writing at the hearing. Written comments may also be submitted but must be received no later than the date of the public hearing in order for the comments to be a part of the record.

CONTACT: Maria Matthews, Assistant General Counsel, Department of State, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536.

Copies of written public comments received to date may be obtained by contacting Maria Matthews or by viewing the hyperlink to proposed Rule 1S-2.034, F.A.C., at the Division of Elections' webpage at: <http://election.dos.state.fl.us/laws/proposedrules/index.shtml>.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities who are in need of accommodations to attend this hearing are asked to contact, no later than January 12, 2005, Nancy Whitfield, (850)245-6262; e-mail: nwhitfield@dos.state.fl.us.

DEPARTMENT OF EDUCATION

The Florida **State Board of Education** and Florida **Board of Governors** announce a public meeting of the Access Task Force, to which all persons are invited.

DATE AND TIME: January 18, 2006, 10:00 a.m. – 3:00 p.m.

PLACE: Hyatt Regency at the Orlando Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final meeting of the Access Task Force.

SPECIAL ACCOMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact the Office of Strategic Initiatives, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399, or by phone at (850)245-9840. For additional information, visit the website at www.fldoe.org/osi/atf.asp.

The public is invited to a meeting of the State **Board of Education**

DATE AND TIME: January 17, 2006, 10:00 a.m.

PLACE: Valencia Community College, East Campus., 701 N. Econlockhatchee Trail, Bldg. 5, Room 112, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meetings held November 15, 2005 and December 23, 2005, and updates on various reports and status on education initiatives by the Chairman and Commissioner. Other items to be considered including the following charter school appeals: Students are for Education vs. School Board of Jackson County, West Brevard Charter Elementary vs. School Board of Brevard County, Good Start University, Inc. vs. School Board of St. Johns County, and Lake Wales Charter School, Inc. on behalf of Edward W. Bok Academy vs. School Board of Polk County. The following rules will be considered: amendment to Rule 6A-5.066, F.A.C., Approval of Preservice Teacher Preparation Programs, amendment to Rule 6A-4.0251, F.A.C., Educational Media Specialist Certification Requirements, repeal of Rule 6A-10.014, F.A.C., Distribution of School Laws and Regulations of the State Board, repeal of Rule 6A-10.029, F.A.C., Building Construction Industry Research and Continuing Education Proposals, amendment to Rule 6E-1.003, F.A.C., Definition of Terms, amendment to Rule 6E-2.0061, F.A.C., Actions Against A Licensee; Penalties, amendment to Rule 6E-2.001, F.A.C., Approved Applicant Status, and amendment to Rule 6E-2.002, F.A.C., Institutional Licensure. In addition, the 2006 Legislative Agenda will be presented to the Board for approval and there will be discussion relating to the request of Florida Community

College at Jacksonville to offer a Bachelor of Applied Science in Fire Science. The Board will also take action on the request of Florida State University for Condemnation of Private Property on the Campus of Florida State University and hear presentations on proposals relating to the FCAT Science assessment as well as other business of the Board. In addition, updates will be provided by various entities within the Department.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The State of Florida, **Department of Education, Education Practices Commission**, announces a Teacher Hearing Panel; all persons are invited.

DATE AND TIME: January 20, 2006, 9:00 a.m.

PLACE: Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact: Kathleen M. Richards, (850)245-0455 at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 21, 2006, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

The **Gulf Coast Community College** District Board of Trustees will hold its monthly meeting as follows:

DATE AND TIME: January 12, 2006, 10:00 a.m. (CST)

PLACE: Third Floor Seminar Room, Student Union West

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

Contact person for the meeting is Dr. Robert L. McSpadden, President.

The **Florida Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

DATE AND TIME: Thursday, January 19, 2006, 4:00 p.m. – 6:00 p.m.

PLACE: Ramada Conference Center, 2900 N. Monroe Street, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

CONTACT: Phyllis Dill, The Division of Blind Services, 14 W. Jordan Street, Pensacola, FL 32501, (850)484-5030 or through the Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Florida Rehabilitation Council for the Blind**, and the **Division of Blind Services** announces the following meeting:

DATES AND TIMES: January 20, 2006, 8:00 a.m. – 4:00 p.m.; January 21, 2006, 8:30 a.m. – 12:00 Noon

PLACE: Ramada Conference Center, 2900 N. Monroe Street, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the council.

A copy of the agenda may be obtained one week in advance, by contacting: Phyllis Dill, Division of Blind Services, 14 W. Jordan St., Pensacola, FL 32501 or (850)484-5030 or through the Florida Telephone Relay system 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Department of Education, Division of Blind Services'** Business Enterprises Program announces the first quarter 2006 State Committee of Vendors' Sub-Committee Conference Call Meetings Schedule.

Training and Retraining Sub-Committee Meetings

DATES AND TIMES: January 17, 2006, 3:00 p.m. – 4:00 p.m.; February 14, 2006, 3:00 p.m. – 4:00 p.m.; March 14, 2006, 3:00 p.m. – 4:00 p.m.

Transfer and Promotion Sub-Committee Meetings

DATES AND TIMES: January 19, 2006, 7:00 p.m. – 8:00 p.m.; February 20, 2006, 7:00 p.m. – 8:00 p.m.; March 16, 2006, 7:00 p.m. – 8:00 p.m.

Audit & Budget Sub-Committee Meetings

DATES AND TIMES: January 17, 2006, 7:00 p.m.– 8:00 p.m.; February 14, 2006, 7:00 p.m. – 8:00 p.m.; March 14, 2006, 7:00 p.m. – 8:00 p.m.

Marketing & Public Relations Sub-Committee Meetings

DATES AND TIMES: January 18, 2006, 7:00 p.m. – 8:00 p.m.; February 15, 2006, 7:00 p.m. – 8:00 p.m.; March 15, 2006, 7:00 p.m. – 8:00 p.m.

Constitution, By-Laws & Policy Development Sub-Committee Meetings

DATES AND TIMES: January 19, 2006, 3:00 p.m. – 4:00 p.m.; February 20, 2006, 3:00 p.m. – 4:00 p.m.; March 23, 2006, 3:00 p.m. – 4:00 p.m.

PLACE: To attend any of these conference call meetings, an interested party will need to call Toll Free (800)416-4254, SunCom 292-2903 or (850)922-2903 if within the Tallahassee calling area.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics pertinent to the Sub-Committee's titular assignments.

NOTE: Any changes or cancellations involving these meetings shall be posted on the web page maintained by the Division's Business Enterprises Program at <http://myflorida.com/dbs/bep>.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a teleconference meeting of the Community Assistance Advisory Council, and a public hearing to receive input from all interested parties on the Weatherization Assistance Program State Administrative Plan for federal fiscal year (FFY) 2006, to which all interested parties are invited.

COMMUNITY ASSISTANCE ADVISORY COUNCIL MEETING

DATE AND TIME: Tuesday, January 24, 2006, 9:00 a.m. – 11:30 a.m.

PLACE: Department of Community Affairs, Randall Kelly Training Center, Sadowski Building, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, Tele-conference Number: (850)414-1707, SunCom 994-1707

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Council will review the Weatherization Assistance Program Administrative State Plan for FFY 2006.

DATE AND TIME: Tuesday, January 24, 2006, 1:00 p.m.

PLACE: Department of Community Affairs, Randall Kelly Training Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the Weatherization Assistance Program Administrative State Plan for FFY 2006, which will be submitted to the United States Department of Energy.

A copy of the state plan and agenda for the Advisory Council Meeting and/or a copy of the state plan and agenda for the public hearing may be obtained by writing: Department of Community Affairs, Mr. Norm Gempel, Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Copies may also be obtained by telephoning (850)488-7541 or fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at the advisory council meeting or public hearing because of a disability or physical impairment, should contact the community assistance section at (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 4 announces the rescheduling of a public hearing to which all persons are invited.

DATE AND TIME: January 25, 2006, 6:00 p.m. – 9:00 p.m.

PLACE: City Hall, City Commission Chambers, 10100 Pines Boulevard, Pembroke Pines, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of State Permit Project Number 419241-1-58-01, otherwise known as Pines Boulevard (SR 820). The limits of the project corridor are from Hiatus Road to Palm Avenue in Pembroke Pines, Broward County, Florida.

This hearing was previously scheduled for December 20, 2005, and the notice was published in Florida Administrative Weekly, Vol. 31, No. 47, dated November 23, 2005.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call telephone number (954)777-4681.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Mr. Patrick Glass, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, January 18, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing to the Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** meeting to which all persons are invited:

DATE AND TIME: January 16, 2006, 5:00 p.m.

PLACE: Niceville City Hall, 208 N. Partin Drive, Niceville, Florida

The **North Central Florida Regional Planning Council** announces a meeting of the Search Committee to which all persons are invited.

DATE AND TIME: January 18, 2006, 6:00 p.m.

PLACE: Holiday Inn, 213 Southwest Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the future of the Council, determine the needed qualifications, compensation and role of the executive director position, and finalize the schedule for filling the vacant executive director position.

Any person deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

A copy of the agenda may be obtained by writing to: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, February 13, 2006, 8:45 a.m.

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

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, February 13, 2006, 10:00 a.m.

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

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, February 6, 2006, 9:30 a.m.

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

MEETING: Agency On Bay Management
 DATE AND TIME: Thursday, February 9, 2006, 9:00 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee
 DATE AND TIME: Monday, February 27, 2006, 9:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782. (Please call to confirm date, time and location.)

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

DATE AND TIME: January 19, 2006, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL 33901.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The Council's 2006 Nomination Committee will meet immediately prior to Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr at (239)338-2550 at least five calendar days prior to the meeting. Persons who are hearing impaired should contact: Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: Wednesday, January 18, 2006, 10:00 a.m. Eastern Time, 9:00 a.m. Central Time

PLACE: Tallahassee Fire Department, Training Division Classroom, 2964 Municipal Way, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing the Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571. If special accommodations at the meeting are required because of a disability or impairment, please contact: Council Offices at (850)674-4571 prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

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

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, January 20, 2006, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by contacting the Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604 or by calling (352)796-7211 or 1(800)423-1476 (Florida only) extension 4402.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact (352)796-7211 or 1(800)423-1476 (Florida only) extension 4402 or TDD ONLY 1(800)231-6103 (Florida only).

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a meeting to which all persons are invited.

Alzheimer's Disease Advisory Committee

DATE AND TIME: Friday, January 20, 2006, 8:30 a.m. – 4:30 p.m.

PLACE: 7550 Augusta National Drive, Orlando, Florida 32822, Tel: (407)240-5555

CONTACT: Rosa Pena, (850)414-2339

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss various issues regarding the Alzheimer's Disease Initiative.

For more information, please contact the Florida Department of Elder Affairs, (850)414-2000.

Note: Pursuant to the provisions of the American with Disabilities Act, any persons requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting Rosa Pena at (850)414-2339. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

DEPARTMENT OF MANAGEMENT SERVICES

The **Governor's Americans with Disabilities Act Working Group**, which is administered by the **Department of Management Services**, announces a meeting of the ADA Working Group Board to which all interested persons are invited.

DATE AND TIME: Thursday, January 19, 2006, 9:00 a.m. – 12:00 Noon

PLACE: Department of Management Services, 4030 Esplanade Way, Suite 315L, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To facilitate the mission of the Governor's ADA Working Group. If a special accommodation is needed, as defined under the Americans with Disabilities Act, please contact: Stacia Woolverton by January 12, 2006 at (850)922-4103 (VOICE/TTY).

A copy of the agenda may be obtained by writing or calling the Americans with Disabilities Act Working Group, 4030 Esplanade Way, Ste. 315A, Tallahassee, Florida 32399-0950, VOICE/TTY: (850)922-4103.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Florida **Barbers' Board** to which all persons are invited to attend.

DATE AND TIME: Sunday, February 12, 2006, 10:00 a.m. or soon there after

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business.

DATE AND TIME: Monday, February 13, 2006, 9:00 a.m. or soon there after

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business.

PLACE: Florida Mall Hotel, 1500 Sand Lake Road, Orlando, Florida 32809

A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern at (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, January 17, 2006, 9:00 a.m. or soon thereafter

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review and approve providers and courses for the new ethics requirement.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

NOTICE OF CHANGE: The **Florida Mobile Home Relocation Corporation** announces a change to the notice that was printed in the December 30, 2005 issue of the Florida Administrative Weekly regarding the upcoming meeting of its Board of Directors.

DATE AND TIME: January 20, 2006, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation.

Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mandy Lemons at (888)862-7010. Additional information may be obtained by contacting Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, (888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The **Department of Health**, the Electrolysis Council, under the **Board of Medicine**, announces a conference call to which all persons are invited.

DATES AND TIME: February 27, 2006, May 22, 2006, August 7, 2006, October 30, 2006, 9:00 a.m. or soon thereafter
PLACE: NONSUNCOM (850)413-9245 SUNCOM 293-9245 or toll free (877)651-3473.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Electrolysis Council, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the council office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office at (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Medicine's** Dietetics and Nutrition Practice Council announces a meeting to which all persons are invited.

DATE AND TIME: October 4, 2006, 10:00 a.m. or soon thereafter

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4373

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the council office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, the Board of Occupational Therapy** announces a meeting of the board to which all persons are invited:

DATES AND TIME: March 27, 2006, June 26, 2006, September 18, 2006, December 4, 2006, 8:00 a.m. or soon thereafter.

PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Probable Cause Panel and General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373 ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, the Board of Physical Therapy Practice** announces conference calls.

DATES AND TIMES: January 24, 2006, 11:30 a.m. or soon thereafter; February 28, 2006, 11:30 a.m. or soon thereafter; March 28, 2006, 11:30 a.m. or soon thereafter; April 25, 2006, 11:30 a.m. or soon thereafter; May 23, 2006, 11:30 a.m. or soon thereafter; June 27, 2006, 11:30 a.m. or soon thereafter; July 25, 2006, 11:30 a.m. or soon thereafter; August 22, 2006,

11:30 a.m. or soon thereafter; September 26, 2006, 11:30 a.m. or soon thereafter; October 24, 2006, 11:30 a.m. or soon thereafter; November 28, 2006, 11:30 a.m. or soon thereafter.

PLACE: The meet me number may be obtained by contacting the board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, the Board of Physical Therapy Practice** announces a meeting to which all persons are invited.

DATES AND TIMES: February 9, 2006, 6:30 p.m. or soon thereafter; February 10, 2006, 8:00 a.m. or soon thereafter

PLACE: Hilton Jacksonville Waterfront, 1201 Riverplace Blvd., Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, the Board of Respiratory Care** announces conference calls of the board.

DATES AND TIME: February 22, 2006, 8:30 a.m. or soon thereafter; May 31, 2006, 8:30 a.m. or soon thereafter; August 30, 2006, 8:30 a.m., or soon thereafter

PLACE: The meet me number maybe obtained by contacting the Board office at (850)245-4373, ext 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373 ext 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** announces that the meeting of the Technical Review and Advisory Panel for Onsite Sewage Treatment and Disposal Systems scheduled for January 15, 2006 in Orlando has been rescheduled. The Department of Health announces the following public meeting to which all persons are invited.

DATE AND TIME: February 15, 2006, 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Local Telephone (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify and discuss issues relating to onsite sewage treatment and disposal systems and the Wekiva Study Area which may require changes to Chapter 64E-6, F.A.C.

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.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact: Shirley Kugler at (850)245-4070 at least two weeks prior to the meeting.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Shared Services Alliance of Okeechobee** and the Treasure Coast of the **Department of Children and Families**, District 15, announces the following public meeting to which all persons are invited:

Executive Committee:

DATE AND TIME: January 11, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 335, 337 North U.S. Hwy #1, Fort Pierce, Florida 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

The **Shared Services Alliance of Okeechobee** and the Treasure Coast of the **Department of Children and Families**, District 15, announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: January 27, 2006, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County, Department of Health, 5150 N.W. Milner Drive, Port St. Lucie, Florida 34983

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact: Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

SUMTER COUNTY

Sumter County and the Florida **Department of Environmental Protection** announce a meeting for the Florida Organics Recycling Center for Excellence to which all persons are invited.

DATE AND TIME: Thursday, January 19, 2006, 10:00 a.m. – 2:00 p.m.

PLACE: Sumter County Public Works Facility, Bushnell, Florida. Please call (800)566-4413 for directions and meeting room location.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the technical advisory group for the Florida Organics Recycling Center for Excellence (FORCE) project being developed by Sumter County under a Department contract. Sumter County and the Department will seek guidance as the project progresses and tasks associated with Year Five of the project continue. If accommodation for a disability is needed to participate in this activity, please notify Miriam Zimms at (813)971-8333 at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay service at 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing or calling Miriam Zimms at Kessler Consulting, Inc., 14620 N. Nebraska Ave., Bldg. D, Tampa, FL 33613, (813)971-8333, extension 22.

PRIDE ENTERPRISES

PRIDE Enterprises BOD Finance Committee announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, January 18, 2006, 2:00 p.m. – 5:00 p.m.

PLACE: PRIDE Enterprises corporate office, St. Petersburg, FL, www.pride-enterprises.org

PRIDE Enterprises BOD announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, January 19, 2006, 11:30 a.m. – 3:00 p.m.

PLACE: Sumter CI, Bushnell, FL, www.pride-enterprises.org

VOLUNTEER FLORIDA

Volunteer Florida, the Governor's Commission on Volunteerism and Community Service, is pleased to announce a meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 18, 2006, 11:30 a.m. – 2:30 p.m.

PLACE: 11690 N.W. 105 Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Commission Orientation.

Please contact Gwen Erwin at (850)921-5172 for a meeting agenda. If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida **Medical Malpractice Joint Underwriting Association** announces the Annual Meeting of its membership to which all persons are invited.

DATE AND TIME: Friday, February 3, 2006, immediately following the Board of Governors meeting, which begins at 9:00 a.m.

PLACE: Hilton Hotel, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider yearly reports from the Association's Chairman, Servicing Carrier, General Manager, and such other business properly brought before the Board.

A copy of the Agenda may be obtained by writing the FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The Florida **Medical Malpractice Joint Underwriting Association** announces a Claims and Underwriting Committee meeting to which all persons are invited.

DATE AND TIME: Thursday, February 2, 2006, 4:00 p.m.

PLACE: Hilton Hotel, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the Agenda may be obtained two weeks prior to the meeting by writing the FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The Florida **Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: Friday, February 3, 2006, 9:00 a.m.

PLACE: Hilton Hotel, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the Agenda may be obtained two weeks prior to the meeting by writing the FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

BAY COUNTY BOARD OF COUNTY COMMISSIONERS

The **Bay County Board of County Commissioners** announces a Public Hearing for the replacement of the Grand Lagoon Bridge (Bridge No. 460055) and widening of Thomas Drive (CR 3031) to which all persons are invited.

DATE AND TIME: Tuesday, January 31, 2006, 5:00 p.m.

PLACE: City of Panama City, City Hall, Commission Meeting Room, 9 Harrison Avenue, Panama City Marina, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, and social, economic and environmental effects of Financial Project ID 415069-1-38-01 and Federal-Aid Project ID BR3 001 B; otherwise known as Grand Lagoon Bridge Replacement and Thomas Drive Widening improvements in Bay County, Florida. The Bay County Board of County Commissioners is recommending replacing the existing Grand Lagoon Bridge and reconstructing Thomas Drive (CR 3031) from a two- and three-lane rural roadway to a five-lane urban roadway with a center two-way left turn lane, bike lanes and sidewalks. The proposed bridge will be a single-span with 18-foot vertical and 107.5-foot horizontal clearances. The improved bridge and roadway will be drained by a combination of closed and open drainage systems with water quality treatment provided in roadside swales and exfiltration trenches. The proposed improvements include walkways and fishing accommodations under the bridge at both ends.

Persons with disabilities who may require special accommodations at the Hearing, under the Americans with Disabilities Act of 1990, should contact Mr. John Alaghemand at (850)784-4059 at least seven (7) days prior to the Hearing.

If you have questions or need project information, you may contact Mr. John Alaghemand, P.E., Traffic Engineering Director, Bay County Board of County Commissioners, 225 McKenzie Avenue, Panama City, Florida 32401.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** (Independent Board) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, January 17, 2006, 8:30 a.m.

PLACE: County Commission Chambers, 412 West Orange Street, Room 102, Wauchula, Florida

For more information call the County Manager's office at (863)773-9430

This is a Disabled-Accessible facility. Any disabled person needing to make special arrangements should contact the County Commissioner’s office at least forty-eight (48) hours prior to the public meeting.

This notice is published in compliance with Florida Statutes 286.0105.

Interested parties may appear at the public meeting and be heard. If a person decides to appeal any decision made by the members, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADVOCACY CENTER

The **Advocacy Center, Inc., Florida’s Protection and Advocacy Programs** will be holding their Quarterly Board of Directors meeting:

DATES AND TIME: January 19-21, 2006, 9:00 a.m.

PLACE: Homewood Suites Hotel, 2987 Apalachee Parkway, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting of the Board of Directors. For additional information, please contact Sonia Rodriguez, (813)233-2920 Ext. 216.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ACCOMMODATION IN ORDER TO ATTEND THIS MEETING PLEASE CONTACT THE ADVOCACY CENTER, INC. AT 2671 EXECUTIVE CENTER CIRCLE, WEST, SUITE 100, TALLAHASSEE, FLORIDA 32301, (850)488-9071; IF YOU ARE HEARING AND/OR VOICE IMPAIRED, PLEASE CALL 1(800)346-4127.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

PUBLIC SERVICE COMMISSION

DOCKET NO. 050925-EI

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from Progress Energy Florida, Inc. The petition seeks the agency’s opinion whether under the Commission’s subsection 25-6.100(7), F.A.C., and Order Nos. 8035 and 8029, Progress Energy is permitted to collect franchise fees from its customers within the town limits of the Town of Belleair to comply with Town’s demand for the payment of franchise fees for the period September 24, 2002 to November 11, 2004.

A copy of the petition may be obtained by writing to the Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862 or at: <http://www.psc.state.fl.us/psc/dockets/>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

Section VIII

Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals 2006-01 for the
Development of Transitional Housing for Youths Aging
out of Foster Care

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide transitional housing for youths aging out of foster care to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m., Eastern Time, Wednesday, March 22, 2006, to the attention of: Robin Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/Current>

Solicitations/RequestForProposals.htm. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

ST. JOE COMPANY

Request for Proposals

The St. Joe Company in conjunction with the West Bay Preservation Advisory Committee hereby issues a request for proposals (RFP) in order to select a Grant Consultant to assist Bay County with the acquisition for preservation of certain lands designated as West Bay Preservation Area.

The project site is generally located in Bay County, Florida north of West Bay, south of Highway 388, and east of Crooked Creek. Portions of the property in this area that have been designated as West Bay Preservation Area in the Bay County Comprehensive Plan shall be purchased and managed by a government agency or other organization for the purpose of preservation. The individual or firm selected for this project will be responsible for ensuring that all subject lands within the project boundaries are purchased and preserved in the appropriate manner.

A full description of the project and desirable qualifications can be obtained through the: Bay County Planning and Zoning Division, 707 Jenks Ave., Suite B, Panama City, FL 32401 or online at www.co.bay.fl.us/bcdfs/planning.

All proposals should be directed to Summer Waters, Natural Resources Planner with Bay County Planning and Zoning at the above address and must be received no later than 4:00 p.m. (CST) on March 1st.

**FLORIDA WORKERS' COMPENSATION JOINT
UNDERWRITING ASSOCIATION**

Notice of Request for Proposals for Collection Services

The FWCJUA is requesting proposals to provide collection services. The FWCJUA is not requesting, nor will it accept, proposals to provide anything other than complete collection services, including litigation.

The FWCJUA is seeking proposals from collection agencies or attorney's qualified to provide collection services to the FWCJUA. The entities that enter into an agreement with the FWCJUA to provide the services requested will handle, for collection purposes, the delinquent accounts referred by the FWCJUA servicing carrier(s). Upon receipt of such an account, the entity will promptly proceed with efforts to collect all unpaid premiums by demand, and other legitimate and ethical means, subject to any agreed to limitations. The entity shall at all times comply with existing local, state and federal laws and regulations.

The FWCJUA will only consider proposals to provide collection services for 100 percent of the policies issued by or on behalf of the FWCJUA.

An entity proposing to provide collection services, either by itself or as part of a group of entities submitting a single proposal, must be registered with the Florida Department of Banking and Finance as a commercial collections agency and attorney's must be qualified to practice law in Florida.

The FWCJUA is not an agency of the State of Florida. Accordingly, the RFP process is not governed by the contracting procedures applicable to state agencies, as provided by Florida law. Any entity which submits a proposal, either by itself or as part of a group of entities submitting a single proposal, must expressly acknowledge in its proposal its understanding that the contracting procedure requirements which apply to state agencies do not apply to the FWCJUA.

Interested parties may obtain a copy of the request for proposals on or after January 6, 2006, by submitting a written request to: Laura Torrence, Executive Director, FWCJUA, P. O. Box 48957, Sarasota, FL 34230. Written requests for copies of the request for proposals may be sent by United States Mail or facsimile (941)487-2525. Responses to the request for proposals will be due at 4:00 p.m. (ET), February 24, 2006.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, X Power Motorsports, Inc., intends to allow the establishment of Moped's & More, as a dealership for the sale of CF Moto & Linhai motorcycles, at 6191 South Pine Avenue, Ocala, (Marion County), Florida 34480, on or after November 22, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Moped's & More are dealer operator(s): Brian Martin, 24940 Bartram Road, Astor, Florida 32102; principal investor(s): Brian Martin, 24940 Bartram Road, Astor, Florida 32102.

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: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bill R. Morrow, Owner/President, X Power Motorsports, Inc., 2727 U.S. Highway 411S, Maryville, Tennessee 37801.

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, Global Electric Motorcars, LLC, intends to allow the establishment of M & W Ventures, LLC, d/b/a GEM of Marco Island, as a dealership for the sale of GEM vehicles, at 939 Chalmer Drive, Marco Island, (Collier County), Florida 34145, on or after January 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of M & W Ventures, LLC are dealer operator(s): Michael Harris, 7 Blue Hill Court, Marco Island, Florida 34145; principal investor(s): Wayne Rose, 287 Meadowlark Court, Marco Island, Florida 34145, and Michael Harris, 7 Blue Hill Court, Marco Island, Florida 34145.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Russell J. Kiefer, Director of Sales and Marketing, 1301 39th Street Northwest, Suite 2, Fargo, North Dakota, 58102.

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, X Power Motorsports, Inc., intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of CF Moto & Linhai motorcycles, at 3596 Fowler Street, Fort Myers, (Lee County), Florida 33901, on or after November 22, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc., are dealer operator(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Marion Stewart, 3596 Fowler Street, Fort Myers, FL 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bill R. Morrow, Owner/President, X Power Motorsports, Inc., 2727 U.S. Highway 411S, Maryville, Tennessee 37801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hino Motors Sales U.S.A., Inc., intends to allow the establishment of TruckMax, Inc., as a dealership for the sale of Hino trucks, at 1850 South U.S. 1, Fort Pierce, (St. Lucie County), Florida 34950, on or after January 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of TruckMax, Inc., are dealer operator: Robert Dollar, President, 6000 Northwest 77th Court, Miami, Florida 33166; principal investor(s): Robert Dollar, 6000 Northwest 77th Court, Miami, Florida 33166.

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, as amended by Chapter 88-395, Laws of Florida, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Hiroji Kurayama, President, Hino Motors Sales U.S.A., Inc., 2555 Telegraph Road, Bloomfield Hills, Michigan 48302.

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, Hino Motors Sales U.S.A., Inc., intends to allow the establishment of Great Southern Peterbilt, Inc., as a dealership for the sale of Hino trucks, at 5175 West Beaver Street, Jacksonville, (Duval County), Florida 32254, on or after January 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Great Southern Peterbilt, Inc., are dealer operator(s): Lynwood Holley, President, 5175 West Beaver Street, Jacksonville, Florida 32254, Brenton Holley, Vice President, 5175 West Beaver Street, Jacksonville, Florida 32254, and Vivian Holley, Secretary/Treasurer, 5175 West Beaver Street, Jacksonville, Florida 32254; principal investor(s): Lynwood Holley, 5175 West Beaver Street, Jacksonville, Florida 32254, Brenton Holley, 5175 West Beaver Street, Jacksonville, Florida 32254, and Vivian Holley, 5175 West Beaver Street, Jacksonville, Florida 32254.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Hiroji Kurayama, President, Hino Motors Sales U.S.A., Inc., 2555 Telegraph Road, Bloomfield Hills, Michigan 48302.

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.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Hiroji Kurayama, President, Hino Motors Sales U.S.A., Inc., 2555 Telegraph Road, Bloomfield Hills, Michigan 48302.

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, LS MotorSports, LLC, intends to allow the establishment of Walt Mart Auto Wholesale as a dealership for the sale of Diamo motorcycles, at 701 South French Avenue, Sanford, (Seminole County), Florida 32771, on or after December 2, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Walt Mart Auto Wholesale are dealer operator(s): Vernon M. Conley, Walt Mart Auto Wholesale, 701 South French Avenue, Sanford, Florida 32771; principal investor(s): Vernon M. Conley, Walt Mart Auto Wholesale, 701 South French Avenue, Sanford, Florida 32771.

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

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 Hino Motors Sales U.S.A., Inc., intends to allow the establishment of Capital Truck, Inc., as a dealership for the sale of Hino trucks, at 4740 Blountstown Highway, Tallahassee, (Leon County), Florida 32304, on or after January 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Capital Truck, Inc., are dealer operator(s): Mark Thomas, President/Treasurer, 4740 Blountstown Highway, Tallahassee, Florida 32304, and Michael Pitts, Vice President/Secretary, 4740 Blountstown Highway, Tallahassee, Florida 32304; principal investor(s): Mark Thomas, 4740 Blountstown Highway, Tallahassee, Florida 32304, and Michael Pitts, 4740 Blountstown Highway, Tallahassee, Florida 32304.

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.

submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jonathan Solo, VP of Sales, LS MotorSports, 2550 East Desert Inn Road, #40, Las Vegas, Nevada 89121.

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, LS MotorSports, LLC, intends to allow the establishment of Reese's Pieces, as a dealership for the sale of Diamo motorcycles, at 14307 Dr. Martin Luther King, Jr. Boulevard, Dover, (Hillsborough County), Florida 33527, on or after December 2, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Reese's Pieces are dealer operator(s): Vicki Reese, 14307 Dr. Martin Luther King, Jr. Boulevard, Dover, Florida 33527; principal investor(s): Vicki Reese, 14307 Dr. Martin Luther King, Jr. Boulevard, Dover, Florida 33527.

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: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jonathan Solo, VP of Sales, LS MotorSports, LLC, 2550 East Desert Inn Road, #40, Las Vegas, Nevada 89121.

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**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

On December 27, 2005, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ginger Renee Gaines, L.P.N. license number PN 1307151. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICE COMMISSION

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.fldfs.com/ofir/banking/cufin.asp>. Comments may be submitted to: The Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office,

Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida, 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., January 27, 2006):

Name and Address of Applicant: Florida Transportation Credit Union, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309

Expansion Includes: Select employees groups

Received: December 20, 2005

Name and Address of Applicant: City County Credit Union of Ft. Lauderdale, 1982 North State Road 7, Margate, Florida 33063

Expansion Includes: Geographic Area

Received: December 27, 2005

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 19, 2005
 and December 23, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

5H-1.001	12/22/05	1/11/06	31/39	
5H-1.003	12/22/05	1/11/06	31/39	
5H-1.004	12/22/05	1/11/06	31/39	

DEPARTMENT OF CORRECTIONS

33-602.224	12/19/05	1/8/06	31/43	
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WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

40C-3.035	12/22/05	1/11/06	31/39	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-4.035	12/21/05	1/10/06	31/38	
59G-4.160	12/21/05	1/10/06	31/40	
59G-6.020	12/21/05	1/10/06	31/26	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

61J1-1.009	12/19/05	1/8/06	31/44	
61J1-3.001	12/19/05	1/8/06	31/44	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
61J1-4.003	12/19/05	1/8/06	31/44	
61J1-4.005	12/19/05	1/8/06	31/44	
61J1-7.003	12/19/05	1/8/06	31/44	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	12/22/05	1/1/06	31/47	
62-302.700	12/20/05	1/9/06	31/45	
62-302.800	12/20/05	1/9/06	31/45	

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-2.003	12/19/05	1/8/06	31/46	
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Board of Nursing Home Administrators

64B10-16.005	12/19/05	1/8/06	31/42	31/46
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Division of Environmental Health

64E-2.008	12/22/05	1/11/06	31/40	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-6.029	12/22/05	1/11/06	31/40	
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OIR Insurance Regulation

69O-149.0055	12/23/05	1/12/06	31/34	
69O-149.022	12/23/05	1/12/06	31/17	31/33
69O-191.0545	12/23/05	1/12/06	31/34	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
AGRICULTURE AND CONSUMER SERVICES				6A-10.019	31/36	31/44	31/50
5-1	31/6c			6A-10.024	31/36	31/44	31/50
	31/14c			6A-10.02412	31/36	31/42	31/46
5B-58.001	27/29			6A-10.0242	31/36		31/46
5B-58.001(16)	27/50c			6A-10.02422	31/36		31/46
5E-2.0042	30/15			6A-10.029	31/50		
5E-2.011	29/32			6A-10.030	31/36	31/44	31/50
5F-2.001	31/50	31/52		6A-10.033	31/36		31/46
5F-2.002	31/50			6A-10.0331	31/36	31/44	31/50
5F-2.003	31/50			6A-10.038	31/36	31/44	31/50
5F-2.014	31/50			6A-10.0381	31/36		31/46
5F-2.016	31/50			6A-10.039	31/36		31/46
5F-11.002	31/34	31/40		6A-10.041	31/36	31/44	31/50
		31/47		6A-10.043	31/36	31/44	31/50
5F-11.027	31/34	31/47		6A-10.060	31/5c		
5F-11.028	31/34	31/47		6C-7.0055	30/26		
5F-11.029	31/34	31/47		6C2-5.0021	Newspaper		31/46
5F-11.043	31/34	31/47		6C2-6.002	Newspaper		31/46
5F-11.044	31/34	31/40		6C2-6.003	Newspaper		31/46
		31/47		6C4-4.0102	Newspaper		31/50
5F-11.045	31/34	31/47		6E-1.003	31/50		
5F-11.046	31/34	31/40		6E-2.001	31/50		
		31/47		6E-2.002	31/50		
5F-11.050	31/34	31/40		6E-2.0061	31/18		
		31/47			31/50		
5GER05-2			31/47	6L-1.001	28/12		
5H-1.001	31/39		32/1	6L-1.002	28/12		
5H-1.003	31/39		32/1	6L-1.004	28/12		
5H-1.004	31/39		32/1	6L-1.005	28/12		
5H-25.001	31/39	31/51		6L-1.006	28/12		
5H-25.002	31/39	31/51		6L-1.007	28/12		
5H-25.003	31/39	31/51		6L-1.008	28/12		
5H-25.004	31/39	31/51		6L-1.009	28/12		
5I-4.002	31/21			6L-1.010	28/12		
5J-12.002	31/37		31/46	6L-1.011	28/12		
5J-12.005	31/37		31/46	6L-1.012	28/12		
5J-14.001	31/38		31/46	6L-1.013	28/12		
5L-3.004	31/25	31/39	31/46	6M-7.0055	30/26		
5M-2.003	31/42			COMMUNITY AFFAIRS			
5M-8.001	31/43			9B-1.002	31/30		
5M-8.002	31/43			9B-1.003	31/30		
5M-8.003	31/43			9B-1.004	31/30		
5M-8.004	31/43			9B-1.006	31/30		
5M-8.005	31/43			9B-1.007	31/30		
5N-1.100	31/40	31/49		9B-1.009	31/30		
5N-1.116	31/40	31/49		9B-1.0095	31/30		
EDUCATION				9B-1.010	31/30		
6A-1.09412	31/36		31/46	9B-1.016	31/30		
6A-1.09441	31/36		31/46	9B-1.017	31/30		
6A-4.0251	31/50			9B-1.020	31/30		
6A-5.066	31/50			9B-1.0211	31/30		
6A-6.080	16/30			9B-1.0221	31/30		
6A-10.014	31/50			9B-1.028	31/30		
				9B-1.030	31/30		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
9B-3.047			31/49	11B-20.0017	31/52		
	31/37		31/49	11B-21.001	31/52		
9B-3.050	31/45			11B-21.005	31/52		
9B-3.053	31/45			11B-27.0011	31/52		
9B-3.055	31/45			11B-27.002	31/52		
9B-72.005	30/26			11B-27.00212	31/52		
9B-72.010	30/26			11B-27.00213	31/52		
9B-72.030	30/26			11B-27.0022	31/52		
9B-72.040	30/26			11B-27.005	31/52		
9B-72.045	30/26			11B-27.006	27/17		
9B-72.050	30/26			11B-27.013	31/52		
9B-72.060	30/26			11B-30.006	31/52		
9B-72.070	30/26			11B-30.009	31/52		
9B-72.080	30/26			11B-30.011	31/52		
9B-72.090	30/26			11B-30.012	31/52		
9B-72.100	30/26			11B-30.014	19/40		
9B-72.130	30/26			11B-35.001	31/52		
9B-72.135	30/26			11B-35.002	31/52		
9B-72.160	30/26			11B-35.0024	31/52		
9G-14.002	31/34			11B-35.003	31/52		
9G-14.0045	31/34			11B-35.006	31/52		
9G-14.006	31/34			11B-35.007	31/52		
9G-14.010	31/34			11B-35.009	31/52		
9G-19.002		23/39	31/52	11D-8.002	31/52		
	31/25		31/52	11D-8.004	31/52		
9G-19.003	31/25		31/52	11D-8.006	31/52		
9G-19.005	31/25	31/44	31/52	11D-8.007	31/52		
9G-19.007	31/25		31/52	11D-8.008	31/52		
9G-19.008	31/25	31/44	31/52	11D-8.015	31/52		
9G-19.009	31/25		31/52	11D-8.017	31/52		
9G-19.010	31/25		31/52	11D-9.001	31/52		
9J-5.0055	18/40			11D-9.002	31/52		
9J-11.004	31/50			11D-9.003	31/52		
9J-11.006	31/50			11D-9.004	31/52		
9J-11.009	31/50			11D-9.005	31/52		
9J-11.010	31/50			11D-9.006	31/52		
9J-11.011	31/50			11N-1.0022	31/52		
9J-11.012	31/50			11N-1.0031	31/52		
9J-11.0131	31/50			11N-1.005	31/52		
9J-11.015	31/50			11N-1.0051	31/52		
9J-11.018	31/50			11N-1.006	31/52		
9J-11.022	31/50			11N-1.009	31/52		
9K-8.011	28/13						
HEALTH AND REHABILITATIVE SERVICES				REVENUE			
10-5.011(1)(v)	15/46c			12-24.022	28/4		
10M-9.026	22/1			12A-6.038	29/17		
10M-9.045	22/1			12BER05-6			31/40
				12BER05-7			31/40
LAW ENFORCEMENT				12BER05-8			31/40
				12BER05-9			31/40
11B-14.002	31/52			12BER05-10			31/51
11B-18.004	31/52			12BER05-11			31/51
11B-20.001	31/52			12BER05-12			31/51
11B-20.0014	31/52			12BER05-13			31/51
11B-20.0016	31/52			12B-8	23/8c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
12D-7.003	31/40	31/45		17-671.310	15/32		
12D-8.0063	31/40			BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND			
12D-8.021	31/40			18-21.003	31/27c		
12D-13.015	31/40				31/45		31/52
12D-16.002	31/40			18-21.003(23)	31/16c		
TRANSPORTATION				18-21.004	25/48	25/50	
14-1	31/32c			18-21.011	31/16c		
14-15.002	31/26	31/41	31/46		31/27c		
14-15.003	26/46				31/45		31/52
14-15.0081	31/43	32/1		STATE BOARD OF ADMINISTRATION			
14-15.017	31/52			19-4.0031	31/47		
14-22.006		21/6	31/50	19-11.001	31/47		
	31/43		31/50	19-11.002	31/47		
14-22.009		21/6	31/50	19-11.003	31/47		
	31/43		31/50	19-11.004	31/47		
14-22.015		21/6	31/50	19-11.005	31/47		
	31/43		31/50	19-11.006	31/47		
14-40.003	31/50			19-11.007	31/47		
14-40.020	31/50			19-12.005	31/47		
14-40.030	31/50			19-12.007	31/47		
14-51.011	31/42			19B-4.001	31/43		31/50
14-51.051	31/42			19B-4.002	31/43		31/50
14-51.052	31/42			19B-15.001	28/8		
14-51.053	31/42			19B-15.002	28/8		
14-75.0022	31/50			19B-15.003	28/8		
14-75.003	31/50			19B-15.004	28/8		
14-75.004	31/50			19B-15.005	28/8		
14-75.0051	31/50			19B-15.006	28/8		
14-75.0052	31/50			19B-15.007	28/8		
14-85.004	31/44		31/51	19B-15.008	28/8		
14-98.005	31/36	31/48		19B-15.009	28/8		
14-98.008	31/36	31/48		19B-15.010	28/8		
14-108.001	31/39		31/46	19B-15.011	28/8		
14-108.002	31/39		31/46	19B-16.002	31/43		31/50
14-108.003	31/39		31/46	CITRUS			
14-108.004	31/39		31/46	20ER05-2			31/40
14-108.005	31/39		31/46	20ER05-3			31/48
14B-2.001	31/35			20ER05-4			31/48
14B-2.002	31/35			20ER05-5			31/48
14B-2.003	31/35			20ER05-6			31/48
14B-2.004	31/35			20ER05-7			31/48
14B-2.005	31/35			20ER05-8			31/44
14B-2.006	31/35			20ER05-9			31/48
14B-2.007	31/35			20ER05-10			31/45
ENVIRONMENTAL REGULATION				20ER05-11			31/45
17-503.420	16/15			20ER05-12			31/45
17-503.430	16/15			20ER05-13			31/47
17-503.500	16/15			20-61.003	31/46		
17-660.300	15/50	16/8		20-64.021	31/45		
17-671.100	15/32						
17-671.200	15/32						
17-671.300	15/32						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
20-64.025	31/28 31/44			33-602.222 33-602.224	31/46 31/43		32/1
20-70.006	31/28 31/44			WATER MANAGEMENT DISTRICTS			
20-71.006	31/28 31/44			40A-2.021	31/52		
20-72.006	31/28 31/44			40A-2.041	31/52		
20-72.008	31/28 31/44			40A-2.051	31/52		
20-72.010	31/28 31/44			40A-2.223	31/52		
				40B-2.321	30/22	30/36	
				40B-21.001	31/25		
				40B-21.031	31/25		
				40B-21.051	31/25		
				40B-21.211	31/25		
				40B-21.221	31/25		
				40B-21.231	31/25		
				40B-21.251	31/25		
				40B-21.275	31/25		
				40B-21.291	31/25		
				40B-21.421	31/25		
				40B-21.511	31/25		
				40B-21.531	31/25		
				40B-21.541	31/25		
				40B-21.571	31/25		
				40B-21.601	31/25		
				40B-21.621	31/25		
				40B-21.631	31/25		
				40B-21.641	31/25		
				40C-2.031	31/35		
				40C-2.042	31/35	31/47	
				40C-2.051	31/35		
				40C-2.101	31/35		
				40C-2.381	31/35		
				40C-2.900	31/35		
				40C-3.035	31/39		32/1
				40C-4.091	31/12c		
					31/12c		
				40C-8.031	31/47		
				40D-2.031	31/20	31/35	
				40D-2.091	22/48		
				40D-2.301	22/48		
				40D-2.331	20/48		
				40D-4.021	31/9	31/18	
				40D-4.041	31/14c		
				40D-4.091	22/48		
					25/3		
					31/45		
				40D-6.521	24/50		
				40D-8.041	31/45		
					32/1		
					32/1		
				40D-21.011	31/47		
				40D-21.031	31/47		
				40D-21.051	31/47		
				40D-21.211	31/47		
				40D-21.221	31/47		
PROFESSIONAL REGULATION							
21M-49.002	19/6c						
21M-50.002	19/6c						
21M-50.003	19/6c						
21M-50.007	19/6c						
21M-50.009	19/6c						
PUBLIC SERVICE COMMISSION							
25-4.036	31/44		31/51				
25-24.511		25/1	31/52				
	31/45		31/52				
25-24.512	31/45		31/52				
25-24.515	31/44		31/51				
25-24.567	31/45		31/52				
25-24.569	31/45		31/52				
25-24.720	31/45		31/52				
25-24.730	31/45		31/52				
25-24.810	31/45		31/52				
25-24.815	31/45		31/52				
ADMINISTRATION COMMISSION							
28-18.100	31/33		31/47				
28-18.200		28/19	31/47				
		28/33	31/47				
	31/33		31/47				
CORRECTIONS							
33-102.101	31/40		31/48				
33-204.003	31/46						
33-210.101	30/43						
33-210.201	31/47						
33-301.605	31/7						
33-302.111	31/34	31/43					
33-501.301	31/52						
33-601.230	29/19						
33-601.737	31/44						
33-601.738	26/48	27/38					
33-601.901	31/50						
33-602.112	31/46	31/52					
33-602.210	31/46	31/50					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59B-15.005	31/17c 31/10 31/17c		31/47	60H-1.022	31/22		
59B-15.006	31/10 31/17c		31/47	60H-1.025	31/22		
59B-15.007	31/10		31/47	60H-1.026	31/22		
59B-15.007(1)	31/17c			60H-1.027	31/22		
59C-1.038	31/6 31/6c			60H-1.028	31/22		
59G-1.010	31/49			60H-1.030	31/22		
59G-4.002	31/32		31/47	60L-39.003	31/47		
59G-4.035	31/38		32/1	60L-39.005	31/47	31/52	
59G-4.160	31/40 31/52		32/1	60L-39.006	31/47		
59G-4.199	31/50			60S-1.004	31/28		31/52
59G-4.230	31/6c			60Y-1	31/14c		
59G-4.255	31/26	31/52			31/16c		
59G-4.330	31/30	31/42	31/50		31/16c		
59G-6.010	31/42				31/21c		
59G-6.020	31/26 31/42		32/1		31/21c		
59G-6.030	31/45				31/25c		
59G-6.045	31/44				31/38c		
59H-1.00352	26/3	26/17			31/38c		
59T-11.013	23/22	23/35			31/39c		
59T-14.004	23/22	23/35					
59T-15.002	23/22	23/35					
59T-16.001	23/22	23/35					
59T-16.002	23/22	23/35					
59U-11.019	20/51	21/7					
59U-14.002	23/24	23/35					
59V-3.007	20/34	20/48					
MANAGEMENT SERVICES				BUSINESS AND PROFESSIONAL REGULATION			
60BB-3.013	31/52			61A-1.013	31/21		
60BB-8.100	31/29	31/49		61A-1.017	31/21		
60BB-8.200	31/29	31/49		61A-2.019	31/21		31/50w
60BB-8.201	31/29	31/49			31/50		
60BB-8.202	31/29	31/49		61A-3.0141	31/21		
60BB-8.300	31/29	31/49		61A-3.019	31/21		
60DD-1.001	31/51			61A-3.020	31/21		
60E-1.001	31/49			61A-3.0305	31/21		
60E-1.003	31/49			61A-3.039	31/21		
60E-1.004	31/49			61A-3.049	31/21		
60E-1.005	31/49			61A-3.053	31/21		
60H-1.001	31/22	31/41		61A-4.003	31/21		
60H-1.002	31/22	31/41		61A-4.005	31/21		
60H-1.003	31/22	31/41		61A-4.020	31/21		
60H-1.004	31/22			61A-4.030	31/21		
60H-1.006	31/22	31/41		61A-5.001	31/21		
60H-1.007	31/22	31/41		61A-5.010	31/21		
60H-1.009	31/22			61A-5.0105	31/21		
60H-1.013	31/22			61A-5.011	31/21		
60H-1.015	31/22	31/41		61A-5.056	31/21		
60H-1.017	31/22	31/41		61A-5.700	31/21		
				61A-5.708	31/21		
				61A-5.710	31/21		
				61A-5.747	31/21		
				61A-5.7475(1)	31/5c		
				61A-5.761	31/21		
				61A-7.006	29/41		
					31/10		
					31/25c		
				61A-7.007	29/41		
					31/10		
					31/25c		
				61A-7.008	29/41		
					31/10		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61A-7.009	31/25c 31/10 31/25c			61D-9.004	31/51		
61B-15.007	31/45			61D-10.001	31/51		
61B-18.0051	31/45			61D-11.002	31/51		
61B-24.002	31/45			61D-11.007	31/51		
61B-79.002	31/45			61D-11.008	31/51		
61B-82.005	30/40			61D-11.009	31/51		
61DER05-1			31/47	61D-11.010	31/49		
61D-2.001	31/51			61D-11.012	31/51		
61D-2.004	31/51			61D-11.015	31/51		
61D-2.005	31/51			61D-11.017	31/51		
61D-2.006	31/51			61D-11.018	31/51		
61D-2.008	31/51			61D-11.027	31/49		
61D-2.009	31/51			61D-12.001	31/51		
61D-2.010	31/51			61E1-2.006		23/40	31/51
61D-2.011	31/51				31/36		31/51
61D-2.012	31/51			61G1-23.015	31/35		
61D-3.001	31/51			61G3-20.002	31/42		31/52
61D-3.002	31/51			61G4-12.006	31/47		
61D-3.003	31/51			61G4-12.008	31/51		
61D-3.004	31/51			61G4-12.009	31/47		
61D-4.001	31/51			61G4-15.001	31/51		
61D-4.002	31/51			61G4-15.0021	31/47		
61D-4.003	31/51			61G4-15.032	31/18	31/32	31/52
61D-4.004	31/51			61G4-16.003	31/40	31/52	
61D-5.001	31/51			61G7-33.0065	30/16		
61D-5.002	31/51			61G9-9.001	31/6		
61D-5.003	31/51			61G10-11.011	31/44	31/52	
61D-5.004	31/51			61G14-12.003	30/36		
61D-5.005	31/51			61G14-19.001	31/46		
61D-5.006	31/51			61G15-1	31/21c		
61D-5.007	31/51			61G15-20.0015(3)	31/34c		
61D-6.001	31/51			61G15-20.006(2)	31/25c		
61D-6.002	31/51			61G15-21.009	31/34c		
61D-6.006	31/51			(1)(b),(3)			
61D-6.007	31/51			61G15-24.001	31/21		
61D-6.008	31/20				31/49		
61D-6.009	31/51			61G17-5.0043		19/29	31/51
61D-6.011	31/51					19/52	31/51
61D-7.001	31/51					26/16	31/51
61D-7.002	31/51					26/23	31/51
61D-7.014	31/51				31/44		31/51
61D-7.015	31/51			61G17-5.0051	31/44		31/51
61D-7.021	31/51			61G17-6.002	30/52	31/20	
61D-7.022	31/51				30/52	31/36	
61D-7.023	31/51			61G17-6.003	30/52	31/20	
61D-7.024	31/51				30/52	31/36	
61D-8.001	31/51			61G17-6.004	30/52	31/20	
61D-8.002	31/51				30/52	31/36	
61D-8.003	31/51			61G18-11.002	31/22		31/51
61D-8.004	31/51			61G18-14.002	31/51		
61D-8.005	31/51			61G18-16.003	31/51		
61D-9.001	31/51			61G18-17.001	31/47		
61D-9.003	31/51			61G18-19.002	31/19		31/51
				61G19-6.016	31/51		
				61G19-19.001	31/46		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61J1-1.009	31/44		32/1	62B-34.070	31/28	31/38	31/46
61J1-2.001	31/44	32/1				31/39	31/46
	31/47			62B-34.100	31/28	31/38	31/46
61J1-2.005	31/44					31/39	31/46
61J1-3.001	28/41	28/43		62B-34.110	31/28	31/38	31/46
		28/46	32/1			31/39	31/46
	31/44		32/1	62B-34.120	31/28	31/38	31/46
61J1-3.002	28/41	28/43				31/39	31/46
		28/46		62B-34.130	31/28	31/38	31/46
61J1-4.001	31/47					31/39	31/46
61J1-4.003	31/44		32/1	62B-34.140	31/28	31/38	31/46
61J1-4.005	28/41	28/43				31/39	31/46
		28/46	32/1				
	31/44		32/1				
61J1-4.007	32/1						
61J1-4.010	32/1			64-1	30/29c		
61J1-6.001	31/44				30/52c		
61J1-7.003	31/44		32/1	64-2.010(4)	30/49c		
61J1-7.004	28/41	28/43		64B-1.009	25/39	26/1	
61J1-7.005	28/41	28/43		64B-3.001	31/44		31/52w
61J2-3.008	30/22			64B-5.003	31/21		
61J2-3.009	30/22			64B-9.001	31/38		31/46
61J2-3.020	30/22			64B-21.0015	27/39		
61J2-10.024	32/1			64B-21.004	27/39		
61J2-17.012	28/3	28/17		64B-21.006	27/39		
61J2-24.001	31/31			64B1-2.010	31/47		
61J2-24.002	31/31			64B1-2.017	31/47		
				64B1-6.008	31/50		
				64B1-9.001	31/47		
				64B1-31.001	27/51	28/6	
				64B2-12.020	31/50		
				64B2-13.008	31/50		
				64B2-15.001	31/40		31/47
				64B2-15.002	31/22		31/50w
					31/49		
				64B2-16.003	31/50		
				64B3-2.001	23/51		
				64B3-2.002	22/34	24/49	
				64B3-2.003	22/34	24/49	
					31/30	31/43	31/46w
					31/46		32/1
				64B3-3.001	32/1		
				64B3-3.003	32/1		
				64B3-3.004	23/51		
				64B3-5.002	32/1		
				64B3-5.003		27/20	31/50
						27/21	31/50
					31/43		31/50
				64B3-5.004	32/1		
				64B3-5.007	32/1		
				64B3-6.001	27/5	27/17	
				64B3-10.005	32/1		
				64B3-12.001	32/1		
				64B4-3.001	25/22		
				64B4-3.003	30/43	31/9	31/47w
				64B4-4.0053	31/47		

HEALTH

ENVIRONMENTAL PROTECTION

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B4-4.018	25/32			64B8-53.001	31/28		
64B4-5.001	31/47			64B8-54.004	27/41		
64B4-5.005	31/47			64B8-55.002	31/25		
64B4-6.001	31/47			64B8-304.700	29/43c		
64B4-6.0014	31/50			64B9-3.007	25/9		
64B4-6.002	31/47			64B9-4.002	31/44		
64B4-6.0045	25/32			64B9-4.003	31/44		
64B5-2.014	31/21			64B9-15.001	31/44		
64B5-2.0144	31/9			64B9-15.002	31/44		
64B5-2.020	31/50			64B9-15.003	31/44		
64B5-4.002	31/28	31/41		64B9-15.004	31/44		
64B5-10.011	31/50			64B9-17.001	31/11	31/44	
64B5-12.013	31/51			64B9-17.002	31/11	31/44	
64B5-13.005	32/1			64B9-17.003	31/11	31/44	
64B5-14.001	31/14	31/42	31/51w	64B10-11.001	31/20	31/42	
64B5-14.005	31/14	31/51		64B10-11.003	31/20	31/42	
64B5-15.0091	31/50			64B10-11.013	31/20	31/31	31/48w
64B5-15.010	27/30				31/49		
64B5-15.0121	31/50			64B10-12.002	31/20		
64B5-15.0122	31/50			64B10-12.0021	31/20		
64B5-15.017	31/51			64B10-12.006	31/20	31/44	
64B5-15.018	31/51					31/46	
64B5-15.019	31/51			64B10-12.010	31/20		
64B5-16.006	31/50			64B10-12.0101	31/44		
64B6-1.016	28/52			64B10-12.011	31/20		
64B6-4.007	31/43		31/50	64B10-12.012	31/20	31/46	
64B6-4.009	31/43		31/50	64B10-13.200	31/20	31/42	
64B6-7.006	31/43		31/50	64B10-14.004	31/42		
64B6-55.004	27/41			64B10-14.006	31/52		
64B7-27.012	24/12			64B10-14.007	31/20		
64B7-27.018	31/39		31/49	64B10-15.001	31/40	31/46	
64B7-27.019	31/39		31/49	64B10-15.002	31/20	31/44	
64B7-28.0044	31/47			64B10-15.0021	31/20	31/43	
64B7-28.010	31/39		31/49	64B10-16.001	31/20	31/44	
64B7-30.002	31/39		31/49	64B10-16.002	31/20	31/44	
64B7-31.001	31/51			64B10-16.0021	31/42		
64B7-32.001	26/6			64B10-16.005	31/42	31/46	32/1
64B7-32.004	31/51			64B10-16.007	31/20		
64B7-33.001	31/39		31/49	64B10-17.001	31/20		31/48w
64B8ER05-3			31/38	64B11-2.010	31/41		31/51
64B8-4.009	31/45			64B11-2.012	31/41		31/51
64B8-8.001	31/45		31/52	64B11-3.008	31/41		31/51
64B8-8.002	31/45			64B11-3.009	31/41		31/51
64B8-8.0021	31/47			64B11-4.003	31/41		31/51
64B8-8.017	31/45		31/52	64B11-5.004	31/41		31/51
64B8-9.0092	31/9c			64B12-10.003	31/27		
64B8-10.002	31/20			64B12-10.006	31/27		
64B8-13.0045	27/48	28/16		64B12-11.005	31/47		
64B8-30.003	31/40		31/49	64B12-11.017	31/47		
64B8-30.012	29/23c			64B12-19.002	27/11		
64B8-30.014	31/40		31/49	64B13-3.006	31/40		
64B8-30.016	31/36		31/47	64B13-3.007	31/40		
64B8-31.007	30/52	31/22		64B13-3.008	31/40		
		31/35		64B13-3.009	31/40		
64B8-41.001	31/51			64B13-3.012	31/40		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B13-5.002	31/38	31/44	31/51	64B18-16.005	31/34		31/47
64B14-3.001	31/35			64B18-17.001	31/34		31/47
64B14-4.110	31/35			64B19-12.0041	31/44		31/52
64B14-7.001	31/35			64B19-12.006	31/44		31/52
64B15-6.01051	31/40		31/49	64B19-13.003	31/44		31/52
64B15-6.014	31/36		31/47	64B19-15.003	31/39		31/51
64B15-9.0055	31/40		31/48	64B19-17.002	31/44		31/52
64B15-13.001	31/35	31/52		64B20-2.002	25/45	26/30	
64B15-19.002	31/40		31/48	64B20-5.0022	31/42		31/51
64B16-26.2032	30/52			64B20-6.001	31/39		
64B16-26.402	30/52			64B20-6.002	31/39		
64B16-26.601	30/52			64B20-7.001	31/42		31/51
64B16-26.6011	30/52			64B24-2.003	31/42		
64B16-27.100	30/50	31/20		64B24-7.004	31/47		
64B16-27.1001	30/50			64B29-1.002	31/48		
64B16-27.1003	30/50	31/20		64B32-4.001	32/1		
64B16-27.103	30/50			64B32-5.001	28/3	28/5	
64B16-27.104	30/50	31/20			32/1		
64B16-27.105	27/4	27/21		64B32-5.003	31/24	31/44	31/51
64B16-27.210	30/50	31/20				31/45	31/51
64B16-27.211	30/50			64B32-5.007	32/1		
64B16-27.220	30/50	31/2		64C-1.003	30/36c		
64B16-27.300	30/50			64C-4.003	30/29	31/38	31/50
64B16-27.410	30/50					31/44	31/50
64B16-27.530	30/50			64C-13.018	24/22		
64B16-27.615	30/50			64C-23.002	27/17		
64B16-27.700	30/50			64C-27.001	27/17		
64B16-27.830	31/17			64C-27.002	27/17		
64B16-27.831	30/50			64D-4.001	31/15		
64B16-28.120	31/13			64D-4.002	31/15		
64B16-28.140	24/38			64D-4.003	31/15		
64B16-28.301	31/13			64D-4.004	31/15		
64B16-28.303	31/13			64D-4.005	31/15		
64B16-28.404	31/3			64D-4.006	31/15		
64B16-28.405	31/3			64EER05-2			31/36
64B16-28.605	31/4			64E-2.008		24/47	32/1
64B16-28.607	31/4				31/40		32/1
64B16-28.900	31/23	31/30			31/41		31/51w
64B16-28.902	31/23	31/30		64E-2.018	31/52		
64B17-2.005	31/42			64E-2.040	31/52		
64B17-2.006	31/51			64E-6.007	25/48		
64B17-3.001	31/51			64FER05-4			31/41
64B17-3.002	31/51			64F-11.001	31/18	31/47	
64B17-3.003	31/51			64F-11.002	31/18	31/47	
	31/52					31/49	
64B17-4.001	31/51			64F-11.003	31/18	31/47	
64B17-4.002	31/51					31/49	
64B17-4.003	31/51			64F-11.004	31/18		
	31/52			64F-11.005	31/18	31/47	
64B17-7.001	31/51			64F-11.006	31/18		
64B17-9.001	31/51			64F-11.009	31/18		
64B18-12.010	31/34		31/47	64F-12.001	31/41	31/47	
64B18-14.002	31/32	31/45			31/47		
64B18-14.0072	31/34		31/47	64F-12.012	31/41	31/47	
64B18-14.010	31/32	31/45		64F-12.013	31/41	31/47	
64B18-16.002	31/34		31/47	64F-12.015	31/41		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64F-12.018	31/41 31/47		31/47w	65C-28.002	31/49		
64H-2.001	31/21		31/52w	65C-28.003	31/49		
64V-1.018	30/2			65C-28.004	31/49		
CHILDREN AND FAMILY SERVICES				65C-28.005	31/49		
65-1	30/6c 30/9c 30/15c			65C-28.006	31/49		
65-28.001	31/39		31/50	65C-28.007	31/49		
65AER05-1			31/44	65C-28.008	31/49		
65AER05-2			31/44	65C-28.009	31/49		
65AER05-3			31/48	65C-28.010	31/49		
65A-1.203	31/20 31/27c			65C-28.011	31/49		
65A-1.400	31/20 31/27c			65C-28.012	31/49		
65A-1.601	28/11	28/23 28/31 28/41		65C-28.013	31/49		
	31/52			65C-28.014	31/49		
65A-1.602	31/52			65C-28.015	31/49		
65A-1.604	31/52			65C-28.016	31/49		
65A-4.201	31/45			65C-28.017	31/49		
65A-4.202	31/45			65C-29.001	31/49		
65A-4.213	25/32			65C-29.002	31/49		
65A-4.216	25/32			65C-29.003	31/49		
65A-4.219	31/45			65C-29.004	31/49		
65A-15.0095	26/4			65C-29.005	31/49		
65C-10.001	31/49			65C-29.006	31/49		
65C-10.002	31/49			65C-29.007	31/49		
65C-10.003	31/49			65C-29.008	31/49		
65C-10.004	31/49			65C-29.009	31/49		
65C-10.005	31/49			65C-29.010	31/49		
65C-10.006	31/49			65C-29.011	31/49		
65C-11.001	31/49			65C-29.012	31/49		
65C-11.002	31/49			65C-29.013	31/49		
65C-11.003	31/49			65C-29.014	31/49		
65C-11.004	31/49			65C-30.001	31/49		
65C-11.005	31/49			65C-30.002	31/49		
65C-12.001	31/49			65C-30.003	31/49		
65C-12.002	31/49			65C-30.004	31/49		
65C-12.003	31/49			65C-30.005	31/49		
65C-12.004	31/49			65C-30.006	31/49		
65C-12.005	31/49			65C-30.007	31/49		
65C-12.006	31/49			65C-30.008	31/49		
65C-12.007	31/49			65C-30.009	31/49		
65C-12.008	31/49			65C-30.010	31/49		
65C-12.009	31/49			65C-30.011	31/49		
65C-12.010	31/49			65C-30.012	31/49		
65C-12.011	31/49			65C-30.013	31/49		
65C-12.012	31/49			65C-30.014	31/49		
65C-21.001	23/20			65C-30.015	31/49		
65C-22.007	29/9			65C-30.016	31/49		
65C-28.001	31/49			65C-30.017	31/49		
				65C-30.018	31/49		
				65C-30.019	31/49		
				65C-30.020	31/49		
				65C-30.021	31/49		
				65C-30.022	31/49		
				65C-31.001	31/43		
				65C-31.002	31/43		
				65C-31.003	31/43		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65C-31.004	31/43			67-21.013	31/42		
65C-31.005	31/43			67-21.014	31/42		
65C-31.006	31/43			67-21.015	31/42		
65C-31.007	31/43			67-21.017	31/42		
65C-31.008	31/43			67-21.018	31/42		
65C-31.009	31/43			67-21.019	24/46	24/46	
65D-30.002	31/40		31/49		31/42		
65D-30.003	31/40		31/49	67-32.004	31/42		
65D-30.004	31/40		31/49	67-32.005	31/42		
65D-30.0061	31/40		31/49	67-32.006	31/42		
65D-30.0081	31/40		31/49	67-32.007	31/42		
65D-30.011	31/40		31/49	67-32.009	24/28		
65E-2.003	26/20	26/28		67-48.001	31/42		
65E-14.017	31/45			67-48.002	30/39		
65E-14.021	31/45				31/42	31/50	
NAVIGATION DISTRICTS				67-48.004	31/42	31/50	
66B-1.001	31/50			67-48.005	31/42		
66B-1.005	31/50			67-48.007	31/42		
66B-1.006	31/50			67-48.0072	31/42		
66B-1.014	31/50			67-48.0075	31/42		
66B-1.015	31/50			67-48.009	31/42		
66B-2.003	31/50			67-48.0095	31/42		
66B-2.005	31/50			67-48.010	31/42		
66B-2.006	31/50			67-48.0105	31/42		
66B-2.0061	31/50			67-48.013	31/42		
66B-2.014	31/50			67-48.014	31/42		
66B-2.015	31/50			67-48.014	31/42		
FLORIDA HOUSING FINANCE CORPORATION				67-48.015	31/42		
67ER05-20			31/43	67-48.017	31/42		
67ER05-21			31/43	67-48.017	31/42		
67ER05-22			31/43	67-48.018	31/42		
67ER05-23			31/43	67-48.018	31/42		
67ER05-24			31/43	67-48.019	31/42		
67ER05-25			31/43	67-48.019	31/42		
67ER05-26			32/1	67-48.020	31/42		
67ER05-27			32/1	67-48.0205	31/42		
67ER05-28			32/1	67-48.022	31/42		
67ER05-29			32/1	67-48.023	31/42		
67ER05-30			32/1	67-48.025	31/42		
67ER05-31			32/1	67-48.027	31/42		
67ER05-32			32/1	67-48.028	31/42		
67-4.032	29/9	29/45		67-48.029	31/42		
67-18.005	28/42			67-48.030	31/42		
67-21.002	31/42			67-48.031	31/42		
67-21.003	31/42	31/50		FISH AND WILDLIFE CONSERVATION COMMISSION			
67-21.0035	31/42			68-1.006	31/43		
67-21.004	31/42			68A-1.004	31/52		
67-21.0045	31/42			68A-5.005	31/52		
67-21.006	31/42			68A-9.007	31/52		
67-21.007	31/42			68A-12.002	31/52		
67-21.008	31/42			68A-12.009	31/52		
67-21.009	31/42			68A-13.003	31/43		
67-21.010	31/42				31/52		
				68A-13.004	31/52		
				68A-13.007	31/52		
				68A-14.001	31/52		
				68A-15.004	31/52		
				68A-15.005	31/52		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
68A-15.006	31/52			FINANCIAL SERVICES			
68A-15.061	31/52			69-1	30/42c		
68A-15.062	31/52			69A-37.037	31/44		31/52
68A-15.063	31/52			69A-37.401	31/44		
68A-15.064	31/52			69A-37.402	31/44		
68A-15.065	31/43		31/52	69A-37.403	31/44		
	31/52			69A-37.404	31/44		
68A-17.004	31/52			69A-37.405	31/44		
68A-17.005	31/52			69A-37.406	31/44		
68A-20.005	31/52			69A-37.407	31/44		
68A-23.002	31/52			69A-37.408	31/44		
68A-23.005	30/1			69A-37.409	31/44		
	31/52			69A-62.001	29/44	29/46	
68A-23.0131	31/52			69A-62.002	29/44	29/46	
68A-23.015	31/52			69A-62.021	31/45		31/50w
68A-24.003	28/17			69A-66.001	31/43		
	31/52			69A-66.002	31/43		
68A-24.004	28/17			69A-66.003	31/43		
	31/52			69A-66.004	31/43		
68A-24.0055	30/1			69A-66.005	31/43		
68A-24.006	28/17			69A-66.006	31/43		
	30/1			69A-66.007	31/43		
68A-24.009	30/1			69A-66.008	31/43		
68A-25.001	31/52			69BER05-9			31/36
68A-25.002	31/52			69BER05-10			31/36
68A-25.003	31/52			69BER05-11			31/44
68A-25.004	31/52			69B-231.010	32/1		
68A-25.031	31/52			69B-231.020	32/1		
68A-25.032	31/52			69B-231.030	32/1		
68A-25.042	31/52			69B-231.040	32/1		
68A-25.052	31/52			69B-231.040	32/1		
68A-27.005	31/52			69B-231.080	32/1		
68B-13.008	27/31	26/13		69B-231.090	32/1		
68B-14.002	31/43	31/50		69B-231.100	32/1		
68B-14.0035	31/43	31/50		69B-231.110	32/1		
68B-14.00355	31/43	31/50		69B-231.140	32/1		
68B-14.0036	31/43	31/50		69B-231.150	32/1		
	31/43		31/52	69B-231.160	32/1		
68B-21.0015	31/43	31/50		69JER05-13			31/50
68B-21.005	31/43	31/50		69J-2.001	31/45		
68B-22.002	31/43	31/50		69L-5.101	31/47		
68B-34.002	31/43	31/50		69L-5.101(4)	31/14c		
68B-36.002	31/43	31/50		69L-5.102	31/47		
68B-37.002	31/43	31/50			31/49		
68B-42.002	31/43	31/50		69L-5.102(2)(b),(3)	31/14c		
68B-44.008	31/52			69L-5.103	31/47		
68B-45.004	31/43	31/50		69L-5.103(3)(a)	31/14c		
68B-45.007	31/43	31/50		69L-5.106	31/47		
68B-47.001	31/43	31/50		69L-6.008	31/34		31/48
68B-48.002	31/43	31/50		69L-6.014	31/34		31/48
68B-49.001	31/43	31/50		69L-6.016	31/34		31/48
68DER05-2			31/46	69L-6.021	31/49		
68D-24.003	31/51			69L-6.023	31/33		
68D-24.005	31/37	31/43	31/52	69L-6.029	31/40		32/1
68D-24.020	31/51			69L-6.030	31/49		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69L-6.031	31/49				31/2c		
69L-7.501	31/16				31/26		
	31/25c				31/32c		
69L-7.602	31/23			69O-170.014	30/46	31/15	
69L-7.603	31/34		31/48		31/2c		
69L-56.530	31/3				31/26		
69M-1	29/52c				31/32c		
69N-121.003	31/37		31/50	69O-170.0141	30/46	31/15	
69O-1	31/37c				31/2c		
	31/37c				31/26		
69O-125.003	31/47				31/32c		
69O-125.005	31/6			69O-170.0142	30/46	31/2	
	31/14c				30/46	31/15	
	31/26				31/2c		
	31/34c				31/26		
69O-136.018	31/43				31/32c		
69O-138.002	31/34	31/49		69O-170.0143	30/46	31/2	
	31/39c				31/26		
69O-141.020	31/52				31/32c		
69O-149.0025		30/11	31/50	69O-170.0155	30/46	31/15	
	31/28		31/50		31/2c		
69O-149.003		30/11	31/50		31/26		
	31/28		31/50		31/32c		
69O-149.0055	31/34		32/1		31/43		
69O-149.022		31/3	32/1	69O-175.001	31/2c		
	31/17	31/33	32/1		31/13		31/49w
69O-149.041	30/51			69O-175.003	30/46	31/2	
69O-154.303	31/47				30/46	31/15	
69O-154.304	31/47				31/2c		
69O-154.305	31/47				31/26		
69O-154.306	31/47				31/32c		
69O-164.030	31/44			69O-186.003	31/22		
69O-167.013	31/49			69O-186.003(1)(c)	31/32c		
69O-170.003	31/13	31/19	31/49w	69O-186.005	31/24		
69O-170.005	30/46	31/2		69O-191.051	31/49		
	30/46	31/15		69O-191.054	31/49		
	31/2c			69O-191.0545	31/34		32/1
	31/26			69O-203.042	31/49		
	31/32c			69O-203.045	31/49		
69O-170.006	30/46			69O-203.204	31/44		
	31/2c			69O-203.205	31/44		
	31/26			69O-211.001	31/43		
	31/32c			69O-211.002	31/43		
69O-170.007	30/46	31/2		69O-211.003	31/43		
	30/46	31/15		69O-211.0035	31/43		
	31/2c			69O-211.004	31/43		
	31/26			69O-211.005	31/43		
	31/32c			69O-211.007	31/43		
69O-170.013	30/14	31/7		69O-211.010	31/43		
	30/46	31/2		69O-211.011	31/43		
	30/46	31/15		69O-211.012	31/43		
	31/2c			69O-211.020	31/43		
	31/26			69O-211.021	31/43		
	31/32c			69O-211.022	31/43		
69O-170.0135	30/46	31/2		69O-211.040	31/43		
	30/46	31/15		69O-211.041	31/43		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69O-211.042	31/43			69O-215.220	32/1		
69O-211.110	31/43			69O-215.225	32/1		
69O-211.120	31/43			69O-215.230	32/1		
69O-211.130	31/43			69O-221.001	32/1		
69O-211.140	31/43			69O-221.003	32/1		
69O-211.150	31/43			69O-221.005	32/1		
69O-211.160	31/43			69O-221.051	32/1		
69O-211.170	31/43			69O-221.055	32/1		
69O-211.180	31/43			69O-221.060	32/1		
69O-211.190	31/43			69O-221.065	32/1		
69O-211.200	31/43			69O-221.070	32/1		
69O-211.210	31/43			69O-221.075	32/1		
69O-211.220	31/43			69O-221.080	32/1		
69O-211.230	31/43			69O-221.085	32/1		
69O-211.240	31/43			69O-221.095	32/1		
69O-211.250	31/43			69O-221.100	32/1		
69O-211.260	31/43			69O-221.105	32/1		
69O-211.270	31/43			69O-221.110	32/1		
69O-211.280	31/43			69O-221.115	32/1		
69O-211.290	31/43			69O-221.120	32/1		
69O-211.300	31/43			69O-221.125	32/1		
69O-211.310	31/43			69O-221.130	32/1		
69O-211.320	31/43			69O-221.135	32/1		
69O-213.010	32/1			69O-221.140	32/1		
69O-213.020	32/1			69O-221.145	32/1		
69O-213.040	32/1			69O-221.150	32/1		
69O-213.050	32/1			69W-301.002	31/41		
69O-213.060	32/1			69W-600.001	31/41		
69O-213.070	32/1			69W-600.002	31/41		
69O-213.080	32/1			69W-600.004	31/41		
69O-213.090	32/1			69W-600.007	31/41		
69O-213.100	32/1			69W-600.008	31/41		
69O-213.110	32/1			69W-600.0092	31/41		
69O-213.120	32/1			69W-600.0093	31/41		
69O-213.130	32/1						
69O-215.210	32/1						
69O-215.215	32/1						