

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: 1B-2.011 **RULE TITLE:** Library Grant Programs
PURPOSE AND EFFECT: The purpose of this amendment is to modify the questions on the Annual Statistical Report Form for Florida's Public Libraries for the State Aid to Libraries grant program and to modify audit clauses in the grant agreement for the State Aid to Libraries grant program, Community Libraries in Caring program, and the Public Library Construction Grant program.

SUBJECT AREA TO BE ADDRESSED: Annual Statistical Report Form for Florida's Public Libraries for the State Aid to Libraries grant program and audit clauses in the grant agreements for the State Aid to Libraries grant program, Community Libraries in Caring program, and the Public Library Construction Grant program administered by the Division of Library and Information Services.

SPECIFIC AUTHORITY: 257.14, 257.15, 257.17, 257.171, 257.172, 257.18 FS.

LAW IMPLEMENTED: 257.14, 257.15, 257.17, 257.171, 257.172, 257.18 FS.

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

DATE AND TIME: Tuesday, September 19, 2006, 10:00 a.m.
PLACE: Archives Conference Room, First Floor, State Library and Archives of Florida, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Judith A. Ring, Director, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250; (850)245-6600, SUNCOM 205-6600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Judith A. Ring, Director, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250; (850)245-6600, SUNCOM 205-6600

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-3.006	Pool Purchase Plan for Purchase of Equipment and Contractual Needs; Department of Management Services, Division of Purchasing
6A-3.0121	Authorized to Negotiate Contracts Responsibility of School District and Parents for Students with Special Transportation Needs Who are Transported at Public Expense
6A-3.0141	Employment of School Bus Drivers
6A-3.016	Responsibilities of Deputy Commissioner for Finance and Operations for Student Transportation
6A-3.0171	Responsibilities of School Districts for Student Transportation
6A-3.037	Alternate Engine Fuels for School Buses

PURPOSE AND EFFECT: The purpose of the rule development is to implement Florida's statutory requirements as amended for safe and efficient transportation of Florida public school students by county school districts and charter schools. The effect is the consistency between State Board rule and Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Student Transportation.

SPECIFIC AUTHORITY: 1006.21-.27, 1012.45 FS.

LAW IMPLEMENTED: 1006.21-.27, 1012.45 FS.

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

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Charlie Hood, Director, Office of School Transportation, Department of Education, 325 West Gaines Street, Tallahassee, Florida; (850)245-9924

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-7	Dues Collection on Behalf of Certain Not-For-Profit Corporations
RULE NOS.:	RULE TITLES:
20-7.001	Purpose
20-7.002	Request Procedure and Conditions
20-7.003	Commission Consideration of Properly Submitted Requests
20-7.004	Licensed Citrus Fruit Dealer Collection and Remittance Responsibilities
20-7.005	Fees

PURPOSE AND EFFECT: New rule implementing Section 601.992, F.S., collecting dues on behalf of certain not-for-profit corporations.

SUBJECT AREA TO BE ADDRESSED: Implementation of Section 601.992, F.S.

SPECIFIC AUTHORITY: 601.992 FS.

LAW IMPLEMENTED: 601.992 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

ADMINISTRATION COMMISSION

RULE NO.:	RULE TITLE:
28-101	Organization

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding statements of agency organization and operation.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.54(5)(b)5. FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.
PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
28-102	Agenda and Scheduling of Meetings and Workshops

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding agendas and scheduling of meetings and workshops.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.525, 120.525(3), 120.54(5)(b)1. FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.
PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
28-103 Rulemaking

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding rulemaking.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.525, 120.54(2)(a), (c), (d), (3)(a), (c), (5), (7) FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
28-104 Variance or Waiver

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding variances and waivers.

SPECIFIC AUTHORITY: 120.54(5)(b)6., 120.542(3) FS.

LAW IMPLEMENTED: 120.542(1), (3), (4), (5), (6), (8) FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
28-105 Declaratory Statements

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding declaratory statements.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.565 FS.

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

DATE AND DATE: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: 28-106
 RULE CHAPTER TITLE: Decisions Determining Substantial Interests

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding decisions determining substantial interests.

SPECIFIC AUTHORITY: 120.54(3), (5) FS.

LAW IMPLEMENTED: 120.54(5), 120.569, 120.57, 120.573 FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.
 PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or

Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: 28-107
 RULE CHAPTER TITLE: Licensing

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding licensing.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.574, 120.60 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.
 PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: 28-108
 RULE CHAPTER TITLE: Exception to Uniform Rules of Procedure

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding exceptions to the uniform rules of procedure.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.54 FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
28-109 Conducting Proceedings By
Communications Media
Technology

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding conducting proceedings by communications media technology.

SPECIFIC AUTHORITY: 120.54(5) FS.

LAW IMPLEMENTED: 120.54(5)(b)2. FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol,

Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001

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

ADMINISTRATION COMMISSION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
28-110 Bid Protests

PURPOSE AND EFFECT: The Commission intends to review the current rules in this chapter to determine whether any changes are necessary including the promulgation of a new rule.

SUBJECT AREA TO BE ADDRESSED: Uniform rules regarding bid protests.

SPECIFIC AUTHORITY: 120.54(5)(a), (b) FS.

LAW IMPLEMENTED: 120.57(3), 624.425(1) FS.

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

DATE AND TIME: Thursday, September 21, 2006, 10:00 a.m.

PLACE: Conference Room 2103, 21st Floor, The Capitol, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Leighty, Senior Policy Analyst, telephone (850)487-1884, or Gladys Perez, General Counsel, telephone (850)488-3494, Administration Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001.

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.210 **RULE TITLE:** Custody Classification

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to provide that, unless precluded for security or other substantial reasons, all inmates are scheduled to appear for assessments and reviews and inmates shall be notified a minimum of forty-eight hours in advance of an assessment and review unless an inmate waives the notice in writing.

SUBJECT AREA TO BE ADDRESSED: Progress assessments

SPECIFIC AUTHORITY: 944.09, 958.11 FS.

LAW IMPLEMENTED: 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.210 Custody Classification.
- (1) through (3) No change.
- (4) Progress Assessments.
- (a) through (b) No change.
- (c) Unless precluded for security or other substantial reasons, all ~~all~~ inmates shall be scheduled to appear for assessments and reviews. An inmate shall be notified a minimum of forty-eight hours in advance of an assessment and review unless the inmate waives such notice in writing. ~~Assessments and reviews that~~ shall be completed as follows:
 - 1. through 4. No change.
 - (d) through (m) No change.
 - (5) No change.

Specific Authority ~~20.315,~~ 944.09, 958.11 FS. Law Implemented 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 FS. History—New 12-7-81, Formerly 33-6.09, Transferred from 33-6.009, Amended 6-8-82, 10-26-83, 6-8-86, 7-8-86, 10-27-88, 1-1-89, 7-4-89, 10-12-89, 1-2-91, 7-21-91, 8-30-92, 5-13-96, 6-12-96, 11-19-96, 10-15-97, Formerly 33-6.0045, Amended 9-19-00, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-1.659 **RULE TITLE:** Forms and Instructions

PURPOSE AND EFFECT: To incorporate by reference the following form: an off-site compensatory storage of surface waters easement granted to the District as part of an Applicant’s compliance with the District’s ERP Criteria on offsite compensatory storage of surface waters.

SUBJECT AREA TO BE ADDRESSED: Off-site compensatory storage of surface waters.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416 FS.

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

DATE AND TIME: September 21, 2006, 10:00 a.m. – 12:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Regional Service Center, Large Conference Room, 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: September 22, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District Headquarters, B1 Storch Room, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Anthony Waterhouse, Division Director, Surface Water Management, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6867 or (561)682-6867 (email: twaterho@sfwmd.gov), or Luna Phillips, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6753 or (561)682-6753 (email: lphillip@sfwmd.gov). For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 (email: kruff@sfwmd.gov). A draft of the form will be available on September 14, 2006, on the District’s website located at: my.sfwmd.gov/permitting in the right hand column under “rule development”. A copy of the form may also be obtained by contacting Kathie Ruff, Paralegal at the contact information provided above.

WATER MANAGEMENT DISTRICTS**South Florida Water Management District**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-4 Environmental Resource Permits

PURPOSE AND EFFECT: To amend the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District in order to reflect the update to the Basis of Review for the use of off-site storage areas for compensatory storage of surface waters.

SUBJECT AREA TO BE ADDRESSED: Off-site compensatory storage of surface waters.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416 FS.

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

DATE AND TIME: September 21, 2006, 10:00 a.m. – 12:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Regional Service Center, Large Conference Room, 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: September 22, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District Headquarters, B1 Storch Room, 3301 Gun Club Road, West Palm Beach, FL 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:

Anthony Waterhouse, Division Director, Surface Water Management, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6867 or (561)682-6867 (email: twaterho@sfwmd.gov), or Luna Phillips, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6753 or (561)682-6753 (email: lphillip@sfwmd.gov). For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 (email: kruff@sfwmd.gov).

A draft of the rule text will be available on September 14, 2006, on the District's website located at: my.sfwmd.gov/permitting in the right hand column under "rule development". Copies may also be obtained by contacting Kathie Ruff, Paralegal at the contact information provided above.

WATER MANAGEMENT DISTRICTS**South Florida Water Management District**

RULE NO.:

40E-4.091

RULE TITLE:

Publications, Rules and Interagency Agreements Incorporated By Reference

PURPOSE AND EFFECT: To revise the Operating Agreement Concerning the Regulation Under Part IV, F.S., and Aquaculture General Permits under Section 403.814, F.S., between the South Florida Water Management District and Department of Environmental Protection, which is incorporated by reference. The revisions to the operating agreement include: 1) clarifying which mining projects are retained by DEP; 2) providing that the District will review boat docks associated with residential developments also reviewed by the District, even if the upland development qualified for a no-notice general permit; 3) providing that the District can review utility lines which are contained within projects under the District's review; 4) eliminating aquaculture from the agreement, which is now reviewed by the Florida Department of Agriculture and Consumer Services; 5) providing a process for review or transfer of incorrectly submitted applications 6) clarifying which mitigation banks DEP will review 7) clarifying which applications DEP will review with relation to the mean high water line fronting the Gulf of Mexico and where a CCCL line has not been established.

SUBJECT AREA TO BE ADDRESSED: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., and Aquaculture General Permits under Section 403.814, F.S., between the South Florida Water Management District and Department of Environmental Protection.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.412, 373.416, 373.418, 373.421, 373.426 FS.

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

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-6436 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE OR FOR A COPY OF THE PROPOSED AGREEMENT IS: Anita Bain, Division Director, Natural Resource Management Division, South Florida Water

Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866 (email: abain@sfwmd.gov), or for procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299 (email: jsluth@sfwmd.gov). Information regarding this rulemaking effort is also located on the District's website at: my.sfwmd.gov/permitting in the right hand column in the link entitled rule development.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

- (1) (a) through (b) No change.
- (c) Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., and ~~Aquaculture General Permits under Section 403.814, F.S.~~, between South Florida Water Management District and Department of Environmental Protection, effective ~~December, 1998~~.

Specific Authority 373.044, 373.113, 373.171, 373.413, FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, _____.

THE DRAFT TEXT OF THE PROPOSED OPERATING AGREEMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AND IS LOCATED ON THE DISTRICT'S WEBSITE AT THE ADDRESS LISTED ABOVE.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

- 58B-1 Aging Resource Centers
- RULE NOS.: RULE TITLES:
- 58B-1.001 Definitions
- 58B-1.003 Operating Procedures
- 58B-1.005 Monitoring and Sanctioning of
Access Points Service Providers
- 58B-1.007 Oversight Standards for the Aging
Resource Center Governing Body
- 58B-1.009 Outcome Measures and Quality
Assurance Standards

PURPOSE AND EFFECT: The purpose of the proposed rules is to implement Section 430.2053(12), F.S. This statute establishes requirements under which aging resource centers shall operate.

SUBJECT AREA TO BE ADDRESSED: The proposed rules shall establish definitions, operating procedures, monitoring and sanctioning of access points, oversight standards for the aging resource center governing body, outcome measures, and quality assurance standards for aging resource centers in order to meet the requirements set forth in Section 430.2053(12), F.S.

SPECIFIC AUTHORITY: 430.08, 430.2053(12) FS.

LAW IMPLEMENTED: 430.2053 FS.

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

DATE AND TIME: September 20, 2006, 9:30 a.m. – 12:00 Noon

PLACE: J. L. Young Garden Apartments, Community Room, 8220 North Florida Avenue, Tampa, Florida 33604, Telephone number (813)421-0846.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58B-1.001 Definitions.

In addition to the definitions included in Chapter 430, F.S., the following terms shall apply in this rule chapter:

(1) Access Point: A service provider or other entity that performs one or more aging resource center functions under an agreement with the aging resource center. The agreement can be in the form of a referral agreement, contract, memorandum of understanding, or any similar document.

(2) Aging Resource Center (ARC): An entity approved by the Department of Elder Affairs (DOEA), accessible through multiple entry points, that provides access to economic and long-term care services for all elders and their families, regardless of ability to pay. The eligibility functions are determined by the Comprehensive Assessment and Review for Long-term Care Services (CARES)/DOEA and the Department of Children and Families (DCF) Economic Self –

Sufficiency programs integrated through collocation of DOEA and DCF staff. The ARC coordinates the following functions under its contract with DOEA:

- (a) Access, information and referral;
- (b) Screening and triage;
- (c) Eligibility determination;
- (d) Long-term care options counseling;
- (e) Fiscal control; and
- (f) Quality assurance.

(3) Aging Resource Center client: An individual currently receiving services through any of the programs referred by the ARC, including individuals referred to private providers.

(4) Executive Director: An individual who shall be delegated responsibility for the ARC management and implementation of governing body policy; and who shall be accountable to the governing body for the ARC's performance. The ARC executive director may be the same individual who serves as the area agency on aging executive director.

(5) Governing Body: The board of the area agency on aging as described in Section 20.41(7), F.S.

(6) Information and Referral Specialist: The staff person(s) responsible for providing:

- (a) Information to individuals about available long-term care resources and services;
- (b) Referral of individuals to the resources most capable of meeting their needs; and
- (c) Follow-up on referrals.

(7) Intake, Screening and Triaging Professional: The staff person(s) responsible for carrying out the following duties and responsibilities:

(a) For Title XIX (Medicaid/MedWaiver) services:

1. Assisting in the initial preliminary determination of programs and services that may serve the needs of the individual; and

2. Providing information on eligibility criteria and the application process.

(b) For other funded services (Older Americans Act, Community Care for the Elderly, Home Care for the Elderly, Alzheimer's Disease Initiative, and contracted services), determining an applicant's:

- 1. Potential eligibility for non-Medicaid programs;
- 2. Prioritized need for long-term care services; and
- 3. Priority for a comprehensive assessment.

Specific Authority 430.08, 430.2053(12) FS. Law Implemented 430.2053 FS. History—New _____.

58B-1.003 Operating Procedures.

(1) SERVICE DELIVERY and ACCESSIBILITY. At a minimum, information shall be provided to all persons accessing the ARC by telephone, the Internet, or in person.

(a) The ARC shall, at a minimum, maintain regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding state and national holidays.

(b) A staff member shall be assigned to answer the published, main telephone number of the ARC during regular business hours.

(c) The ARC shall ensure there is a system in place for answering and responding to calls received outside of the regular business hours.

1. The system shall, at a minimum, identify the agency, hours of operation, and give callers the option to leave a message or speak with a live attendant. The live attendant may be a private answering service.

2. The system shall instruct callers to dial "911" in the event of an emergency.

3. Messages shall be responded to the next business day.

(d) The ARC shall maintain an adequate number of access points to ensure that consumers who reside in all counties in the planning and service area have access to ARC services.

(2) EXECUTIVE STAFF REQUIREMENTS: At a minimum, executive staffing requirements shall consist of at least one of the following:

(a) An executive director who shall be a full-time employee having designated authority over the staff and all activities of the ARC; and

(b) A fiscal officer.

(3) PROFESSIONAL STAFF REQUIREMENTS: Professional staff shall be available to perform the tasks required of the ARC. Additional professional staff shall be required to adequately meet the needs of elders residing within the area served by the center if the minimum staffing standards cannot adequately meet those needs. At a minimum, the ARC shall employ the following professional staff:

(a) One Information and Referral Specialist; and

(b) One Intake, Screening and Triaging Professional.

The minimum professional staff requirement does not preclude an individual from performing the functions of both positions, provided the individual meets the minimum qualifications for each position as outlined in subsection (4) of this rule.

(4) MINIMUM EDUCATION and EXPERIENCE REQUIREMENTS: The ARC executive staff and professional staff shall meet minimum standards for education and experience and shall demonstrate competency in job knowledge pertinent to their areas of responsibility. The following are the criteria for ARC executive staff and professional staff:

(a) The executive director shall meet the following minimum standards:

1. Have a Bachelor's Degree from an accredited college or university in public administration, education, social work, or a related academic area with a minimum of five years of

professional or administrative supervisory experience in social, economic, health, or rehabilitative services. A Master's degree can substitute for one year of required work experience.

2. Work experience as indicated above may be substituted for the required college education on a year for year basis.

3. Five years experience in project management or community organization and planning related to elderly services is preferred.

(b) The fiscal officer shall meet the following minimum standards:

1. Have the appropriate educational and accounting experience as indicated below:

a. A current CPA certification; or

b. A Bachelor's Degree in accounting with two years of cost accounting experience in a non-profit setting; or

c. Have at least four years experience with Medicaid fiscal regulations and four years with state accounting procedures. The four years experience for each category may occur simultaneously.

2. Demonstrate a working knowledge of cost principles and internal control procedures for grants and contracts with the federal government for non-profit organizations (OMB circulars A-87, A-110, A-122, and A-133).

(c) The Information and Referral Specialist shall meet the following minimum standards:

1. Have a Bachelor's Degree from an accredited college or university in a human services related field; or

2. Have an Associate of Arts Degree from an accredited entity in a human services related field and a minimum of two years experience in information and referral services, case management, call center services, social services, or related work experience; or

3. Have a high school diploma or GED and four years experience in information and referral services, case management, call center services, social services, or related work experience.

(d) The Intake, Screening and Triaging Professional shall meet the following minimum standards:

1. Have a Bachelor's Degree from an accredited college or university in a human services related field; or

2. Have an Associate of Arts Degree from an accredited entity in a human service related field and a minimum of two years experience as a caseworker, case manager, intake specialist, or related work experience with the long-term care client population; or

3. Have a high school diploma or GED and four years experience as a caseworker, case manager, intake specialist, or related work experience with the long-term care client population.

(5) RECORDS: The ARC shall maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting principles and

sound business practices that sufficiently and properly reflect all revenues and expenditures of funds provided by the department. This documentation shall be made available upon request for monitoring and auditing purposes.

(a) All financial documents shall be filed, retained, and made available in the manner described in the contract with the department for a period of at least five (5) years after termination of the contract. If an audit has been initiated and audit findings have not been resolved at the end of the five (5) years, the records shall be retained at least until resolution of the audit findings.

(b) The ARC shall be audited annually by an independent accounting firm and shall submit the final report of the audit to the Department within six months after the end of the ARC's fiscal year.

(6) INFORMATION TECHNOLOGY STANDARDS: The ARC shall meet the minimum standards for information technology provided below.

(a) The ARC shall have sufficient computer hardware and software resources to provide:

1. Connectivity to DOEA applications via a private network such as the Florida Suncom network or a subscription Virtual Private Network (VPN). The department shall verify the security of all connections to its information systems.

2. A computing environment sufficient to operate the department's application programs. These applications require the current versions of the Microsoft or Netscape branded browsers that support the execution of Java, meet the version 4.0 Hypertext Markup Language (HTML 4.0) standards, and the version 1.0 Cascading Style Sheets (CSS 1.0) standard.

(b) The ARC shall have information technology measures in place that meet security requirements for computer viruses, Denial of Service (DOS) attacks, and malware; and compliance with the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

(c) The ARC shall maintain operational security including, but not limited to, current security patches that ensure stability of the network.

(d) The ARC shall utilize information technology that ensures compatibility and connectivity with the department.

(e) The ARC shall employ staff with technical expertise needed to support and maintain a computerized information system in accordance with the ARC's contract with the department.

(f) The ARC shall include information technology protocols in its disaster/emergency and continuity of operations plans to ensure data backup and continuity during a disaster or emergency.

Specific Authority 430.08, 430.2053(12) FS. Law Implemented 430.2053 FS. History—New _____.

58B-1.005 Monitoring and Sanctioning of Access Points Service Providers.

This rule applies only to access points that have a direct monetary funding agreement with the ARC.

(1) MONITORING: The ARC shall perform administrative, programmatic, quality assurance, and, if applicable, fiscal monitoring of access points to ensure compliance with ARC agreements.

(a) The ARC shall ensure appropriate methods for monitoring and sanctioning access points, including a grievance process, if the entity is eligible to file a grievance.

(b) In addition to monitoring access points in accordance with ARC agreements, ARC monitoring procedures shall include, at a minimum, the following elements:

1. Ensuring that professional staff has the minimum educational and experience requirements required in Rule 58B-1.003, F.A.C.

2. Timeliness and accuracy of the functional screening and financial eligibility;

3. Timeliness and accuracy of eligibility determination and enrollment procedures;

4. Effectiveness of information and referral services and long-term care options counseling;

5. Effectiveness of processes for receiving and acting on complaints and resolving client grievances and other persons who use ARC services; and

6. Identification of training and technical assistance needs.

(2) SANCTIONING: ARC access points that do not meet ARC agreements may be subject to sanctioning. Sanctions may include, but are not limited to, the following:

(a) Development, submission, and implementation of an acceptable corrective action plan to address identified areas of concern, agreement breaches, and noncompliance issues;

(b) Submission of additional and/or more detailed financial and/or performance reports;

(c) Designation as a high-risk access point, requiring additional monitoring visits;

(d) Repayment of disallowed costs;

(e) Amendments to the current ARC agreement;

(f) Restrictions on ability to draw down programmatic and administrative funding;

(g) Imposition of required technical assistance;

(h) Limitation or prohibition of direct service provision;

(i) Limitation or prohibition of use of specific service providers;

(j). Financial penalties not to exceed \$5,000 per agreement violation;

(k) Suspension of the entity's ability to function as an access point; and

(l) Termination of the entity's ability to function as an access point.

Specific Authority 430.08, 430.2053(12) FS. Law Implemented 430.2053 FS. History--New _____.

58B-1.007 Oversight Standards for the Aging Resource Center Governing Body.

Pursuant to its contract with the ARC, the department shall monitor the performance and oversight activities of the ARC governing body to ensure the appropriateness and quality of care received by clients. The governing body shall be accountable for oversight standards for the ARC including, but not limited to:

(1) Compliance with legal and contractual requirements, established department policies, and effective management principles;

(2) Ensuring that services are provided in the most cost effective and cost saving manner in order to provide services to the greatest number of eligible individuals to help them remain in the community and avoid unnecessary institutional care;

(3) Reviewing the implementation of policies, governing body directives, and overall organizational accountability;

(4) Reviewing human resource management;

(5) Ensuring the ARC has a system for recruiting, hiring, evaluating, and terminating employees;

(6) Ensuring the ARC has written protocols for the development of cooperative relationships with community service agencies, and documented existence of cooperative relationships to ensure the intent of the ARC concept and mission are met;

(7) Ensuring compliance with program guidelines;

(8) Ensuring information management and data integrity, including accurate and reliable collection of client specific data;

(9) Completing a written annual performance evaluation of the executive director;

(10) Ensuring that the ARC develops an annual operational plan to be submitted to the department. The plan shall demonstrate that the ARC is achieving the goals as set forth by contract, statute, and rules;

(11) Ensuring that the ARC develops and incorporates disaster/emergency and continuity of operations plans in cooperation with those established by the area agency on aging for the planning and service area; and

(12) Overseeing the appropriateness of the ARC financial operations.

Specific Authority 430.08, 430.2053(12) FS. Law Implemented 430.2053 FS. History--New _____.

58B-1.009 Outcome Measures and Quality Assurance Standards.

(1) OUTCOME MEASURES: The ARC governing body shall ensure that ARCs perform the following minimum outcome measures:

(a) Adhere to the annual Legislative mandate for the percentage of individuals, age 60 and older, determined to be eligible for nursing home placement that are placed in home and community based services; and

(b) Demonstrate the average monthly savings per client for home and community based services as compared to nursing home care for comparable client groups.

(c) Establish baseline measures for the processing time for applicants seeking services under the programs outlined in Sections 430.2053(11)(a) through (g), F.S., which are administered by the ARC through its contract with DOEA.

1. The processing time shall begin on the date applicants make their initial contact with the ARC and end on the date they are enrolled to receive services.

2. In addition to establishing the baseline information as outlined in subparagraph (1)(c)1. above, the ARC shall implement measures to track and report processing time on an ongoing basis for each of the programs referenced in Sections 430.2053(11)(a) through (g), F.S.

3. This requirement does not apply to applicants who are placed on an assessed priority consumer list for services.

(2) QUALITY ASSURANCE STANDARDS: The ARC governing body shall ensure that the ARC develops quality assurance standards to provide assurance that clients are receiving appropriate services and access points are adhering to the terms of the ARC agreements. This activity shall include the following elements:

(a) Ensuring access points adhere to the ARC agreements regarding the provision of client services in the most effective and cost saving manner. This shall be determined through regular monitoring, feedback and client satisfaction surveys.

(b) Ensuring that clients receive appropriate care and services while living in the community in order to avoid nursing home placement. This shall be accomplished through periodic clinical review of client care plans, client progress towards goals, and client satisfaction surveys.

(c) Ensuring that an annual program improvement plan is developed and submitted to the department in response to the department's monitoring report.

Specific Authority 430.08, 430.2053(12) FS. Law Implemented 430.2053 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.: RULE CHAPTER TITLE:

59A-18 Nurse Registries Standards and Licensing

PURPOSE AND EFFECT: The purpose of this rule development is to revise the Comprehensive Emergency Management Plan format to comply with Chapter 2006-71, Laws of Florida, revise the form number for this format, and remove the requirement for insurance from the rule as requested by the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Emergency management plan minimum criteria and removing requirement for insurance.

SPECIFIC AUTHORITY: 400.506, 400.497 FS.

LAW IMPLEMENTED: 400.506 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Benesh, Agency for Health Care Administration, Licensed Home Health Programs Unit, Bureau of Health Facility Regulation, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or beneshj@ahca.myflorida.com or (850)414-6010

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

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-14.002 Application Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are: An update to the rule providing clarification of the application process for a license to conduct slot machine gaming and the requirement for the use and a format for the proof of a bond that is required of all entities applying for a license to conduct slot machine gaming contained in Rule 61D-14.002, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(f), 551.104(1), (4)(a), (8), 551.105(1), (2), (3), 551.106(2)(b), (3), (4), 551.107(6)(a) FS.

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

DATE AND TIME: September 19, 2006, 9:00 a.m. – 10:00 a.m.

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

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

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 Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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

Division of Pari-Mutuel Wagering

RULE NO.: 61D-15.001 RULE TITLE.: Incorporated and Approved Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to reporting of slot machine activities conducted at a pari-mutuel wagering facility.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in this rule are: the addition of a specific format for the bond and a DBPR assigned form number for that bond mandated pursuant to Section 551.103(1)(f), F.S., and paragraph 61D-14.002(1)(j), F.A.C., and contained in Rule 61D-15.001, F.A.C.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(f), 551.104(1), (4)(a), (8), 551.105(1), (2), (3), 551.106(2)(b), (3), (4), 551.107(6)(a) FS.

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

DATE AND TIME: September 19, 2006, 9:00 a.m. – 10:00 a.m.

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

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

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 Mary

Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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 Construction Industry Licensing Board

RULE NO.: 61G4-15.001 RULE TITLE: Qualification for Certification

PURPOSE AND EFFECT: The Board proposes a rule amendment for the clarification of the requirements for swimming pool servicing contractors.

SUBJECT AREA TO BE ADDRESSED: Qualification for Certification.

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G.W. Harrell, Executive Director, Board Construction Industry Licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-15.007 RULE TITLE: Minimum Standards for Limited-Service Veterinary Medical Practices

PURPOSE AND EFFECT: The proposed rule amendment clarifies and modifies the definition of the term "limited-service veterinary medical practice."

SUBJECT AREA TO BE ADDRESSED: Minimum Standards for Limited Service Veterinary.

SPECIFIC AUTHORITY: 474.206, 474.215 FS.

LAW IMPLEMENTED: 474.215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002
RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.
SPECIFIC AUTHORITY: 455.227, 455.2273, 468.606 FS.
LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.002 Disciplinary Guidelines
(1) through (2)(m) No change.

VIOLATION	RECOMMENDED RANGE OR PENALTY
(2)(n) Practicing as a building code administrator, <u>plans examiner</u> , or inspector without a valid active certificate. (468.607, 468.621(1)(a), F.S.)	(n)1. In the case of an applicant, the usual action of the board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500

	(n)2. After the first offense, in the case of an applicant, the usual action of the board shall be denial. For a licensee, the penalty shall be revocation and a fine of up to \$5,000
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(o) through (5) No change.

Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History–New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.007
RULE TITLE: Notice of Noncompliance
PURPOSE AND EFFECT: The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance.
SPECIFIC AUTHORITY: 455.225, 468.606 FS.

LAW IMPLEMENTED: 455.225, 468.607, 468.621 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.007 Notice of Noncompliance.

In lieu of the disciplinary procedures contained in Sections 455.225 and 468.621, F.S., as an alternative to investigation and prosecuting when a complaint is received. The Department shall provide a licensee with a notice of noncompliance on a first offense for the following minor violations.

(1)(a) Engaging in building code administration, plans examination, or inspection with a certificate on inactive or delinquent status; and,

(b) through (2) No change.

Specific Authority 455.225, 468.606 FS. Law Implemented: 455.225, 468.607, 468.621 FS. History–New 5-23-94, Amended 12-6-95, 12-7-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012 RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: The proposed rule amendment clarifies when a potential provisional certificate holder will be eligible to perform duties in the category for which the application has been submitted.

SUBJECT AREA TO BE ADDRESSED: Provisional Certificates.

SPECIFIC AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609(7) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.012 Provisional Certificates.

(1) through (5) No change.

(6) Following the submission of an complete application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for up to a maximum of ninety (90) days from the date the application is submitted, and subject to the following conditions:

(a) through (b) No change.

Specific Authority 486.606, 468.609(7) FS. Law Implemented 468.609(7) FS. History–New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.019 RULE TITLE: Modular Building Inspector and Modular From Licensure Renewal Provision

PURPOSE AND EFFECT: The proposed rule creates the category of Modular Building Inspector and Modular Plans Examiner for standard and provisional certification.

SUBJECT AREA TO BE ADDRESSED: Modular Building Inspector and Modular From licensure renewal provision.

SPECIFIC AUTHORITY: 468.609, 468.606 FS.

LAW IMPLEMENTED: 468.609, 468.606 FS.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.001 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The proposed rule amendment clarifies the mandated continuing education requirements by defining the term “Laws and Rules.”.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Biennial Renewal.

SPECIFIC AUTHORITY: 455.2124, 455.213(6), 468.606, 468.627 FS.

LAW IMPLEMENTED: 455.2124, 455.213(6), 468.627 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-9.001 Continuing Education for Biennial Renewal.

(1) through (3) No change.

(4) “Laws and Rules” as used in subsection (1) above means the study and examination of the related subject matter as is exemplified and contained within Chapters 112, 320, 468, 553, 471, 481, 489 (as it relates to licensure and scope of practice), and 713 (as it relates to permitting), Florida Statutes and their associated rules in the Florida Administrative Code (FAC) as listed in the Board’s Candidate Information Bulletin

~~(CIB) online. Applicants who are first certified when there is more than one half of their initial biennial certification period remaining, shall only be required to complete a minimum of seven (7) hours of continuing education courses, which shall include a minimum of one (1) hour in the area of accessibility, prior to the end of their initial biennial certification period as a condition of the initial renewal of all certifications held by the certificate holder.~~

(5) through (6) No change.

(7) A certificate holder shall maintain continuing education course completion certificates for a period of three (3) years.

Specific Authority 455.2124, 455.213(6), 468.606, 468.627 FS. Law Implemented 455.2124, 455.213(6), 468.627 FS. History--New 5-23-94, Amended 5-21-95, 11-28-95, 6-9-97, 1-4-00, 4-23-01, 3-19-02, 6-10-02, 6-1-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-9.004 Approval of Courses

PURPOSE AND EFFECT: The proposed rule amendment updates and provides modifications relating continuing education hours and auditing of a Board’s approved course or provider.

SUBJECT AREA TO BE ADDRESSED: Approval of Courses.

SPECIFIC AUTHORITY: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 FS.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-10.003 Reinstatement Fee of a Null and Void License

PURPOSE AND EFFECT: The proposed rule amendment establishes a fee and incorporates applicable forms for the reinstatement of a Null and Void License.

SUBJECT AREA TO BE ADDRESSED: Reinstatement Fee of Null and Void License.

SPECIFIC AUTHORITY: 455.271, 486.606, 455.219 FS.

LAW IMPLEMENTED: 455.219, 455.271 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-10.003 Reinstatement Fee of a Null and Void License.

Each application (DBPR PRO 4951, DBPR PRO 4952, and DBPR PRO 4953) for reinstatement of a null and void license must be accompanied by payment of a fee of \$125.00.

Specific Authority 455.271, 486.606, 455.219 FS. Law Implemented 455.219, 455.271 FS. History--New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Counseling

RULE NO.: RULE TITLE:

64B4-2.002 Definition of “Supervision” for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify how often an intern must be supervised in order to be credited to meet the requirements of Section 491.005, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of “Supervision” for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling.

SPECIFIC AUTHORITY: 491.004(5), 491.0045 FS.

LAW IMPLEMENTED: 491.005(1)(c), (3)(c), (4)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Counseling and Mental Health Counseling

RULE NO.: 64B4-4.019 RULE TITLE: Duplicate License Fee

PURPOSE AND EFFECT: The Board proposes the promulgation and adoption of this rule to address the fee to be charged to provide a duplicate license and to reinstate a rule that had erroneously been repealed previously.

SUBJECT AREA TO BE ADDRESSED: Duplicate license fee and to reinstate a rule that had been erroneously repealed previously.

SPECIFIC AUTHORITY: 491.004(5), 491.008(2) FS.

LAW IMPLEMENTED: 491.004(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-6.001 RULE TITLE: Renewal of Active License

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify renewal requirements to be consistent with the recent changes to Section 456.031(1)(a), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Renewal of active license.

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.004(5), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-6.002 RULE TITLE: Approved Courses for Continuing Education

PURPOSE AND EFFECT: The Board proposes the amendment to the rule to remove reference to an entity that no longer exists.

SUBJECT AREA TO BE ADDRESSED: Approved courses for continuing education.

SPECIFIC AUTHORITY: 456.013(6), 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 456.013(6), 491.007(2), 491.0085(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-8.002 Approved Courses

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rule to be consistent with the recent changes to Section 456.031(1)(a), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Approved courses.

SPECIFIC AUTHORITY: 456.031, 491.0045(4) FS.

LAW IMPLEMENTED: 456.031, 491.0065 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-9.006 Probable Cause Determination

PURPOSE AND EFFECT: The purpose and effect of this rule development is to revise the existing language of the rule to comply with new legislation.

SUBJECT AREA TO BE ADDRESSED: Probable Cause Determination.

SPECIFIC AUTHORITY: 120.53, 459.005 FS.

LAW IMPLEMENTED: 456.073(4), 459.015(10) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-9.006 Probable Cause Determination.

(1) No change.

(2) The probable cause panel shall include one (1) licensed physician assistant whenever disciplinary action against a physician assistant is considered. The physician assistant member of the panel shall be appointed by the Council on Physician Assistants and shall consider disciplinary action against physician assistants only.

~~(3)~~ (2) The probable cause panel members shall be selected by the Chair, except for the physician assistant enumerated in subsection (2) of this rule, one (1) of whom shall be selected by the Chair of the Board as the presiding officer of the panel.

~~(4)~~ (3) No change.

Specific Authority 120.53, 459.005 FS. Law Implemented 456.073(4), 459.015(10) FS. History—New 10-23-79, Formerly 21R-9.06, Amended 1-3-93, Formerly 21R-9.006, 61F9-9.006, Amended 10-15-95, Formerly 59W-9.006, Amended 11-27-97.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-14.005 Standards for the Use of Controlled Substances for Treatment of Pain

PURPOSE AND EFFECT: The purpose and effect of this rule development is to revise the existing language of the rule to include osteopathic manipulative treatment and applications as other treatment modalities approved.

SUBJECT AREA TO BE ADDRESSED: Standards for the Use of Controlled Substances for Treatment of Pain.

SPECIFIC AUTHORITY: 459.005(1) FS.

LAW IMPLEMENTED: 459.003(3), 459.015(1)(g), (x) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-14.005 Standards for the Use of Controlled Substances for Treatment of Pain.

(1) through (2) No change.

(3) Guidelines. The Board has adopted the following guidelines when evaluating the use of controlled substances for pain control:

(a) No change.

(b) Treatment Plan. The written treatment plan should state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and should indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the osteopathic physician should adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including osteopathic manipulative treatment and applications, or a rehabilitation program may be necessary depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment.

(c) through (g) No change.

Specific Authority 459.005(1) FS. Law Implemented 459.003(3), 459.015(1)(g), (x) FS. History--New 3-9-00, Amended.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.002
 RULE TITLE: Violations and Penalties
 PURPOSE AND EFFECT: The purpose and effect of this rule development is to revise the existing language of the rule to comply with new legislation.
 SUBJECT AREA TO BE ADDRESSED: Violations and Penalties.
 SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.
 LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a description of the violation

and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.

(1) through (45) No change.

<u>(46) Violating any rule adopted by the board or department. Intentionally violating any rule adopted by the board or department (456.072(1)(b), 459.015(pp) F.S.,)</u>	MINIMUM	MAXIMUM
FIRST OFFENSE	denial or <u>letter of concern</u> and <u>\$1,000 fine, demonstration of compliance with the rule</u>	denial or suspension to be followed by probation and \$5,000 fine, <u>a reprimand, completion of a laws and rules course, and demonstration of compliance with the rule.</u>
SECOND OFFENSE	denial or <u>reprimand, completion of laws and rules course, demonstration of compliance with the rule, probation and \$7,500 fine</u>	No change.

(47) through (58) No change.

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-2.001
 RULE TITLE: License by Endorsement
 PURPOSE AND EFFECT: The Board proposes to amend the rule to add language seeking reentry into the profession after 2 years of non-practice.
 SUBJECT AREA TO BE ADDRESSED: Licensure.
 SPECIFIC AUTHORITY: 468.353(1), 468.358(3) FS.
 LAW IMPLEMENTED: 468.358(2), (3), 468.365 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-2.001 License by Endorsement.

(1) Each applicant applying for licensure shall pay an application fee in the form of a check or money order payable to the Department of Health. The initial application must be accompanied by the application fee. The application fee is nonrefundable and may not be used for more than one year from the date of the original submission of an application and application fee, a new application and new fee shall be required from any applicant who desires to be considered for licensure.

(2) Every applicant for licensure as a registered respiratory therapist or certified respiratory therapist shall demonstrate the following:

(a)1. That the applicant holds the “Registered Respiratory Therapist” or “Certified Respiratory Therapist” credential issued by the National Board for Respiratory Care, or an equivalent credential acceptable to the Board; or

2. That the applicant holds licensure, or the equivalent, to deliver respiratory care in another state and such licensure was granted pursuant to requirements determined to be equivalent to, or more stringent than, the requirements in Florida.

(b) That the applicant is not otherwise disqualified by reason of a violation of Chapter 456, or Chapter 468, Part V, F.S., or the rules promulgated thereunder.

(c) That the applicant has completed a Board approved 2-hour course in medical error prevention meeting the criteria set forth in Rule 64B32-6.006, F.A.C.

(d) An applicant who has been out of the practice of respiratory care for 2 years or more must complete a Board-approved comprehensive review course in order to ensure that he or she has the sufficient skills to re-enter the profession. Board-approved comprehensive course means any course or courses which includes, at a minimum, fourteen (14) direct contact education hours in the topics and numbers of hours as follows (for the purpose of this section, home study courses are not permitted):

<u>Patient assessment</u>	<u>3 hours</u>
<u>Hemodynamics</u>	<u>2 hours</u>
<u>Pulmonary Function</u>	<u>1 hour</u>
<u>Arterial blood gases</u>	<u>1 hour</u>
<u>Respiratory equipment including medications</u>	<u>2 hours</u>
<u>Airway Care</u>	<u>1 hour</u>
<u>Mechanical ventilation</u>	<u>2 hours</u>

<u>Emergency care/special procedures</u>	<u>1 hour</u>
<u>General respiratory care</u>	<u>1 hour</u>

Specific Authority 468.353(1), 468.358(3) FS. Law Implemented 468.358(2), (3), 468.365 FS. History–New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02, 8-28-05,_____.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-5.001
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language to the disciplinary guidelines regarding a licensee failure to comply with Section 456.072(1)(t), F.S.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 456.079, 468.365(4) FS.

LAW IMPLEMENTED: 456.072, 468.365 FS.

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

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

64B32-5.001 Disciplinary Guidelines.

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

(dd) through (ee) No change.

(ff) Failure to notify a patient through written or oral notice of the type of license the practitioner holds.

(456.072(1)(t), F.S.)

First Offense:

Read laws and rules and submit an affidavit attesting that the licensee has read the laws and rules.

Second Offense:

A fine from \$100.00 to \$5000.00.

(4) through (6) No change.

Specific Authority 456.079, 468.365(4) FS. Law Implemented 456.072, 468.365 FS. History–New 4-29-85, Formerly 21M-37.01, 21M-37.001, Amended 1-3-94, Formerly 61F6-37.001, 59R-74.001, 64B8-74.001, Amended 5-5-02, 12-5-04, 5-15-05,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Family Safety and Preservation Program**

RULE CHAPTER NO.: RULE CHAPTER TITLE:
65C-13 Substitute Care of Children

PURPOSE AND EFFECT: This rule outlines the procedures that the Department and contracted agencies will use in performing licensing of Foster Homes and Child Placing Agencies.

SUBJECT AREA TO BE ADDRESSED: Licensing of substitute family care.

SPECIFIC AUTHORITY: 39.0121, 409.175(5)(a) FS.

LAW IMPLEMENTED: 39.402, 409.145, 409.165, 409.175 FS.

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

DATE AND TIME: September 22, 2006, 9:00 a.m.

PLACE: Building 4, 1317 Winewood Blvd., Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Chris Lolley, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)921-1928

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Family Safety and Preservation Program**

RULE CHAPTER NO.: RULE CHAPTER TITLE:
65C-15 Licensed Child-Placing Agencies

PURPOSE AND EFFECT: This rule outlines the procedures that the Department and contracted agencies will use in performing licensing of Foster Homes and Child Placing Agencies

SUBJECT AREA TO BE ADDRESSED: Licensing.

SPECIFIC AUTHORITY: 39.0121, 409.175(5)(a) FS.

LAW IMPLEMENTED: 39.402, 409.145, 409.165, 409.175 FS.

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

DATE AND TIME: September 22, 2006, 9:00 a.m.

PLACE: Building 4, 1317 Winewood Blvd., Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Chris Lolley, Building 6, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)921-1928

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCCH)

65C-20.014 Gold Seal Quality Care Program

PURPOSE AND EFFECT: The purpose of this workshop is to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-20, F.A.C., Family Day Care Standards and Large Family Child Care Homes Standards. In addition, we will also be discussing creating Rule 65C-20.014, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards, Large Family Child Care Homes Standards.

SPECIFIC AUTHORITY: 402.313 FS.

LAW IMPLEMENTED: 402.313 FS.

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

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

PLACE: Department of Children and Families, 201 West Broward Blvd., Room 408, Ft. Lauderdale, Florida 33301

DATE AND TIME: November 2, 2006, 1:00 p.m.

PLACE: Department of Children and Families, 1317 Winewood Boulevard, Building 6, Room 361A, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Carrie Pafford, Government Operations Consultant II, 1317 Winewood Boulevard, Building 6, Room 373, Tallahassee, FL 32399, (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The purpose of this workshop will be to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-22, F.A.C., Child Care Facility Standards. In addition we will also be discussing creating Rule 65C-22.009, F.A.C., to reflect legislative

mandates concerning the Gold Seal Quality Care Program, and creating Rule 65C-22.010, F.A.C., to reflect legislative mandates regarding the implementation of statewide uniform enforcement of procedures.

SUBJECT AREA TO BE ADDRESSED: Child Care Facility Standards.

SPECIFIC AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: 402.305 FS.

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

DATE AND TIME: October 17, 2006, 9:00 a.m.

PLACE: Department of Children and Family Services, 1400 West Commercial Blvd., Room 195, Ft. Lauderdale, Florida 33309

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

PLACE: Department of Children and Families, 5920 Arlington Expressway, Auditorium, Jacksonville, Florida 32231

DATE AND TIME: October 30, 2006, 10:00 a.m.

PLACE: Department of Children and Family Services, 340 Beal Parkway, N.W., Room 128, Ft. Walton Beach, Florida 32548

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Carrie Pafford, Government Operations Consultant II, 1317 Winewood Boulevard, Building 6, Room 373, Tallahassee, FL 32399, (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program Office

RULE NOS.: **RULE TITLES:**

65E-5.100 Definitions
65E-5.180 Right to Quality Treatment

PURPOSE AND EFFECT: Rule 65E-5.180, Florida Administrative Code, is being revised to comply with Section 394.457(5)(b), F.S., of the Baker Act, requiring facilities to adopt rules governing the use of seclusion and restraint.

SUBJECT AREA TO BE ADDRESSED: Development of a rule to comply with the statutory requirements of Section 394.457(5)(b), F.S., of the Baker Act. The rule specifically addresses seclusion and restraint use in mental health facilities and programs.

SPECIFIC AUTHORITY: 394.457(5), 394.457(5)(b), 394.46715 FS.

LAW IMPLEMENTED: 394, Part 1, 394.455(1), 394.457, 394.4573(1)(b), 394.459(2), 394.459(2)(d), 394.459(4), 394.4625, 394.4655, 394.467, 401.455, 491, 765.401 FS.

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

DATE AND TIME: September 18, 2006, 1:00 p.m.

PLACE: Building 6, Conference Room "A", Winewood Office Complex, 1317 Winewood Blvd., Tallahassee, Florida

Persons with disabilities requiring accommodations in order to participate in this workshop should contact Linda Henshaw, Department of Children and Families, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 239, Tallahassee, Florida 32399-0700, (850)921-5724, (Voice) or (850)921-8880 (TDD), as soon as possible, but no later than five full working days prior to the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, AVAILABLE AT NO CHARGE IS: Wendy Scott, Government Operations Consultant III, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 227, Tallahassee, Florida 32399-0700, Telephone: (850)413-7282, E-mail: wendy_scott@dcf.state.fl.us

ANY PERSON MAY SUBMIT INFORMATION REGARDING THE PROPOSED RULE DEVELOPMENT TO THE ABOVE NAME AND ADDRESS.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: **RULE CHAPTER TITLE:**

69A-38 Uniform Fire Safety Standards for Residential Facilities for Individuals With Developmental Disabilities

RULE NOS.: **RULE TITLES:**

69A-38.018 Title
69A-38.019 Purpose
69A-38.020 Scope
69A-38.021 Discretionary Powers of the Authority Having Jurisdiction
69A-38.024 Documentation of Client's Evacuation Status
69A-38.026 Operating Features
69A-38.028 Standards of the National Fire Protection Association Adopted
69A-38.029 Documentation of Client's Evacuation Status
69A-38.030 Operating Features
69A-38.031 Special Features
69A-38.032 Standards of the National Fire Protection Association Adopted
69A-38.033 Documentation of Client's Evacuation Status
69A-38.034 Operating Features
69A-38.035 Emergency Egress and Relocation Drills
69A-38.036 Inspections
69A-38.037 Cooking Equipment; Exception
69A-38.038 Special Requirements

PURPOSE AND EFFECT: The purpose of these rules is to update Rule Chapter 69A-38, F.A.C., to accommodate new and amended provisions of Chapter 393, F.S. The effect of this rule development will be to assist the Agency for Persons with Disabilities, the Agency for Health Care Administration and the individual owners of the affected facilities in complying with the firesafety requirements of Section 633.022, F.S., and the applicable codes and standards.

SUBJECT AREA TO BE ADDRESSED: Firesafety in residential facilities for developmentally disabled persons, as provided in Section 633.022, F.S.

SPECIFIC AUTHORITY: 633.01, 633.01(1), 633.022 FS.

LAW IMPLEMENTED: 633.01, 633.01(1), 633.022, 633.022(1), 633.022(1)(b) FS.

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

DATE AND TIME: Tuesday, September 19, 2006, 9:00 a.m.

PLACE: Conference Room 120, Peterson Building, 200 North Kentucky Avenue, Lakeland, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Millicent King, (850)413-3619, Fax: (850)414-6119. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342, phone: (850)413-3171; Fax: (850)414-6119

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART I GENERAL

69A-38.019 Purpose.

The purpose of this rule chapter is to comply with Section 393.067(8), F.S., which states that the Agency for Persons with Disabilities shall adopt rules relating to certain entities identified therein based on uniform firesafety standards established by the State Fire Marshal. This rule chapter establishes those uniform firesafety standards and specifies ~~specify~~ measures to provide a reasonable degree of public safety from fire in residential facilities for individuals with developmental disabilities. ~~For purposes of brevity, these facilities will be referred to throughout these rules as "developmental disabilities facilities."~~ These rules try to avoid requirements which might result in unreasonable hardships, or

unnecessary inconvenience, or interference with the normal use and occupancy of a building, but at the same time insist upon compliance with a uniform standard for life safety necessary in the public interest, even though a financial hardship may result in some individual cases.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History—New 10-30-90, Formerly 4A-38.019, Amended _____.

69A-38.020 Scope.

(1) These rules establish minimum standards for ~~apply to~~ any residential developmental disabilities facility required to be licensed by the Florida Agency for Persons with Disabilities Department of Children and Families, pursuant to Section 393.067, F.S., Rule 65B-38.005, and Chapter 65B-6, F.A.C., and any Intermediate care facilities for the developmentally disabled required to be licensed by the Agency for Health Care Administration pursuant to Chapter 400, Part XI, F.S. In any determination of the number of persons living in a facility, only those persons who are clients as defined in Section 393.062 393.13(4), F.S., shall be counted.

(2) No change.

(3) This rule chapter establishes minimum standards ~~shall apply~~ as follows:

(a) Part II establishes minimum standards for all residential facilities as defined in Section 393.063(34), F.S., including any group home facility, residential habilitation center, and comprehensive transitional education program which is providing room and board for individuals with developmental disabilities, and that is required to be licensed by the Florida Agency for Persons with Disabilities, pursuant to Section 393.067, F.S., and Chapter 65B-6, F.A.C. Part II does not establish minimum standards for day care centers or residential child-care facilities licensed by the Department of Children and Families. ~~shall apply to any residential facility, as defined in Section 393.063(39), F.S., which is providing room and board and personal care for individuals with developmental disabilities required to be licensed by the Florida Department of Children and Family Services, pursuant to Section 393.067, F.S., and Chapter 65B-6, F.A.C. These rules do not apply to day care centers or residential child-care facilities.~~

(b) Part III establishes minimum standards for ~~shall apply to~~ intermediate care facilities for developmentally disabled persons, as defined in Section 393.063(24)(28), F.S., that are licensed pursuant to Chapter 65B-38, F.A.C.

(c) Part IV establishes minimum standards for:

1. Foster care facilities, as defined in Section 393.063(19), F.S., and
2. Group home facilities, as defined in Section 393.063(20), F.A.C., serving five or fewer clients, and licensed pursuant to Chapter 65B-6, F.A.C.

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-30-90, Amended 7-11-01, Formerly 4A-38.020, Amended _____.

69A-38.021 Discretionary Powers of the Authority Having Jurisdiction.

The authority having jurisdiction, as set forth in Section 633.121, F.S., may modify these rules under the following conditions:

- (1) No change.
- (2) Alternatives and/equivalency shall be documented and such documents shall be provided to the authority having jurisdiction and the property owner. Such documentation shall meet the requirements of Section ~~1-4~~ 4-5 of NFPA-101 edition as adopted in Rule 69A-3.012, F.A.C.

(a) through (c) No change.

(3) Alternative and ~~or~~ equivalency determinations of existing facilities shall be considered during subsequent inspections for fire safety. If in the opinion of the authority having jurisdiction, the previous determinations are no longer applicable, then additional fire code requirements ~~shall~~ may be imposed. A brief statement describing the fire code requirements in light of previous alternative and ~~or~~ equivalency determinations shall be provided to the owner of the property.

(4) No change.

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-30-90, Amended 7-11-01, Formerly 4A-38.021, Amended _____.

PART II FACILITIES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES EXCLUDING INTERMEDIATE CARE FACILITIES, FOSTER CARE FACILITIES, AND GROUP HOME FACILITIES SERVING FIVE OR FEWER CLIENTS.

69A-38.024 Documentation of Client’s Evacuation Status.

Documentation of a ~~e~~Client’s evacuation status shall be based on the speed of evacuation. Speed of ~~e~~Evacuation is to be determined via documentation of actual fire drills conducted with the Agency for Persons with Disabilities ~~Department of Children and Family Services~~ personnel present, as evidenced by their signature on at least two fire drill reports during the preceding year. As an alternative, the provisions of NFPA 101A, Chapter 5, the edition as adopted in Rule 69A-3.012, F.A.C., may be used to evaluate clients’ evacuation status.

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-30-90, Amended 7-11-01, Formerly 4A-38.024, Amended _____.

69A-38.026 Operating Features.

Each facility coming within the scope of PART II shall comply with ~~the provision of~~ Sections 32-7 or 33-7 of NFPA 101, whichever is applicable.

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-30-90, Amended 7-11-01, Formerly 4A-38.026, Amended _____.

PART III INTERMEDIATE CARE FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES (ICF/DD)

69A-38.028 Standards of the National Fire Protection Association Adopted.

~~The standards of the National Fire Protection Association for life safety from fire, as provided in NFPA 101, Life Safety Code, Chapter 32 for New and Chapter 33 for Existing Facilities, in the edition adopted in Rule 69A-3.012, F.A.C., shall be the uniform fire safety standards required for this state with respect to intermediate care facilities for persons with developmental disabilities.~~

(1) The appropriate chapters of the standards of the National Fire Protection Association for life safety from fire, as provided in NFPA 101, Life Safety Code, the edition as adopted by Rule 69A-3.012, F.A.C., shall be the uniform fire safety standards required for this state with respect to intermediate care facilities for the developmentally disabled, except as modified by this rule.

(2) The appropriate fire safety inspector shall verify the occupancy status by reviewing the license issued by the Agency for Health Care Administration or, in the case of a new facility, a copy of the application for licensure.

(3) Facilities for persons with developmental disabilities shall be inspected in accordance with the occupancy status as determined by the Agency for Health Care Administration as follows:

(a) New facilities with an occupancy status for providing personal care shall be governed by NFPA 101, adopted by reference in Rule 69A-3.012 F.A.C, Chapter 32, “New Residential Care and Board Occupancies;” existing facilities shall be governed by Chapter 33, “Existing Residential Care and Board Occupancies.”

(b) New facilities with an occupancy status for providing nursing or convalescent care shall be governed by NFPA 101, adopted by reference in Rule 69A-3.012, F.A.C., Chapter 18, “New Health Care Occupancies;” existing facilities shall be governed by Chapter 19, “Existing Health Care Occupancies.”

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1) FS. History–New 10-30-90, Amended 9-22-92, 7-11-01, Formerly 4A-38.028, Amended _____.

69A-38.029 Documentation of Client’s Evacuation Status.

Documentation of a client’s evacuation status shall be based on the speed of evacuation. Speed of evacuation is to be determined via documentation of actual fire drills conducted with the Agency for Health Care Administration personnel present, as evidenced by their signature on at least two fire drill reports during the preceding year. As an alternative, the provisions of NFPA 101A, Chapter 5, the edition as adopted in

Rule 69A-3.012, F.A.C., may be used to evaluate a client's evacuation status. The procedure outlined in Rule 69A-38.024, F.A.C., shall also apply to this part.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History--New 10-30-90, Formerly 4A-38.029, Amended _____.

69A-38.030 Operating Features.

Each intermediate care facility for the developmentally disabled shall comply with the appropriate operating procedures provision of Sections 32-7 or 33-7 of NFPA 101; whichever is applicable. Unless otherwise authorized by the authority having jurisdiction, fire exit drills shall be held with sufficient frequency to familiarize all occupants with the drill procedure and to have the conduct of the drill a matter of established routine. They shall be conducted no less frequently than once per month and shall be properly documented.

Specific Authority 633.01(1) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History--New 10-30-90, Amended 7-11-01, Formerly 4A-38.030, Amended _____.

PART IV FOSTER CARE FACILITIES AND GROUP HOME FACILITIES SERVING FIVE OR FEWER CLIENTS

69A-38.032 Standards of the National Fire Protection Association Adopted.

The standards of the National Fire Protection Association for life safety from fire, as provided in NFPA 101, Life Safety Code, Chapter 32, "New Residential Board and Care Occupancies," and Chapter 33, "Residential Board and Care Occupancies," the edition as adopted in Rule 69A-3.012, F.A.C., shall be the uniform firesafety standards required for this state with respect to foster care facilities and group home facilities serving five or fewer clients, except as modified by this rule.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History--New _____.

69A-38.033 Documentation of Client's Evacuation Status.

Documentation of a client's evacuation status shall be based on the speed of evacuation. Speed of evacuation is to be determined via documentation of actual fire drills conducted with the Agency for Persons with Disabilities personnel present, as evidenced by their signature on at least two fire drill reports during the preceding year. As an alternative, the provisions of NFPA 101A, Chapter 5, the edition as adopted in Rule 69A-3.012, F.A.C., may be used to evaluate a clients' evacuation status.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History--New _____.

69A-38.034 Operating Features.

Each new and existing facility coming within the scope of PART IV shall comply with the appropriate operating feature provisions of Sections 32.7 or 33.7 of NFPA 101, whichever is applicable.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History--New _____.

69A-38.035 Emergency Egress and Relocation Drills.

(1) An emergency egress and relocation drill shall be conducted by each owner at each facility at least three (3) times per year. Each emergency egress and relocation drill shall be conducted at least 90 days after the previous emergency egress and relocation drill. The authority having jurisdiction is permitted to require an additional emergency egress and relocation drill in conjunction with an annual firesafety inspection.

(2) The purpose of each emergency egress and relocation drill is to familiarize each occupant with the procedures required for the safe, orderly, and expeditious exiting of the building or structure. All occupants shall exit the building or structure to a predetermined area of safety. The climate and weather conditions shall be taken into consideration when scheduling any emergency egress and relocation drill.

(3) Each emergency egress and relocation drill shall be conducted at an unexpected time and under varying conditions that may occur in the case of fires.

(4) During each emergency egress and relocation drill, all occupants shall evacuate the building independently or with staff assistance or any other available assistance, as needed.

(5) Each emergency egress and relocation drill shall be applicable to all occupants of the facility with emphasis on the safe, orderly, and expeditious exiting under proper discipline.

(6) Any occupant subject to an emergency egress and relocation drill shall proceed to a predetermined location outside the building and remain there until all occupants are accounted for. Occupants are permitted to return to the building only when allowed by the person conducting the emergency egress and relocation drill.

(7) The owner shall keep a record of each emergency egress and relocation drill on Form DFS-K4-1557, "Record of Emergency Egress and Relocation Drill." (DFS-K4-1557, rev. 03/20/03) which is hereby adopted and incorporated into this rule chapter by reference. Copies of the form may be obtained by writing to the Department of Financial Services, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342. The record shall list as a minimum:

- (a) The date the drill was conducted.
- (b) The time of day the drill was conducted.
- (c) The amount of time, in minutes and seconds, that were required for all occupants to safely exit the building.
- (d) Any unusual circumstance, in narrative or outline form, affecting the safe, orderly, and expeditious exit from the building.
- (8) If the owner does not keep the record required by subsection (7) of this rule, or keeps it in a manner that is incomplete, incorrect, or otherwise does not contain the required information, another emergency egress and relocation drill must be performed as soon as possible and the results correctly recorded. In addition, the firesafety inspector shall advise the licensing agency that the facility is not maintaining compliance with the firesafety requirements.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History–New _____.

69A-38.036 Inspections.

- (1) The appropriate firesafety inspector shall conduct a firesafety inspection which must be determined to be satisfactory for each facility prior to its initial licensure and prior to the annual renewal of its license.
- (2) The owner shall request a firesafety inspection from the authority having jurisdiction at least 30 days in advance of license expiration.
- (3) The authority having jurisdiction or the Division is permitted to require additional firesafety inspections.
- (4) The owner shall be responsible for requesting all required firesafety inspections in writing or electronic format, except for any additional firesafety inspections which may be required as provided in subsection (3) of this rule. All verbal inspection requests shall be followed by a written or electronic verification.
- (5) Each required firesafety inspection shall be completed by the authority having jurisdiction, where available.
- (6) Any time there is no authority having jurisdiction to perform a firesafety inspection, the owner shall notify the Division in writing or in an electronic format. The Division shall inspect or cause the facility to be inspected in accordance with Section 633.022, F.S.
- (7) A local firesafety inspector, or if no local firesafety inspector is available, a special state firesafety inspector, certified in accordance with Chapter 633, F.S., shall complete each required firesafety inspection.
- (8) The inspecting authority shall provide a copy of each inspection report to the licensing agency within thirty days after completing the inspection.
- (9) For the purpose of meeting the fire safety inspection requirements of this subsection, a foster care facility or group home facility shall comply with the following:

- (a) Smoke detectors shall be installed in accordance with Section 24.3.4.1 of NFPA 101, 2003 edition;

- (b) Fireplaces, heaters, radiators, and other hot surfaces shall be shielded against accidental contact;
- (c) All heating appliances and other heating devices shall be properly vented;
- (d) Emergency evacuation instructions shall be posted in a conspicuous location;
- (e) Combustible materials shall always be properly stored;
- (f) All exits and stairs shall be free of storage or obstructions affecting egress;
- (g) Temporary electrical wiring is prohibited;
- (h) At least one working flashlight shall be provided for each sleeping room;

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History–New _____.

69A-38.037 Cooking Equipment; Exception.

Notwithstanding any previous construction or interpretation of any law, rule, or code provision, any time a single domestic range or stove is used in an arrangement similar to that of a single family residence, the facility shall not be required to comply with NFPA 96, “Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations,” the edition as adopted in Rule 69A-3.012, F.A.C.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History–New _____.

69A-38.038 Special Requirements.

- (1) Each foster care facility and group home facility within this part shall have installed at least one portable fire extinguisher with a minimum rating of 2A-10BC.
- (2) No unvented fuel-fired heaters shall be permitted unless the heater is listed and approved for such use.
- (3) All facilities shall have all parts of the means of egress sufficiently sized to allow for emergency exiting of clients who may be confined in wheelchairs and or beds when applicable.

Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: RULE CHAPTER TITLE:

69A-46 Fire Protection System Contractors and Systems

RULE NOS.: RULE TITLES:

PART I APPLICATION PROCEDURES	
69A-46.010	Submission of the Application
69A-46.015	Testing
69A-46.016	Insurance Requirements
69A-46.0165	Submission of the Application for a Water-Based Fire Protection Permit
69A-46.017	Required Continuing Education

PART II GENERAL PROVISIONS

- 69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as The Extinguishing Agent
- 69A-46.041 Inspection, Testing and Maintenance Requirements for Fire Protection Systems

PURPOSE AND EFFECT: The purpose of these rule amendments is to update Rule Chapter 69A-46, F.A.C., to provide for submission of an updated application for water-based systems, inspection tags using a new system of red, yellow, and green tags to indicate non-compliance, compliance, and repair tags. The effect of these rules will be to provide a uniform method of filing an application for water-based fire suppression systems and for tagging fire suppression equipment.

SUBJECT AREAS TO BE ADDRESSED: The subject areas to be addressed include application procedures for Fire Protection System Contractors and Systems, including applications for Water-Based Fire Protection Permits, installation requirements for automatic sprinkler systems employing water as an extinguishing agent, and testing and maintenance requirements for fire protection systems.

SPECIFIC AUTHORITY: 633.01, 633.517(1), 633.521(4) FS.

LAW IMPLEMENTED: 471.025, 553.79(6), 633.065, 633.521, 633.521(4), 633.524, 633.534, 633.537, 633.547(2)(e) FS.

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

DATE AND TIME: Tuesday, September 26, 2006, 9:00 a.m.

PLACE: Conference Room, the Peterson Building, 200 North Kentucky, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Terry Hawkins, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342, telephone: (850)413-3171; Fax: (850)414-6119

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Terry Hawkins as indicated above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 69A-46.010 Submission of the Application.
 - (1) through (2) No change.

(3)(a) As a prerequisite to challenging the examination as a Contractor I, II, or III, the applicant shall provide evidence of four (4) years proven experience in the employment of a Contractor I, II, or III, or a combination of experience and education equivalent thereto.

1. "Experience in the employment of a contractor", as required by Section 633.521(3), F.S., must be gained from full-time employment by a contractor licensed as provided in Section 633.521, F.S., such employment relating to technical areas. For purposes of this rule chapter, "technical areas" means those activities engaged in by a contractor and participated in by the applicant which provide experience in laying out, fabricating, installing, inspecting, altering, repairing, or servicing fire protection systems. For purposes of this rule chapter, four (4) years proven experience as a certified plumbing contractor, licensed pursuant to the provisions of Chapter 489, F.S., may be offered toward the experience requirements for a Contractor I or II and shall be considered equivalent to two (2) years proven experience in the employment of a contractor. A certified plumbing contractor shall offer no more than 4 years as a certified plumbing contractor toward the 4 years experience requirement in Section 633.521, F.S. The applicant's experience must be verified by the contractor employing the applicant utilizing Form DFS-K3- Employment Verification Form, or, if the required verification shall be in the form of a letter from the ~~employing contractor employer~~, on company stationery, attesting to ~~describing~~ the applicant's duties, the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience. An applicant offering self-employment experience shall provide verification in the form of letters from customers, and others familiar with his work. It is the applicant's responsibility to furnish the required verification. The experience will be evaluated to determine an applicant's qualifications for the class of certificate requested; or,

2. through 4. No change.

(b) No change.

(c) As a prerequisite to challenging the examination as a Contractor V, the applicant shall provide evidence of:

1. No change.

2. Employment by an individual licensed as a certified underground utility contractor or plumbing contractor pursuant to the provisions of Chapter 489, F.S., that the applicant has four (4) years experience in the employment of a certified underground utility contractor or plumbing contractor, which shall be submitted utilizing Form DFS-K3- Employment Verification Form; in the form of a letter, on company stationery, signed by the certified underground utility contractor or plumbing contractor attesting to, ~~describing~~ the applicant's duties; the kinds of jobs he worked on; his dates of

employment; and any other information reasonably calculated to provide the division with an informed understanding of the applicant's work experience; or

3. A combination of education and experience equivalent to four (4) years proven experience in the employment of a certified underground utility contractor or plumbing contractor. For purposes of combining education and experience, education in the areas described in paragraph (a)3., above, including at least 3 credit hours from a 4-year college or university or junior or community college in courses which teach the material in the National Fire Protection Association standards on which the applicant will be tested; or other equivalent coursework; and experience in the areas described in subparagraph (a)1., or subparagraph (c)1. or 2., above, shall be provided.

(d) No change.

(4) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.524, 633.534 FS. History--New 10-14-86, Amended 12-21-88, 10-20-93, Formerly 4A-46.010, Amended _____.

69A-46.015 Testing.

(1) An applicant who has been qualified to challenge an examination will be notified in writing of available examination dates and examination locations. Upon receipt of a written request for a specific examination date, the applicant will be sent a notice of the exam date, time and location at least seven days prior to the scheduled exam. The applicant will be expected to challenge the exam on that day unless he or she submits a written waiver of his or her right to challenge the exam on that day and requests a later date. ~~The Regulatory Licensing Section will schedule an applicant for a later day upon receipt of a written request. The applicant will also be permitted to challenge the examination at the Regulatory Licensing Section's office in Tallahassee if the applicant makes a request for such testing in writing and receives written notification when the next available scheduled examination will be held in Tallahassee.~~

(2) through (9) No change.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521 FS. History--New 10-14-86, Amended 12-21-88, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.015, Amended _____.

69A-46.016 Insurance Requirements.

(1) The Fire Protection System Contractor I, II, III, IV, or V licensed pursuant to Section 633.521, F.S., shall provide evidence of current and subsisting insurance coverage meeting the requirements of Section 633.521, F.S., to the Regulatory Licensing Section on Form DFS-K3-25, Certificate of Insurance Fire Protection System Contractor, revised and dated xx/xx 10/99, as adopted and incorporated herein by reference. This form is available from the Regulatory Licensing Section, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

(2) The licensed Fire Protection System Contractor I, II, III, IV, or V shall be responsible to ensure that current and subsisting insurance coverage meets the requirements of Section 633.521, F.S., and that an original signed Form DFS-K3-25, Certificate of Insurance is on file with the Regulatory Licensing Section.

(3) Failure to provide evidence of insurance coverage within 30 days of the expiration date of the policy or within 30 days of a notice to provide evidence of coverage shall result in administrative proceedings pursuant to Section 624.4211, F.S., as provided in subsection (4) of Section 633.521, F.S. and pursuant to Section 633.547, F.S.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History--New 10-20-93, Amended 11-21-01, Formerly 4A-46.016, Amended _____.

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Permit.

(1) An individual employed by a Fire Protection System Contractor I or II who will be inspecting water based fire protection systems must be issued a permit by the State Fire Marshal in accordance with Section 633.521, F.S., to conduct such work.

(2) The applicant for a Water-Based Fire Protection Permit shall submit an application on a form furnished by the Regulatory Licensing Section which shall conform with Section 633.521, F.S., Form DFS-K3- , "Application for Water-Based Fire Protection," dated xx/xx/xxxx, which is incorporated herein by reference, which is available from the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) The application shall be accompanied by a fee as prescribed in Section 633.524(1), F.S.

(4) The application shall be accompanied by two current full-face color passport size photographs, along with a photocopy of the applicant's driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly on the back of the photographs. Effective July 1, 2008 each application shall be accompanied by evidence the applicant holds a NICET II in a subfield Inspection and Testing of Water-Based Systems.

(5) Upon submission of a complete application, fee, photographs, a permit and photo identification card will be issued.

(6) Permittees must have a valid and subsisting permit upon their persons at all times while engaging in the inspection, testing and maintenance of fire protection systems. The permit must be produced upon demand. A permittee may perform only those services authorized under the Fire Protection System Contractor I or II employing such permittee.

(7) A permit shall be valid solely for use by the holder thereof in his or her employment by the licensee under whose license the permit was issued. A permittee changing his or her employer or place of employment shall obtain a new permit under the license of the licenseholder at the new place of employment. The licensee shall notify the Regulatory Licensing Section, in writing, of an individual leaving his or her employment within fifteen days of the termination. The Regulatory Licensing Section will then change the records to reflect the status of the permit. A permit and photo identification card of an individual leaving the employment of a Fire Protection System Contractor I or II becomes void and inoperative on the date of termination, pursuant to Section 633.521, F.S.

(8) A Water-Based Fire Protection Inspector Permittee must qualify and maintain a NICET II certification in a subfield Inspection and Testing of Water-Based Systems as a condition to renewal effective July 1, 2008.

Specific Authority 633.01, 633.517(1), 633.521(4) FS. Law Implemented 633.521(4) FS. History—New _____.

69A-46.017 Required Continuing Education.

(1) Fire Protection System Contractors Certificateholders shall complete a continuing education course or combination of courses in compliance with Section 633.537, F.S., within each biennial license period, except that a certificateholder who completes the competency examination and receives a license issued for 1 year or less shall be required to complete a continuing education course or combination of courses prorated at 50 percent of the required hours for a biennial license.

(2) The continuing education course or combination of courses shall be in a fire protection discipline related to the Certificate of Competency held by the Fire Protection System Contractor. All licensed Fire Protection System Contractors are required to complete an approved course or courses providing at least one hour of workplace safety class, one hour of business practices class, and one hour of a workers' compensation class as part of the required continuing education for each biennial renewal period.

(3) through (5) No change.

(6) The number of contact hours assigned to any course shall be determined by the Regulatory Licensing Section based on the course content and length of the course.

(a) through (b) No change.

(c) Each Fire Protection System Contractor certificateholder shall be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, F.S. No notification will be given over the telephone.

(d) through (j) No change.

(7) Each Fire Protection System Contractor certificateholder is responsible for attending the appropriate course or courses and for maintaining proof of completion of the course or courses. Such proof shall be in the form of copies of certificates of completion awarded. The Regulatory Licensing Section will not accept any proof of completion except that submitted in accordance with subsection (8) below.

(8) Prior to the annual expiration of the Certificate of Competency, the Fire Protection System Contractor shall submit proof of completion of the required course or courses to the Regulatory Licensing Section. Submissions shall be submitted on a "Fire Protection System Contractor Continuing Education Coursework" form, DFS-K3-1240 (3/00) as adopted and incorporated herein by reference. Forms are available from and submissions shall be sent to: Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342. Each Fire Protection System Contractors Certificateholders will be notified by the Regulatory Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in Section 633.537, F.S. No notification will be given over the telephone.

(9) Any Fire Protection System Contractor who does not complete the continuing education requirement shall not have his or her certificate renewed. If the Fire Protection System Contractor certificateholder is not renewed, the contractor certificateholder shall perform no work for which a license is required. A contractor certificateholder wishing to become licensed again shall meet the requirements of Section 633.521, F.S.

(10) Effective July 1, 2005 a Water-Based Fire Protection Inspector shall complete 8 hours of approved continuing education in compliance with Section 633.537, F.S., which are preparatory curriculum for NICET II certification and shall support the general and special work elements for NICET II certification. An additional 16 hours of continuing education must be completed between July 1, 2006 and June 30, 2008.

(11) A Water-Based Fire Protection Inspector shall complete 16 hours of approved continuing education coursework in compliance with Section 633.537, F.S., within each biennial license period.

Specific Authority 633.01, 633.517(1) FS. Law Implemented 633.521, 633.537 FS. History—New 10-2-96, Amended 6-18-97, 6-8-98, 11-21-01, Formerly 4A-46.017, Amended _____.

69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent.

(1) Fire protection system contractors installing an automatic sprinkler system employing water as the extinguishing agent shall supervise and be responsible for the complete system in accordance with the provisions of Section 633.539, F.S., except that a contractor installing the underground pipe shall supervise and be responsible only for

~~the portion he or she installs and the contractor installing the remaining portion of the system shall be responsible only for his or her portion of the work. The contractor shall be responsible to install the complete system in compliance with the National Fire Protection Association standards adopted pursuant to Rule Chapter 69A-3, F.A.C., except that if a contractor installs the underground from the point of service to the aboveground connection flange in compliance with Section 633.539(3), F.S. pipe he or she shall be responsible for that portion of the system, and the Contractor installing the remaining portion shall be responsible for the system from the point of connection to the underground throughout the remainder of the system.~~

(2) through (8) No change.

Specific Authority 633.01 FS. Law Implemented 553.79(6), 633.065, 633.547(2)(e) FS. History—New 12-21-88, Amended 8-1-90, 10-20-93, 11-21-01, Formerly 4A-46.040, Amended _____.

69A-46.041 Inspection, Testing and Maintenance Requirements for Fire Protection Systems.

~~The contractor I or II shall submit in writing to the Regulatory Licensing Section the names, addresses, and evidence of NFPA 25 training of all individuals in his or her employ that are performing inspections of fire protection systems. In addition, the licensed contractor I or II shall submit a full face current color passport photograph of each inspector along with a copy of the inspector's current driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. The contractor shall not allow any individual to perform inspections under his or her certificate until that individual has been listed with the Regulatory Licensing Section. The Regulatory Licensing Section shall issue a identification card to each inspector. The identification card is not a license. The contractor shall be responsible for each listed individual's inspections until he or she has requested in writing that the Regulatory Licensing Section delete the individual from his or her list of inspectors. The licensed fire protection system contractor shall notify the Regulatory Licensing Section, in writing, of an inspector leaving his or her employ within fifteen days of the termination. An inspector photo identification card of an individual leaving the employ of a contractor becomes void and inoperative on the date of departure.~~

(1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance service on a fire protection system shall comply with the requirements of Chapter 633, Florida Statutes, and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

(2) Each system that has been inspected, tested, or maintained by a fire protection contractor, or his or her permitted Water-Based Fire Protection Inspector designated inspector, shall have a record tag of durable and weather resistant material placed on the riser or control device. ~~The tag at "Figure A" shall include the following:~~

~~(a) Name, address and contractor license number of company.~~

~~(b) Date of inspection and type of inspection.~~

~~(c) Inspected by _____.~~

~~(d) The tag shall state "For more information see the inspection report."~~

~~(e) The tag shall state "Do not remove by order of the State Fire Marshal."~~

~~(f) The tag shall be approximately 3 1/2 inches by 5 1/2 inches.~~

~~SEE FLORIDA ADMINISTRATIVE CODE FOR "FIGURE A"~~

(3) Inspection Tags.

(a) After inspection and testing, an inspection tag shall be completed indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and not hamper its activation or operation. A new inspection tag shall be attached to the system each time an inspection and test service is performed.

(b) Inspection tags must be GREEN in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (3 1/2 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector;

5. The permitted Water-Based Fire Protection Inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

(d) Inspection tags may be printed and established for a five year period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) An inspection tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector.

(f) Should impairments or noncompliance items be found, the fire protection system contractor or his permitted Water-Based Fire Protection Inspector shall notify the building owner or his representative and the authority having jurisdiction in writing of all noncompliance items and/or impairments found. A fire protection system compliance inspection tag shall not be installed on the system until the

impairments or noncompliance items have been corrected and the system has been re-inspected and found to be in a state of operational readiness.

(4) Noncompliance Tag.

(a) If a fire protection system is found to have minor deficiencies and is in noncompliance with the applicable NFPA standards, but continues to be operational, a completed Noncompliance Tag shall be attached to the main control valve of the system to indicate that corrective action is necessary.

(b) Noncompliance Tags must be YELLOW in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (3 1/2 inches) in width.

(c) Noncompliance Tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL-SYSTEM NOT IN COMPLIANCE WITH NFPA STANDARDS.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector;

5. The permitted Water-Based Fire Protection Inspector's signature;

6. The day, month and year (to be punched);

7. The non-compliance issues;

8. The facility name and address.

(d) Noncompliance Tags may be printed and established for a five year period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's Office.

(e) The signature of the Fire Protection System Contractor I or II on a Noncompliance Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) A Noncompliance Tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector upon re-inspection of the fire protection system.

(g) A letter of noncompliance conditions shall be sent to the building owner or authorized representative and the local authority having jurisdiction within five working days of the date of the inspection.

(5) Impairment Tag.

(a) If a fire protection system is found to contain deficiencies that could or do render the system impaired or inoperable, and such deficiencies or impairments constitute an emergency, then the inspector shall complete and attach an

impairment tag to the main control valve of the system and the fire department connection to indicate that corrective action is necessary.

(b) Impairment tags must be RED in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (3 1/2 inches) in width.

(c) Impairment tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Protection System Contractor I or II's name and licensed physical address.

3. The license number of the Fire Protection System Contractor I or II;

4. The permit number of the Water-Based Fire Protection Inspector.

5. The permitted Water-Based Fire Protection Inspector's signature.

6. The day, month and year (to be punched).

7. The facility name and address.

8. The emergency impairment(s).

9. The facility name and address.

(d) Impairment tags may be printed and established for a five year period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's Office.

(e) The signature of the Fire Protection System Contractor I or II on an impairment tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) An impairment tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector upon re-inspection of the fire protection system.

(g) A letter of emergency impairment conditions shall be sent to the building owner or authorized representative and to the occupant and the authority having jurisdiction within 24 hours of the time of the inspection.

(6)(3) The contractor shall maintain in his or her file all records of any fire protection system having been inspected, serviced and maintained.

(7)(4) These records shall be made available to the State Fire Marshal upon request.

(8)(5) The contractor or his permitted Water-Based Fire Protection Inspector the designated inspector shall complete in detail the inspection reports as required in NFPA 25, as adopted in Rule Chapter 69A-3, F.A.C., that outlines all points of the inspection, test, and maintenance as required by the applicable NFPA standards. A copy of which shall be provided to the owner at the completion of each inspection performed.

~~(9)(6)~~ The inspection report shall include detailed explanation of any deficiencies. The report shall indicate if the inspection is a weekly, monthly, quarterly or annual inspection. The inspection report shall include the name of the permitted Water-Based Fire Protection Inspector ~~registered inspector~~, the inspector ~~permit registration~~ number, signature, the date and time of inspection, and the signature of the owner or the owner's representative.

(10) Repair Tag.

(a) If a fire protection system is found to contain deficiencies and a impairment tag or noncompliance tag is placed on the system when the owner employs a contractor to perform corrective action, such deficiencies or impairments have been repaired, then the contractor or his permitted inspector shall complete and attach a repair tag to the tag on the main control valve of the system and the fire department connection to indicate and detail that corrective action was taken.

(b) Repair tags must be WHITE in color having a minimum size of no less than 2 1/2" and no greater than 3" by no less than 5 1/4" and no greater than 5 3/4".

(c) Repair tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10pt type and in all capital letters.
2. The name and physical business address of the licensed Fire Protection System Contractor I or II.
3. The license number of the Fire Protection System Contractor I or II.
4. The permit number of the Water-Based Fire Protection Inspector.
5. The permitted Water-Based Fire Protection Inspector's signature.
6. The day, month and year (to be punched).
7. The facility name and address.
8. The impairments or deficiencies corrected.
9. The facility name and address.

(d) Repair tags may be printed and established for a five year period of time.

(e) The signature of the Fire Protection System Contractor I or II on an repair tag certifies the listed deficiencies or impairments in the tag identified by the inspecting contractor rendering the system to be out of compliance with NFPA standards are corrected.

(f) A letter of corrective action taken shall be sent to the building owner or authorized representative and the local authority having jurisdiction within five working days of the date of the corrective action. The fire protection contractor shall maintain a record of the corrective action.

(g) A repair tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector who inspects the system to determine the impairments or noncompliance deficiencies have been corrected and the entire system has been inspected and found to be compliance with Chapter 633, Florida Statutes, Florida Administrative Code 69A-46 and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

Specific Authority 633.01 FS. Law Implemented 471.025, 553.79(6), 633.065, 633.547(2)(e) FS. History--New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

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

PURPOSE AND EFFECT: To amend the rule to establish procedure regarding immediate reinstatement of stop-work orders through an Order Reinstating Stop-Work Order where employers have defaulted on obligations under a Payment Agreement Schedule For Periodic Payment of Penalty, and rescinding such reinstatement orders where the employers have paid all past due penalty payments within the specified time period. To preclude employers from entering into a Payment Agreement Schedule For Periodic Payment of Penalty in a case where the employer is currently under obligation to the Department through a Payment Agreement Schedule For Periodic Payment of Penalty in a separate case, or where the employer otherwise owes penalty to the Department.

SUBJECT AREA TO BE ADDRESSED: Conditional release of stop-work orders and reinstatement of stop-work orders where employers have defaulted on penalty payment obligations.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(a) FS.

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

DATE AND TIME: Tuesday, September 26, 2006, 10:00 a.m.
 PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Andrew Sabolic, (850)413-1600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrew Sabolic, Bureau Chief of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

(1) The requirements for issuance of an Order of Conditional Release Form Stop-Work Order as provided for in Section 440.107, F.S., are:

(a) through (c) No change.

(2)(a) No change.

(b) Each monthly payment installment is due on the first day of the month in which it is due, and the employer is in violation of the Payment Agreement Schedule for Periodic Payment of Penalty if the full monthly payment installment is not received by the Department by the last day of the month in which the payment installment is due;

1. through 2. No change.

3. The first monthly payment installment shall be due on the first day of the second month following the month of issuance of the Conditional Release From Stop-Work Order, Form Number DFS-F4-1602 (rev. 6/04), and each subsequent payment installment shall be due on the first day of each consecutive month.

(c) through (g) No change.

(3) No change.

(4) If an employer defaults under any of its obligations under the Payment Agreement Schedule For Periodic Payment of Penalty, the Stop-Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable. "Immediately reinstated" means twenty-one (21) calendar days after an Order Reinstating Stop-Work Order is executed by the Chief Financial Officer or his or her designee and has been filed with the agency clerk of the Department. Subsequent to the issuance of an Order Reinstating Stop-Work Order by the Department, the Department will rescind the Order Reinstating Stop-Work Order requiring the employer to adhere to the terms and conditions of its Payment Agreement Schedule For Periodic Payment of Penalty only if the Department receives from the employer all past due monthly payments prior to the expiration of the twenty-one (21) day period. All past due monthly payments must be made by cashier check(s) or money order(s) made payable to DFS-Workers' Compensation Administration Trust Fund and be remitted to Department of Financial Services, Revenue Processing Section, Division of Workers' Compensation, P. O. Box 7900, Tallahassee, FL 32314-7900. The Department will

not enter into another Payment Agreement Schedule For Periodic Payment of Penalty with an employer in a case associated with the same stop-work order where the employer has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order, and in order to be released from a stop-work order that has been immediately reinstated the employer must pay the remainder of the entire penalty and show that it otherwise is in compliance with the coverage requirements of Chapter 440, F.S. The Department in any one case associated with the same stop-work order will not rescind an Order Reinstating Stop-Work Order more than twice.

(5) An employer that has entered into a Payment Agreement Schedule For Periodic Payment of Penalty with the Department and has not paid the remaining penalty in full or otherwise owes penalty to the Department as ordered through a final order is ineligible to enter into another Payment Agreement Schedule For Periodic Payment of Penalty with the Department for any separate violation of the coverage requirements of Chapter 440, F.S.

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

(a) through (c) No change.

(7) Unless otherwise precluded by this rule, employers assessed penalties pursuant to Rule 69L-6.030, F.A.C., are eligible to enter into a Payment Agreement Schedule For Periodic Payment of Penalty with the Department.

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

(9) In the event an employer prevails in challenging its penalty assessment through entry of a final judgment, final order, or appeal of a final judgment or final order, whichever is later, the Department will upon application filed by the employer with the Department pursuant to Section 215.26, F.S., refund to the employer the penalty amount paid to the Department.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(a) FS. History--New 4-6-05, Amended 7-20-05,

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.:
69O-170.017

RULE TITLE:
Shutter Discounts

PURPOSE AND EFFECT: To implement the provisions of Section 627.0629, Florida Statutes, relating to credits for windstorm mitigation.

SUBJECT AREA TO BE ADDRESSED: Windstorm Mitigation.

SPECIFIC AUTHORITY: 624.307(1), 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.062, 627.0629(1) FS.

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

DATE AND TIME: September 18, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Koon, Director, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: richard.koon@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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.: 69O-170.0155
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose is to amend an existing form and make it more consumer friendly and provide additional information that will benefit the consumer. Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, sets forth mitigation credits. Section 627.711, F.S., requires the Commission to adopt a form for noticing premium discounts for hurricane loss mitigation.

SUBJECT AREA TO BE ADDRESSED: Revision of Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation.

SPECIFIC AUTHORITY: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS.

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

DATE AND TIME: September 18, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: michael.milnes@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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTRACT PERSON.

**Section II
 Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19-16.001	Florida Commission on Hurricane Loss Projection Methodology

PURPOSE AND EFFECT: The Florida Commission on Hurricane Loss Projection Methodology is proposing the following rule in order to implement Section 627.0628, F.S. SUMMARY: Proposed Rule 19-16.001, F.A.C., addresses the composition and duties of the Florida Commission on Hurricane Loss Projection Methodology (Commission), provides definitions and adopts the 2006 standards and procedures for submission and review of hurricane loss projection models.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Beginning on March 1, 2007, the Public Model is required by law to come before the Commission. Since it has never come before the Commission, the costs to prepare the Public Model for Commission review is unclear. Other modelers are not required to bring their models to the Commission for review. These modelers have indicated in Commission meetings that it can cost in excess of \$500,000 to prepare a model for review by the Commission. 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: 627.0628 FS.

LAW IMPLEMENTED: 627.0628(1)(a), (c), (d), (2)(a), (b), (c), (d), (f), (3)(a), (d) FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 26, 2006, 9:00 a.m. – Noon (ET).

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracy L. Allen, Attorney for the Florida Commission on Hurricane Loss Projection Methodology, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341
Any person requiring special accommodations to participate in this proceeding is asked to advise Donna Sirmons at least five (5) calendar days before such proceeding. Donna Sirmons may be reached by telephone at (850)413-1349 or by mail at P. O. Box 13300, Tallahassee, FL 32317-3300

THE FULL TEXT OF THE PROPOSED RULE IS:

19-16.001 Florida Commission on Hurricane Loss Projection Methodology.

(1) Authority and Duties. The Florida Commission on Hurricane Loss Projection Methodology (Commission) was created pursuant to Section 627.0628, F.S.

(a) The Commission is administratively housed within the State Board of Administration of Florida, but is required to independently exercise its statutory powers and duties.

(b) The Trustees of the State Board of Administration of Florida are required to annually appoint a Commission member to serve as Chair.

(c) The State Board of Administration, as a cost of administering the Florida Hurricane Catastrophe Fund, is required to provide for travel, expenses, and staff support for the Commission.

(d) The Commission members serve as a panel of experts in order to provide the most actuarially sophisticated guidelines and standards possible for the projection of hurricane losses given the current state of actuarial science. Such guidelines and standards are to be subject to continuous review and revised at least annually.

(e) The Commission is required from time to time to adopt findings as to the accuracy or reliability of particular methods, principles, standards, models, or output ranges.

(f) The Commission is required to consider any actuarial methods, principles, standards, models, or output ranges that have the potential for improving the accuracy of or reliability of the hurricane loss projections used in residential property insurance rate filings.

(2) Definitions.

(a) "Board" means the State Board of Administration of Florida.

(b) "Commission" means the Florida Commission on Hurricane Loss Projection Methodology.

(c) "FHCF" means the Florida Hurricane Catastrophe Fund.

(d) "Office" means the Office of Insurance Regulation, which was created in Section 20.121(3), F.S.

(e) "Report of Activities" or "Commission's Report of Activities" or "the Report of Activities of the Commission" or "Florida Commission on Hurricane Loss Projection Methodology Report of Activities" means the document of the Commission adopted annually, which revises and/or updates the Commission's standards and procedures for the purpose of specifying to the various entities what is necessary for the submission and review of a loss projection model or other loss projection methodology.

(3) Composition of Commission.

(a) The Commission shall consist of the following eleven members:

1. The insurance consumer advocate;

2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund;

3. The Executive Director of the Citizens Property Insurance Corporation;

4. The Director of the Division of Emergency Management of the Department of Community Affairs;

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council;

6. An employee of the Office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the Office;

7. An actuary who is employed full time by a property and casualty insurer which was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the Commission;

8. An expert in insurance finance who is a full time member of the faculty of the State University System and who has a background in actuarial science;

9. An expert in statistics who is a full time member of the faculty of the State University System and who has a background in insurance;

10. An expert in computer system design who is a full time member of the faculty of the State University System;

11. An expert in meteorology who is a full time member of the faculty of the State University System and who specializes in hurricanes.

(b) Members listed in subparagraphs (a)1. through 5. above, serve on the Commission for as long as the individual holds the position listed. The member appointed by the director

of the Office in subparagraph (a)6. above, serves until the end of the term of office of the director who appointed him or her, unless removed earlier for cause. The members listed in subparagraphs (a)7. through (a)11. above, who are appointed by the Chief Financial Officer for the State of Florida, serve until the end of the term of office of the Chief Financial Officer who appointed him or her, unless removed earlier for cause.

(c) Members are not entitled to compensation for their services but shall be reimbursed for per diem and travel expenses as provided in Section 112.061, F.S.

(4) Adoption of a Report of Activities.

(a) The Commission's Report of Activities shall be revised annually and adopted annually by the Commission members acting in their capacities as a panel of experts.

(b) For calendar year 2007, the Commission adopts Form 16-1, entitled "Florida Commission on Hurricane Loss Projection Methodology Report of Activities as of November 1, 2006" which is hereby adopted and incorporated as a document for the purpose of providing standards and procedures for submission and review of hurricane loss projection models.

Specific Authority 627.0628 FS. Law Implemented 627.0628(1)(a), (c), (d), (2)(a), (b), (c), (d), (f), (3)(a), (d) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Ricker, Chair, Florida Commission on Hurricane Loss Projection Methodology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Florida Commission on Hurricane Loss Projection Methodology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006, Vol. 32, No. 27

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-1.659
RULE TITLE: Forms and Instructions
PURPOSE AND EFFECT: To incorporate by reference the following forms: a conservation restrictive covenant, conservation easements to be granted to the District allowing for standard, passive recreational, and riparian uses, and conservation easements with third party beneficiary rights allowing for standard, passive recreational and riparian uses.
SUMMARY: The regulated public will benefit by the incorporation of these forms into the District's rules by reducing review time for both the applicants and District staff reviewers and by ensuring that the forms are consistent with the requirements of Section 704.06, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District's determination that the proposed revisions will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

DATE AND TIME: October 12, 2006, 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to abain@sfwmd.gov. For procedural questions please contact: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6299, or by email to jsluth@sfwmd.gov. Copies of the forms are located on the District's website at: my.sfwmd.gov/permitting in the right hand column under "rule development". Copies can also be obtained by contacting Jan Sluth, Paralegal at the contact information provided above.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

Form No.	Date	Title			
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.	0483	9-04	Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida	0645-W01	8-03	Water Use Permit Application (RC-1A, RC-1W, RC-1G)
0113	8-95	Surface Water Management Permit No.	0645-G60	8-03	Table A Descriptions of Wells
0115	8-95	Surface Water Management Permit Modification No.	0645-G61-1	8-03	Table B Description of Surface Water Pumps
0119	8-95	Wetland Resource Permit No.	0645-G61-2	8-03	Table C Description of Culverts
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District	0645-G65	8-03	Table D Crop Information
0123	4-95	Well Construction Permit Application	0645-G74	8-03	Table E Water Received From or Distributed to Other Entities
0124	11-90	Well Completion Report	0645-G69	8-03	Table F Past Water Use & Table G Projected Water Use
0145	8-95	Environmental Resource Permit No.	0645-G70	8-03	Table H Projected Water Use (For Per Capita Greater than 200 GPD)
0157	8-95	Environmental Resource Permit Modification No.	0645-G71	8-03	Table I Water Treatment Method and Losses
0188-QMQ	8-03	Quarterly Report of Withdrawals	0645-G72	8-03	Table J Aquifer Storage and Recovery
0188-MDQ	8-03	Monthly Report of Daily Withdrawals	0645-G73	8-03	Table K Water Supply System Interconnections
0188-QASR	8-03	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells	0779	5-92	Guidance for Preparing an Application for a "Works of the District" Permit in the Everglades/Application for a Works of the District Permit
0188-QMON	8-03	Quarterly Report of Monitoring Requirements	0830	4-94	Special Use Application and License
0188-QMQF	8-03	Quarterly Report of Withdrawals from Wells and Surface Water Pumps	0881A	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification
0188-QCROP	8-03	Report of Planting and Harvest of Seasonal Crops	0881B	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995
0188-QBWDR	8-03	Quarterly Report of Bulk Water Delivered and Received	0889	9-04	Certification of Waiver of Permit Application Processing Fee
0195	6-91	Public Water Supply Well Information and Classification	0920	9-04	Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity
0196	10-89	Water Well Inspection Scheduling Card	0941	8-95	Environmental Resource Standard/Noticed General Permit No.
0299	1-90	Water Use Permit No.	0942	8-95	Surface Water Management General Permit No.
0444	8-95	Application for a Standard General Permit for Incidental Site Activities			
0445	8-03	Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G)			

0960	9-04	Environmental Resource/Surface Water Management Permit	<u>1190</u>	—	<u>Deed of Conservation Easement (Standard)</u>
		Construction Commencement Notice	<u>1191</u>	—	<u>Deed of Conservation Easement (Standard Passive Recreational)</u>
0961	9-04	Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction	<u>1192</u>	—	<u>Deed of Conservation Easement (Standard Riparian)</u>
0970	2-04	Applicant Transmittal Form for Requested Additional Information	<u>1194</u>	—	<u>Deed of Conservation Easement (Third Party Standard)</u>
0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit	<u>1195</u>	—	<u>Deed of Conservation Easement (Third Party Passive Recreational)</u>
			<u>1196</u>	—	<u>Deed of Conservation Easement (Third Party Riparian)</u>
			<u>1197</u>	—	<u>Restrictive Covenant (Standard)</u>
0972	8-95	Petition for a Formal Wetland and Surface Water Determination	(2)(a) through (g) No change.		
0973	8-95	Above Ground Impoundment Inspection/Certification Report	Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, <u>704.06</u> FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, <u>704.06</u> FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06,		
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System	_____.		
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit	NAME OF PERSON ORIGINATING PROPOSED RULE: Anita R. Bain, Division Director, Environmental Resource Regulation, Natural Resource Management Division		
1019	9-04	Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance	NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board		
1020	9-04	Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance	DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006		
1021	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance	WATER MANAGEMENT DISTRICTS South Florida Water Management District		
1022	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance	RULE NO.: 40E-4.091	RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference	
1023	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance	PURPOSE AND EFFECT: To ensure any conservation easements, restrictive covenants or plat restrictions placed over property included in an environmental resource permit will be consistent with Section 704.06, Florida Statutes.		
1024	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance	SUMMARY: The District proposes to specify the language requirements for plat restrictions and to reference forms incorporated into the rules that will constitute consistency with Section 704.06, Florida Statutes, while still allowing flexibility for site specific factors to be considered in finalizing the documents.		
1105	6-02	Performance Bond to Demonstrate Financial Assurance	SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District's determination that the proposed revisions will not result in a		
1106	6-02	Irrevocable Letter of Credit to Demonstrate Financial Assurance			
1109	8-03	Water Use General Permit			
1189	2-06	Notice of Environmental Resource or Surface Water Management Permit			

substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.103(8), 373.113, 373.171, 373.413, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 704.06 FS.

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

DATE AND TIME: October 12, 2006, 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to abain@sfwmd.gov. For procedural questions please contact Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6299, or by email to jsluth@sfwmd.gov. Information regarding this rulemaking effort is also located on the District's website at: my.sfwmd.gov/permitting in the right hand column in the link entitled "Rule Development".

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 2-12-06".

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413, 704.06 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 704.06 FS. History--New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, _____.

(The following represents proposed changes to the document entitled "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 2-12-06" incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.8 Real Property Conveyances and Restrictions

(a) All conservation easements and restrictive covenants pursuant to Section 704.06, F.S., shall be granted in perpetuity without encumbrances, unless such encumbrances do not have the potential to adversely affect the ecological viability of the mitigation. All liens against the conservation easement area preserved pursuant to Section 704.06, F.S., site shall be released, subordinated to, or joined with the conservation easement or restrictive covenant. ~~All~~ Conservation easements and restrictive covenants shall be consistent with Section 704.06, F.S.; and shall contain restrictions that ensure the ecological viability of the site.

(b) Plat restrictions proposed to meet the requirements of Section 704.06, F.S., and Section 4.3.2.2 must contain the language contained in Section 704.06(1)(a)-(h), F.S. In order to provide reasonable assurance of the preservation of the protected area in accordance with the permit in perpetuity, plat language shall provide the District a third-party right to enforce the restrictions of Section 704.06, F.S., and shall further provide that the Section 704.06, F.S., plat restrictions cannot be altered, released or revoked without the prior written consent of the District.

(c) The use of Form No(s) 1190-1192 and 1194-1197, referenced in Rule 40E-1.659, F.A.C., shall constitute consistency with Section 704.06, F.S. Where project specific conditions warrant deviation from the language of the accepted forms, alternative language may be accepted as long as it meets the provisions, purpose and intent of Section 704.06, F.S., and this Basis of Review.

~~(d)~~(b) All real property conveyances shall be in fee simple and by statutory warranty deed, special warranty deed, or other deed, without encumbrances that adversely affect the integrity of the preservation objectives. The District shall also accept a quit claim deed if necessary to aid in clearing minor title defects or otherwise resolving boundary questions.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anita R. Bain, Division Director, Environmental Resource Regulation, Natural Resource Management Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To incorporate language which clarifies that the Uniform Mitigation Assessment Method (UMAM) found in Rule 62-345, F.A.C., is applicable to all applications received on or after February 2, 2004.

SUMMARY: Sections 4.3. 4.3.2 – 4.3.2.4 regarding Mitigation Ratio Guidelines are superseded by Rule 62-345, F.A.C. for all applications received on or after February 2, 2004.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District’s determination that the proposed revisions will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS.

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

DATE AND TIME: October 12, 2006, 9:00 a.m.
 PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, (561)682-6436 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Division Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension

6866 or (561)682-6866 (email: abain@sfwmd.gov), or for procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299 (email: jsluth@sfwmd.gov). Information regarding this rulemaking effort is also located on the District’s website at: my.sfwmd.gov/permitting and clicking on the rule development/rulemaking link located in the right hand column.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – ~~_____ 2-12-06~~”.

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, _____.

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 2-12-06” incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.2 Mitigation Ratio Guidelines

a. For applications received on or after February 2, 2004, except as provided in Rule 62-345, F.A.C., Sections 4.3.2 – 4.3.2.4 are superseded by Rule 62-345, F.A.C.

b. Subsections 4.3.2 – 4.3.2.4 establish ratios for the acreage of mitigation required compared to the acreage which is adversely impacted by regulated activities. Ranges of ratios are provided below for certain specific types of mitigation, including creation, restoration, enhancement and preservation. Mitigation ratios for wetlands which have a 50% or greater coverage of melaleuca (*Melaleuca quinquenervia*), will be determined pursuant to subsection 4.3.2.4. and other provisions of this section. The difference between the ranges of ratios provided for mitigation types is based on the degree of improvement in ecological value expected from each type. Creation and restoration are assigned the lowest range of ratios as these activities, when successfully conducted, add new wetlands or other surface waters which provide the same or similar functions as the area being adversely impacted. The range of ratios established for enhancement is higher than that

for creation and restoration, as the area being enhanced currently provides a degree of the desired functions, and this type of mitigation serves to increase, rather than create, those functions. Preservation differs from the other types of mitigation in that it does not serve to improve the existing ecological value of an area in the short term. However, preservation does provide benefits as it can ensure that the values of the preserved area are protected and maintained in the long term, particularly when these values are not fully protected under existing regulatory programs. Therefore, the range of ratios established for preservation is higher than those for other types of mitigation. These ratios are provided as guidelines for preliminary planning purposes only. The actual ratio needed to offset adverse impacts may be higher or lower based on a consideration of the factors listed in subsections 4.3.2.1 through 4.3.2.4. For example, in instances where the proposed system results in only a small loss of ecological value in the impacted area, such as cases involving impacts to areas of low ecological value or cases where the proposed system results in a small reduction of ecological value of the impacted area, then the actual mitigation ratio would normally be in the lower end of or below the range. For other types of mitigation, ratios will be determined based upon the reduction in quality and relative value of the functions of the areas adversely impacted as compared to the expected improvement in quality and value of the functions of the mitigation area.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anita Bain, Division Director, Natural Resource Management Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

<p>RULE NO.: 61G3-16.0092</p>	<p>RULE TITLE: Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements</p>
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PURPOSE AND EFFECT: The Board proposes the rule amendment to change the time for providing list of attendees taking the course for continuing education purposes from 5 business days to 30 business days and to add prior to the licensee's renewal date, whichever occurs sooner.

SUMMARY: The proposed rule amendment will change the time for providing list of attendees taking the course for continuing education purposes from 5 business days to 30 business days and to add prior to the licensee's renewal date, whichever occurs sooner.

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

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

SPECIFIC AUTHORITY: 455.2228, 476.064(4) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 455.2228 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.0092 Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements.

(1) through (5) No change.

(6) Providers shall maintain a system of recordkeeping which provides for storage of approved courses. Providers shall maintain a roster of participants for four years. The records and roster shall be available for inspection by the Board or Department. Providers must electronically provide to the Department a list of attendees taking the course for continuing education purposes within 30 ~~5~~ business days of the completion of the course or prior to the licensee's renewal date, whichever occurs sooner. The list of attendees submitted electronically to the Department shall not include applicants taking the course for initial licensure. For home study courses, the provider must electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the licensee. This list shall include the provider's name and provider number, the name and license number of the attendee, the date the course was completed and the course number. Failure to comply with the time and form requirements will result in disciplinary action taken against the provider.

Specific Authority 455.2228, 476.064(4) FS. Law Implemented 455.2178, 455.2179, 455.2228 FS. History--New 9-12-01, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Barbers Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 15, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 21, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.017 Reinstatement and Relicensure
PURPOSE AND EFFECT: The Board proposes to change the
language so that the statement applies to both situations in
which a person has been revoked or voluntarily relinquished.
SUMMARY: The proposed rule amendment is regarding the
relicense of contractors whose certification or registration has
been revoked or voluntarily relinquished.
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: 489.108 FS.
LAW IMPLEMENTED: 489.111, 489.113, 489.115, 489.117,
489.129 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: G.W. Harrell, Executive Director,
Board Construction Industry Licensing, Northwood Centre,
1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G4-12.017 Reinstatement and Relicensure.
(1) through (2) No change.
(3)(a) The Board will not relicense a contractor whose
certification or registration has been revoked or voluntarily
relinquished until appropriate rehabilitation (to include
restitution if suitable) has been shown. All provisions of any
final orders entered against the contractor must be complied
with.
(b) The Board will not relicense a contractor whose
certification has been revoked or voluntarily relinquished
unless he passes the current licensing examination and meets
all other requirements for certification.

(c) The Board will not accept for registration the license of
an individual whose license ~~has~~ has previously been revoked or
voluntarily relinquished, unless the jurisdiction requesting
registration requires the individual to meet all current
requirements to demonstrate competency, including
examination, if required of other new registrants.

(d) Any person whose license has previously been revoked
or voluntarily ~~who~~ relinquished his license for any reason
must appear before the Board and gain approval prior to being
allowed to seek recertification through the examination, or
registration in a jurisdiction.

(4) No change.

Specific Authority 489.108 FS. Law Implemented 489.111, 489.113,
489.115, 489.117, 489.129 FS. History—New 8-12-84, Formerly
21E-12.17, Amended 5-29-88, 8-8-88, 12-21-92, 3-24-93, Formerly
21E-12.017, Amended 11-4-93,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board Construction Industry Licensing
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board Construction Industry
Licensing
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 9, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 16, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Employee Leasing Companies

RULE NO.: RULE TITLE:
61G7-5.0033 Consolidated and Combined
 Financial Statements

PURPOSE AND EFFECT: The Board proposes a rule
amendment to address the requirements for consolidated and
combined financial statements.

SUMMARY: The proposed amendment requires that the
Generally Accepted Accounting Principles (GAAP) Rule
61H1-22.003, F.A.C., be followed when electing to submit
consolidated financial statements.

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: 468.522, 468.525(3)(e) FS.
LAW IMPLEMENTED: 468.525(3)(e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.0033 Consolidated and Combined Financial Statements

(1) An employee leasing company or an employee leasing group may submit consolidated audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as the entity exercising control over the entities that are reporting on a consolidated basis is a member of the employee leasing company group, or in the case of an ELC license, as long as the entity exercising control is a properly licensed employee leasing company and there are cross guarantees for all ~~both~~ entities licensed under Chapter 468, Part XI, Florida Statutes. Consolidation principles provided in Generally Accepted Accounting Principles (GAAP) Rule 61H1-22.003, F.A.C. shall be followed when electing to submit consolidated financial statements. "Control" is defined as ownership of more than fifty (50) percent of the voting stock of all reporting entities. Non-licensed entities may be included in the consolidated statements so long as the foregoing requirements are met.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History--New 5-26-96, Amended 9-5-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-12.019
 RULE TITLE: Reinstatement of a Null and Void Licensee Fee

PURPOSE AND EFFECT: The purpose and effect of the rule is to establish the fee amount and application forms for reinstatement of a null and void license.

SUMMARY: The rule established a fee of \$260.00 and incorporates forms DBPR PRO 4951, DBPR PRO 4952, AND DBPR PRO 4953 which are to be utilized in the reinstatement of a null and void license.

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

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

SPECIFIC AUTHORITY: 4 74.206, 474.215, 455.219 FS.

LAW IMPLEMENTED: 4 74.215, 4 55.219, 4 55.271 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-12.019 Reinstatement of a Null and Void License Fee.

Each application (DBPR PRO 4951, DBPR PRO 4952, and DBPR PRO 4953) for reinstatement of a null and void license must be accompanied by payment of a fee of \$260.00.

Specific Authority 474.206, 474.215, 455.219 FS. Law Implemented 474.215, 455.219, 455.271 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003
 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word "notarized" from the statement requirement.

SUMMARY: The proposed rule amendment removes the word "notarized" from the statement requirement.

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

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

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.003 Physician Assistant Licensure.

(1) through (2) No change.

(3) The applicant must submit ~~notarized~~ statements containing the following information:

(a) through (c) No change.

(4) through (5) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-6.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word “notarized” from the statement requirement.

SUMMARY: The proposed rule amendment removes the word “notarized” from the statement requirement.

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

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

SPECIFIC AUTHORITY: 459.005, 459.022 FS.

LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.003 Physician Assistant Licensure.

(1) through (3) No change.

(4) The applicant must submit ~~notarized~~ statements containing the following information:

(a) through (c) No change.

(5) No change.

Specific Authority ~~458.347(7)~~, 459.005, 459.022 FS. Law Implemented 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS. History—New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-19.002 Violations and Penalties

PURPOSE AND EFFECT: The Board proposes the development of this rule to revise the existing language of the rule.

SUMMARY: The existing language of the rule is revised.

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

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

SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.002 Violations and Penalties.

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

(1) through (25) No change.

	MINIMUM	MAXIMUM
(26) Repeated Malpractice as defined in Section 456.50, F.S. (459.015(1)(x), F.S.)	<u>Revocation or denial of license and fine of \$1,000 denial or probation and \$7,500 fine</u>	<u>Revocation or denial of license and fine of \$10,000 denial or revocation and \$10,000 fine</u>
FIRST OFFENSE		
SECOND OFFENSE	<u>denial or suspension to be followed by probation and \$7,500 fine</u>	<u>revocation and \$10,000 fine</u>

(27) Failure to practice medicine in accordance with appropriate level of care, skill and treatment recognized in general law related to the practice of medicine with level of care, skill, and treatment recognized by a reasonably prudent physician as acceptable under similar conditions and circumstances. (456.50(1)(g), F.S.), (459.015(1)(x), F.S.)

FIRST OFFENSE	<u>Letter of Concern, up to one (1) year denial or probation and \$1,000 \$5,000 fine</u>	<u>Denial or revocation suspension to be followed by probation and \$10,000 \$7,500 fine</u>
SECOND OFFENSE	<u>Two (2) year denial or suspension to be followed by probation and \$7,500 fine</u>	No change

(28) through (58) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems
64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Holding Tanks
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.014	Construction Standards for Drainfield Systems
64E-6.015	Permitting and Construction of Repairs
64E-6.018	System Location, Design and Maintenance Criteria
64E-6.0181	Cesspit and Undocumented System Replacement and Interim System Use

- 64E-6.019 Requirements for Registration
- 64E-6.020 Master Septic Tank Contractors
- 64E-6.021 Issuance of Registration Certificates and Renewal
- 64E-6.025 Definitions
- 64E-6.026 Applications for Innovative System Permits and System Construction Permits
- 64E-6.030 Fees

PURPOSE AND EFFECT: The proposed changes to Chapter 64E-6, Florida Administrative Code, address the changes recommended by the Technical Review and Advisory Committee, address the concerns of the Joint Administrative Procedures Committee, and incorporate statutory changes from the 2006 legislative session. Throughout the chapter, the term "Registered Engineer" is replaced by the term "Licensed Engineer". The bureau website is listed as a source for referenced forms and materials. Repair permits are no longer required to splice drip emitter lines. Site plans are required to show existing and proposed excavation areas and the locations of the elevation reference point and the evaluators test borings. Coastal control permits from the Department of Environmental Protection are required before the issuance of system construction permits in affected areas. Design engineers are required when residential or establishment flows are split, systems have 1500 square feet or more drainfield, an engineer-designed system is repaired or modified, or where the seasonal high water table is altered by physical or mechanical means. The changes clarify that pump tank capacity is total capacity and that the capacity label on a service truck is the waste storage tank capacity. Portable restroom companies will be required to maintain a list of the date of installation for each portable holding tank and that portable holding tanks need to be labeled similarly to portable restrooms. Individual installation permits for portable holding tanks will no longer be required. Aerobic treatment unit manufacturers need to demonstrate that the entire state is covered by maintenance entities before the department will approve an installation of their product. The standards for concrete, fiberglass and polyethylene treatment receptacles are clarified. Receptacles of other materials are prohibited. Numerous tank test and design standards were modified. The proposals allow low pressure dosing systems having less than 1500 square feet of drainfield to be designed by master septic tank contractors and provide design specifications for such systems. The number of annual continuing education hours required for registered septic tank contractors and master septic tank contractors increased to 12 hours and 18 hours annually, respectively. Workers compensation is no longer one of the criteria for demonstrating an employer/employee relationship with a registered septic tank contractor.

SUMMARY: Areas addressed include general provisions; definitions; system design specifications, site evaluation, permitting, location and installation; regulation of septage,

grease, holding tanks and portable toilets; management of aerobic treatment units; construction of treatment receptacles, drainfields and system repairs; interim system use in the Florida Keys; septic tank contractor and master contractor registration and renewal; innovative system permitting; and fees.

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

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

SPECIFIC AUTHORITY: 154.06(1), 381.0011(4), 381.0011(13), 381.006, 381.0065(3)(a), 381.0066, 489.553(3), 489.557(1) FS.

LAW IMPLEMENTED: 381.012, 386.025, 381.0061, 381.0065, 381.00655, 381.066, 381.0067, 386.041, 489.552, 489.553, 489.554, 489.557 FS., Ch. 2001-337, LOF.

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

DATE AND TIME: September 25, 2006, 10:00 a.m.

PLACE: Bureau of Community Environmental Health, Conference Room 225Q, Capital Circle Office Center, 4042 Bald Cypress Way, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Susan Polangin, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-6.001 General.

(1) The provisions of Part I of this ~~Chapter rule~~ shall apply to all areas of the state except where specific provisions of law or other parts of this Chapter provide a specific exemption or modification to those provisions. The provisions of this Chapter must be used in conjunction with Chapter 381 and Part III, Chapter 489, F.S. found in Part II which specifically addresses the Florida Keys, or specific provisions found in Part IV which specifically address performance based treatment systems, exempt or modify compliance with Part I or Part II requirements. Performance based treatment systems are

~~intended as an alternative to the systems conforming to the preive standards detailed in Parts I and II of this rule and shall be used only for a single family residence. Designs for performance-based treatment systems allow for the use of alternative and innovative methods, materials, processes, and techniques that reduce the total biological, chemical, hydraulic, organic, nutrient, bacterial and viral discharge to the environment. Where used, the performance-based treatment systems shall be designed, operated, constructed, maintained and used in conformance with s. 381.0065(4)(j), F.S. Part III addresses the registration of septic tank contractors and certification of partnerships and corporations. Part V addresses fees for Parts I, II, III, and IV of this rule.~~

~~(2) Structures Except for places of employment meeting the provisions of Rule 64E-10, F.A.C., buildings used or intended for human occupancy, employment or service to the public and locations where people congregate, such as construction sites, fairs, and field locations for agricultural workers shall provide connect toilets and other wastewater generating fixtures to an approved wastewater treatment and disposal systems. Except for the provisions of Rule 64E-6.0101, F.A.C., permanent structures shall not rely upon the use of holding tanks and portable toilets for wastewater treatment and disposal. Also, property or locations where people congregate, are employed, or where property is used by the public for temporary and short periods, such as construction sites, fairs, carnivals, revivals, field locations for agricultural workers, encampments or other use shall be provided with an approved wastewater treatment and disposal system. Establishments with permanent structures shall not rely upon systems designed for temporary use as the primary means of wastewater treatment and disposal.~~

~~(3) Combination of commercial and domestic sewage into a single system shall require that all the sewage be treatment as commercial sewage. Use of holding tanks and portable toilets shall be in accordance with the provisions of Rule 64E-6.010(10), F.A.C.~~

~~(4) Except as provided for in other provisions of law s. 381.00655, F.S., any existing and prior approved system which has been placed into use and which remains in satisfactory operating condition shall remain valid for use under the terms of the rule and permit under which it was approved. Alterations that change the conditions under which the system was permitted and approved, sewage characteristics or increase sewage flow will require that the owner, or their authorized representative, apply for and receive reapproval of the system by the DOH county health department, prior to any alteration of the structure, or system. If an applicant requests that the department consider the previous structure's or establishment's most recent approved occupancy, the applicant must provide written documentation that the onsite sewage treatment and disposal system was approved by the department for that previous occupancy. An applicant will be required to complete~~

Form DH 4015, 10/97, Application for Onsite Sewage Treatment and Disposal System Construction Permit, herein incorporated by reference, and provide a site plan in accordance with paragraph Rule 64E-6.004(3)(a), F.A.C., to provide information of the site conditions under which the system is currently in use and conditions under which it will be used. The applicant shall have all system tanks, pumped by a permitted septage disposal service to determine tank volume based on the actual measurements of the tank. The service pumping the tank shall perform a visual inspection of the tank when the tank is empty to detect any observable defects or leaks in the tank, and shall submit the results to the DOH county health department as part of the application. If a prior approved existing system has been approved by the DOH county health department within the preceding three years, and the system was determined to be in satisfactory operating condition at that time, a new inspection is not required unless there is a record of failure of the system. If it is determined that a new inspection is not required, only the application fee shall be charged for this application and approval. A commercial system out of service for more than one year shall be brought into full compliance with current requirements of this Chapter prior to the system being placed into service. If the use of a building is changed or if additions or alterations to a building are made which will increase domestic sewage flow, change sewage characteristics, or compromise the integrity or function of the system, the onsite sewage treatment and disposal system serving such building shall be brought into full compliance with the provisions and requirements of these rules. Proper well setbacks shall be maintained. Prior to any modification of the system, the owner shall apply for and obtain a permit for modification of the system from the county health department in accordance with Rule 64E-6.004. The permit shall be valid for 18 months from the date of issue. Where building construction has commenced, it shall be valid for an additional 90 days. Necessary site investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed registered in the state of Florida pursuant to Chapter 471, F.S., registered septic tank contractors, master septic tank contractors, or persons certified under Section s. 381.0101, F.S., or department personnel for the appropriate fee specified in Section s. 381.0066, F.S.

(a) through (g) No change.

(5) through (6) No change.

(7) All materials forms incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by ~~contacting the department.~~

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0064, 381.0065, 381.0067, 386.041, 489.553~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 5-24-04, _____.

64E-6.002 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings indicated:

(1) through (46) No change.

(47) Repair – replacement of or modifications or additions to a failing system which are necessary to allow the system to function in accordance with its design or must be made to eliminate a public health or pollution hazard. Servicing or replacing with like kind mechanical or electrical parts of an approved onsite sewage treatment and disposal system; or making minor structural corrections to a tank, or distribution box, does not constitute a repair. The use of any treatment method that is intended to improve the functioning of any part of the system, or to prolong or sustain the length of time the system functions, shall be considered a repair. The use of any non-prohibited additive by the system owner, through the building plumbing, shall not be considered a repair. Removal of the contents of any tank or the installation of an approved outlet filter device, where the drainfield is not disturbed, shall not be considered a repair. Replacement of a broken lid to any tank shall not be considered a repair. Splicing a drip emitter line where no emitter is eliminated shall not be considered a repair.

(48) through (55) No change.

(56) Toxic or hazardous chemical – as defined by Section ~~s.~~ 381.0065(2)(p) ~~(n)~~, F.S.

(57) through (59) No change.

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a) FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0064, 381.0065, 381.00655, 381.0066, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.42, Amended 3-17-92, 1-3-95, Formerly 10D-6.042, Amended 11-19-97, 3-22-00, _____.

64E-6.003 Permits.

(1) No change.

(2) System Inspection – Before covering with earth and before placing a system into service, a person installing or constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the completion of the construction activities and shall have the system inspected by the department for compliance with the requirements of this Chapter, except as noted in subsection ~~s.~~ 64E-6.003(3), F.A.C., for repair installations.

(a) through (b) No change.

(c) Final installation approval shall not be granted until the DOH county health department has confirmed that all requirements of this Chapter, including building construction and lot grading are in compliance with plans and specifications submitted with the permit application.

1. In addition, if the system was designed by an engineer, who shall be licensed ~~registered~~ in the State of Florida, the DOH county health department shall require the design engineer or the design engineer’s designee, who shall be a licensed ~~registered~~ engineer, to certify that the installed system complies with the approved design and installation requirements. Single family residences are excluded from this requirement, however, all changes to the engineering specifications shall be approved by the design engineer.

2. No change.

(d) through (e) No change.

(3) through (5) No change.

(6) All materials ~~forms~~ incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 ~~by contacting the department.~~

Specific Authority 154.06(1), 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0064, 381.0065, 381.00655, 381.0066, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 5-24-04, _____.

64E-6.004 Application for System Construction Permit.

(1) through (2) No change.

(3) The suitability of a lot, property, subdivision or building for the use of an onsite sewage treatment and disposal system shall be determined from an evaluation of lot size, anticipated sewage flow into the proposed system, the anticipated sewage waste strength, soil and water table conditions, soil drainage and site topography and other related criteria. Necessary site investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed ~~registered~~ in the State of Florida pursuant to Chapter 471, F.S. Florida Statutes, by department personnel, registered septic tank contractors, master septic tank contractors, and persons certified under Section 381.0101, F.S. Registered septic tank contractors shall perform site evaluations for system repairs only. When determining that the necessary site investigations and tests be performed by, ~~or under the responsible supervision, direction and control of~~ an engineer licensed ~~registered~~ in the State of Florida, the county health department must consider the criteria listed in subsection ~~Rule~~ 64E-6.004(4), F.A.C. Results of site investigations shall be entered on, or attached to, the construction permit application form for consideration by the county health department. The application shall also include the following data:

(a) A plan or plat of the lot or total site ownership. The site plan shall be drawn to scale and shall be for the property where the system is to be installed.

1. The site plan shall show ~~drawn to scale showing~~ boundaries with dimensions and any of the following features that exist or that are proposed:

~~a.~~ locations of any existing or proposed residences or buildings Structures;

~~b.~~ Swimming pools;

~~c.~~ Recorded easements;

~~d.~~ the Onsite sewage treatment and disposal system components and their location on the property, the

e. Slope of the property

~~f. and any existing or proposed Wells;~~

~~g.~~ Potable and non-potable water lines; and including valves;

~~h.~~ Drainage features;

~~i.~~ Filled areas;

~~j.~~ Excavated areas for onsite sewage systems;

~~k.~~ Obstructed areas;

~~l.~~ And surface water bodies; and

~~m.~~ Location of the reference point for system elevation.

2. The site plan shall be for the property where the system is to be installed. If the county health department is responsible for performing the site evaluation, the applicant or applicant's authorized representative shall indicate the approximate location of wells, onsite sewage treatment and disposal systems, surface water bodies and other pertinent facilities or features on contiguous or adjacent property. If the features are within 75 feet of the applicant lot, the estimated distance to the feature must be shown but need not be drawn to scale.

3. If the county health department will not be performing the site evaluation, the applicant or authorized agent shall be responsible for the measurements to all features, including the pertinent features within 75 feet of the applicant lot. The location of any public drinking water well, as defined in paragraph Rule 64E-6.002(44)(b), F.A.C., within 200 feet of the applicant's lot shall also be shown, with the distance indicated from the system to the well.

4. If an individual lot is five acres or greater, the applicant may draw a minimum one acre parcel to scale showing all required features, or the minimum size drawing necessary to properly exhibit all required features, whichever is larger. The applicant must also show the location of that one acre or larger parcel inside the total site ownership.

5. All information that is necessary to determine the total sewage flow and proper setbacks on the site ownership shall be submitted with the application. The applicant lot shall be clearly identified. A copy of the legal deion or survey must accompany the application for confirmation of property dimensions only.

(b) No change.

(c) At least two soil profile deions within the proposed system soil absorption area to a minimum depth of six feet or to refusal, for which the minimum information provided is the upper and lower horizon boundaries, Munsell color of the horizon and its components and USDA soil texture; using USDA Soil Classification methodology as described in chapter 3 of the Soil Survey Manual, United States Department of Agriculture, Handbook No. 18, October 1993, herein incorporated by reference. At a minimum, a soil profile shall be provided at the beginning and end of the proposed drainfield site. Where the replacement of severely limited soil is proposed, soil profiles shall be performed to a minimum depth of 6 feet or to the depth of the slightly or moderately limited soil layer lying below the replaced layer, whichever is greater. The evaluator shall document the locations of all soil profiles on the site plan.

(d) through (e) No change.

(f) A Coastal Construction Control Line Permit or an exemption notice from the Department of Environmental Protection if any component of the onsite sewage treatment and disposal system or the shoulders or slopes of the system mound will be seaward of the Coastal Construction Control Line, established under Section 161.053, F.S. Should the location of the proposed onsite system relative to the control line not be able to be definitively determined based on the site plan and the online products available on the DEP website, the applicant shall provide a survey prepared by a certified professional surveyor and mapper showing the location of the control line on the subject property.

(4) The DOH county health department may require for review and approval, the submission of detailed system construction plans prepared by an engineer who is registered in the State of Florida. In determining whether the detailed system construction plans may be required, the department will consider the size of the system, the amount and type of sewage generated by the establishment, the degree of deviation from a standard subsurface drainfield system, any alternative system treatment requirements, and any unusual or varying soil conditions. For establishments with proposed domestic sewage flow rates more than 2500 gallons per day, or commercial sewage flow rates more than 1000 gallons per day, the DOH county health department shall require for review and approval, the submission of detailed system construction plans prepared by an engineer who is registered in the State of Florida. All plans and forms submitted by a licensed registered engineer shall be dated, signed and sealed. Except as provided for in subsection Rule 64E-6.003(2), F.A.C., the DOH county health department shall require the design engineer to certify that the installed system complies with the approved design and installation requirements. Under the following circumstances, the DOH county health department shall

require for review and approval, the submission of detailed system construction plans prepared by an engineer who is licensed in the State of Florida:

- (a) Systems serving establishments with proposed domestic sewage flow rates of 2500 or more gallons per day.
- (b) Systems serving establishments with proposed commercial sewage flow rates of 1000 or more gallons per day.
- (c) Systems where the total required drainfield area is 1500 square feet or greater.
- (d) The applicant proposes to split the flow from any residence or establishment in a method other than that provided for by rule.
- (e) The repair or modification of an engineer-designed system that meets these criteria for requiring an engineered design and that alters the original engineered design.
 - (f) All performance based treatment systems.
 - (g) All innovative systems.
 - (h) All sites where the seasonal high water table has or will be altered by physical or mechanical means.
 - (i) All sites requiring engineer designs as a condition of a variance or waiver approval.
 - (j) All drip irrigation systems.

Specific Authority ~~381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553(3) FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.00655, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044, Amended 11-19-97, 3-22-00,~~

64E-6.006 Site Evaluation Criteria.

Onsite sewage treatment and disposal systems may be utilized where lot sizes are in compliance with requirements of subsection Rule 64E-6.005(7), F.A.C., and all of the following criteria are met:

- (1) The effective soil depth throughout the drainfield installation site extends 42 inches or more below the bottom surface of the drainfield. Paragraphs (a), (b) and (c) list soil texture classes with their respective limitation ratings.
 - (a) through (b) No change.
 - (c) Clay, bedrock, oolitic limestone, fractured rock, hardpan, organic soil, gravel and coarse sand, when coarse sand is associated with an estimated wet season high water table within 48 inches of the absorption surface are severely limited soil materials. If severely limited soil material can be replaced with slightly limited soil material, see Footnotes 3 and 4 of Table III for minimum requirements. Where limestone is found to be discontinuous along the horizontal plane and is dispersed among slightly or moderately limited soils, the Department Policy for Drainfield Sizing in Areas With

Discontinuous Limestone, August 1999, herein incorporated by reference, shall be used. The referenced policy may be obtained by contacting the department.

- (2) through (6) No change.
- (7) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

Specific Authority ~~154.06, 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553, 489.557 FS. Law Implemented 154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.47, Amended 3-17-92, 4-16-92, 1-3-95, Formerly 10D-6.047, Amended 3-22-00,~~

64E-6.008 System Size Determinations.

- (1) No change.
- (2) Minimum effective septic tank capacity and total dosing tank capacity shall be determined from Table II. However, where multiple family dwelling units are jointly connected to a septic tank system, minimum effective septic tank capacities specified in the table shall be increased 75 gallons for each dwelling unit connected to the system. With the exception noted in paragraph Rule 64E-6.013(2)(a), F.A.C., all septic tanks shall be multiple chambered or shall be placed in series to achieve the required effective capacity. The use of an approved outlet filter device shall be required. Outlet filters shall be installed within or following the last septic tank or septic tank compartment before distribution to the drainfield. The outlet filter device requirement includes blackwater tanks, but does not include graywater tanks or grease interceptors or laundry tanks. Outlet filter devices shall be placed to allow accessibility for routine maintenance. Utilization and sizing of outlet filter devices shall be in accordance with the manufacturers' recommendations. The approved outlet filter device shall be installed in accordance with the manufacturers' recommendations. The Bureau of Onsite Sewage Programs shall approve outlet filter devices per the department's Policy on Approval Standards For Onsite Sewage Treatment And Disposal Systems Outlet Filter Devices, August 1999, which is herein incorporated by reference.

AVERAGE SEWAGE CAPACITY FLOW GALLONS/DAY	TABLE II SEPTIC TANK AND PUMP TANK CAPACITY		
	SEPTIC TANK		PUMP TANK
	MINIMUM EFFECTIVE CAPACITY	MINIMUM EFFECTIVE CAPACITY	MINIMUM — EFFECTIVE TOTAL
	GALLONS		Residential Commercial
0-200	900		150 225
201-300	900		225 375
301-400	1050		300 450
401-500	1200		375 600
501-600	1350		450 600
601-700	1500		525 750
701-800	1650		600 900
801-1000	1900		750 1050
1001-1250	2200		900 1200
1251-1750	2700		1350 1900

1751-2500	3200	1650	2700
2501-3000	3700	1900	3000
3001-3500	4300	2200	3000
3501-4000	4800	2700	3000
4001-4500	5300	2700	3000
4501-5000	5800	3000	3000

(3) through (5) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), ~~489.553~~ FS. Law Implemented ~~154.01~~, ~~381.001(2)~~, ~~381.0011(4)~~, ~~381.0012~~, ~~381.0025~~, ~~381.0061~~, 381.0065, ~~381.0067~~, ~~386.041~~, ~~489.553~~ FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-00, 9-5-00, _____.

64E-6.009 Alternative Systems.

When approved by the DOH county health department, alternative systems may, at the discretion of the applicant, be utilized in circumstances where standard subsurface systems are not suitable or where alternative systems are more feasible. Unless otherwise noted, all rules pertaining to siting, construction, and maintenance of standard subsurface systems shall apply to alternative systems. In addition, the DOH county health department may, using the criteria in subsection 64E-6.004(4), F.A.C., require the submission of plans prepared by an engineer ~~licensed registered~~ in the State of Florida, prior to considering the use of any alternative system. The DOH county health department shall require an engineer licensed ~~registered~~ in the state of Florida to design a system having a total absorption area greater than 1000 square feet and shall require the design engineer to certify that the installed system complies with the approved design and installation requirements.

(1) through (2) No change.

(3) Mound systems – are used to overcome certain limiting site conditions such as an elevated seasonal high water table, shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock. Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4), F.A.C., be specified on the construction permit in addition to the following general requirements.

(a) through (e) No change.

(f) There shall be a minimum 4 feet separation between the shoulder of the fill and the nearest trench or absorption bed sidewall. Where a portion of the mound slope will be placed adjacent to building foundations, pilings or supports for elevated structures, mobile home walls, swimming pool walls, retaining walls, or similar obstructions there shall be a minimum 5 foot separation between the sidewall of the absorption area and the obstruction. Such obstructions shall impact the slope on no more than 50 percent of the shoulder perimeter. Retaining walls must be designed by a professional

engineer licensed ~~registered~~ in the state of Florida to withstand the lateral earth forces under saturated conditions and to prevent seepage. Where mounds are placed on slopes exceeding 2 percent, the toe of the slope on the downslope side of the mound shall extend an additional 4 inches for each additional 1 percent of slope. To taper the maximum elevation of the mound at the outer perimeter of the shoulder down to the toe of the slope, additional moderately or slightly limited fill shall be placed at a minimum 2 foot horizontal to 1 foot vertical grade where mound height does not exceed 36 inches. Mound heights which exceed 36 inches shall have a slope not steeper than 3 foot horizontal to 1 foot vertical. The entire mound including slopes, shoulders and the soil cap shall be stabilized with vegetation. Slopes steeper than 5:1 shall be sodded. Soil caps and unsodded slopes must, at a minimum, be seeded with grass and a layer of hay or similar cover. Where fill material is present in the amount so as to provide a level surface from the top of the required cover over the system over the area where the slopes would normally be located, no slopes shall be required. For example, if the neighboring lot has been permanently filled to the same level as the applicant’s lot, a five-foot separation from the property line to the system will be required, as opposed to requiring the slope area. Stabilization of a mound shall be the responsibility of the septic tank contractor who constructed the mound system unless the written agreement for system construction clearly states the system owner is responsible. Mound slopes which do not conform to permit requirements shall at a minimum be restored to permit specifications prior to stabilizing. Other vegetative covers providing protection from mound erosion equal to or better than sod shall be approved by the State Health Office. Final installation approval shall not be granted until sodding or seeding and haying or other approved stabilization of the mound has occurred. No portion of the drainfield or shoulder area shall be covered with asphalt or a concrete driveway or be subject to vehicular traffic. Landscaping features such as boulders or trees which obstruct drainfield or fill shoulder area shall not be used.

(g) through (i) No change.

(4) No change.

(5) Drip irrigation systems – Drip irrigation systems may, at the option of the applicant, be used in lieu of a mineral aggregate drainfield. Drip irrigation systems shall meet all requirements of this Chapter except as noted below.

(a) Drip irrigation systems receiving effluent from an approved aerobic treatment unit shall meet the following requirements:

1. Drip irrigation systems shall be designed by an engineer licensed ~~registered~~ in the state of Florida.

2. through 23. No change.

(b) No change.

(6) No change.

(7) Alternative system component and design approval – After innovative system testing is completed, requests for approval of system components and designs which are not specifically addressed in this chapter shall be submitted to the department’s Bureau of Onsite Sewage Programs.

(a) Requests for alternative system component material and design approval shall include:

1. detailed system design and construction plans by an engineer licensed ~~registered~~ in the State of Florida.

2. certification of the performance capabilities of the product submitted by an engineer licensed ~~registered~~ in the State of Florida.

3. through 5. No change.

(b) through (d) No change.

(8) Other alternative systems – systems such as low pressure distribution networks, small diameter gravity sewers, low pressure sewer systems, alternating absorption fields, and sand filters designed and submitted by an engineer who is licensed ~~registered~~ in the State of Florida, meeting the general requirements of this Chapter, shall be approved by the DOH county health department where evidence exists that use of such systems will not create sanitary nuisance conditions, health hazards or pollute receiving waters. Use of an alternative system may require the establishment of procedures for routine maintenance, operational surveillance, and environmental monitoring to assure the system continues to function properly.

(9) No change.

(10) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), ~~489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 6-18-03, _____.

64E-6.010 Septage and Food Establishment Sludge.

(1) No change.

(2) Application for a service permit shall be made to the DOH county health department on Form DH 4012, 01/92, “Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval” herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

(a) through (c) No change.

(3) When a permit is issued, the number of said permit along with the name of the company, its phone number, and the gallon capacity of the waste storage tank ~~truck~~ shall be

prominently and permanently displayed on the service truck in contrasting colors with 3 inch or larger letters. Use of removable magnetic signs shall not be considered permanent display of vehicle identification information. A septage disposal service permit shall be suspended, revoked or denied by the department in accordance with Chapter 120, F.S., for failure to comply with requirements of this Chapter.

(4) through (9) No change.

(10) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06, 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557~~ FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.52, Amended 3-17-92, 1-3-95, 5-14-96, Formerly 10D-6.052, Amended 3-22-00, 5-24-04, _____.

64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.

(1) Persons servicing portable restrooms, portable hand washing facilities and portable or stationary holding tanks shall obtain an annual permit on Form DH 4013, 01/92, Operating Permit, herein incorporated by reference, from the county health department in the county in which the service company has an office or storage yard. No portable restroom or holding tank shall have its contents removed and disposed of until the service company has obtained an annual written permit (form DH 4013, 1/92, Operating Permit) from the DOH county health department in the county in which the service company holds a business office. The service company need not be permitted in neighboring counties in which the service company operates but does not have an office or storage yard. Service persons shall carry proof of possession of a current annual operating permit and vehicle inspection for review by department personnel in neighboring counties. Permits issued under this rule authorize the disposal service to handle liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers and portable or stationary holding tanks containing domestic wastewater produced in the State of Florida. Permits issued under this section authorize the disposal service to handle liquid waste associated with portable restrooms and holding tanks.

(2) Application for a service permit shall be made to the DOH county health department on Form DH 4012, 01/92, “Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval” herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

(a) Evidence that the applicant possesses adequate equipment such as a tank truck, pumps, off truck stabilization tanks and pH testing equipment where lime stabilization and land application are proposed, as well as other appurtenances and tools necessary to perform the work intended. Equipment may be placed into service only after it has been inspected and approved by the DOH county health department. Tanks used for the stabilization and storage of portable or stationary holding tank waste and portable restroom waste shall be constructed, sized, and operated in accordance with the provisions of subparagraphs 64E-6.010(2)(a)1-3., F.A.C.

(b) The proposed disposal method and the site to be used for disposing of the waste from portable restrooms or portable or stationary holding tanks.

(c) The contractor registration number and certificate of authorization number, if applicable.

(3) When a permit is issued, the number of said permit along with the name of the company, its phone number, and the gallon capacity of the waste storage tank truck shall be prominently and permanently displayed on the service truck in contrasting colors with 3 inch or larger letters. Use of removable magnetic signs shall not be considered permanent display of vehicle identification information.

(4) After waste is removed from a portable or stationary holding tank, the original cap or lid of the tank shall be put back in place, or be replaced with a new cap or lid if the original one is broken. Tank lids shall be completely sealed and secured as per paragraph 64E-6.013(2)(i), F.A.C. The site shall be left in a nuisance-free condition.

(5) Waste from portable or stationary holding tanks or portable restrooms shall be transported to an approved treatment facility in such a manner as to preclude leakage, spillage or the creation of a sanitary nuisance.

(6) All portable restroom and portable or stationary holding tank waste haulers regulated by Chapter 64E-6, F.A.C. are to maintain a collection and hauling log at the main business location which provides the information listed below. Records shall be retained for five (5) years.

(a) Date of septage or waste collection.

(b) Estimated volume, in gallons, of septage or waste transported.

(c) Location of the approved treatment facility.

(d) Date and time of discharge to the treatment facility.

(e) Acknowledgement ~~Acknowledgement~~ from treatment facility of receipt of septage or waste.

(f) The location and the installation or placement date of all portable holding tanks placed into service. When a county health department requests to see the list of holding tank installation locations, only those locations within the health department's county of jurisdiction need be provided.

(7) Portable Restrooms, Portable Holding Tanks, Stationary Holding Tanks, Mobile Restroom Trailers, Mobile Shower Trailers, and Portable Sinks

(a) The department shall allow, on a temporary basis, portable restrooms, mobile restrooms, mobile shower trailers, and portable or stationary holding tanks for fairs, carnivals, revivals, field locations, encampments and other locations which lack permanent structures where people congregate for short periods of time, provided the construction, maintenance, and utilization of such systems conform to the general provisions of this Chapter. Portable restrooms, portable or stationary holding tanks or other restroom facilities shall be provided at commercial and residential building sites for the duration of construction any time workers are present, and shall not be bound by the definition of temporary. All required restroom facilities shall remain accessible whenever the intended users are present. Where the department determines that no health hazard will result, portable restrooms, portable holding tanks, stationary holding tanks, mobile restroom trailers, mobile shower trailers, and portable sinks shall be permitted meeting setbacks that are 50% of the setback requirements of subsections ~~Rule~~ 64E-6.005(1) through (3), F.A.C. provided portable or stationary holding tanks shall be placed within secondary containment structures with a containment capacity of no less than 110% of the total waste capacity of the holding tank. For purposes of this rule, a holding tank is any sealed, water tight fixture for receiving and storing domestic wastewater from plumbing fixtures in remote locations or at building sites or special events. For purposes of this rule, a portable restroom is a transportable, self contained static or flush-type toilet constructed to promote a sanitary environment at remote locations, building sites or special events, comprised of at least a waste storage receptacle, a riser and toilet seat and a protective enclosure. Portable restrooms, mobile restrooms, and mobile shower trailers at building sites or at a location for a temporary period of time do not require a permit from the department but must comply with the provisions of this rule. A construction permit (DH 4016) shall be obtained before placing or installing any ~~portable or~~ stationary holding tanks.

(b) The department shall approve, for permanent use or placement, portable restrooms or stationary holding tanks at continually used locations where restroom facilities are desirable for the promotion of public health and where conventional facilities are neither available nor practical. Examples of such locations would be boat ramps, remote areas of golf courses, office or sales trailers, or other places where people congregate which meet the above criteria. A construction permit (DH 4016) shall be obtained before placing or installing any portable restroom or stationary holding tank for permanent use. The portable restroom service company providing portable restrooms or stationary holding tanks shall be responsible for maintenance of the unit and removal if conventional facilities are made available.

(c) Portable restrooms shall be self-contained, have self closing doors and shall be designed and maintained so that insects are excluded from the waste container.

(d) Portable restroom service company operators shall use Table PR I to determine the required number of facilities for special events for use in situations where no local or state codes provide a minimum number of toilet facilities. Table PR I assumes that the portable restrooms are serviced only once per day. If the restrooms are serviced twice per day, the value from the table shall be divided by two. If they are pumped three or more times per day, the value shall be divided by three. All resulting fractional numbers of restrooms required shall be rounded up to the next higher whole number of restrooms. If permanent restroom facilities are available for use by the attendees, the number of portable restrooms may be reduced based on the number of attendees the permanent facilities are designed to accommodate. At least one working day prior to the special event, special event organizers shall provide to the county health department a signed contract, or facsimile copy thereof, with the portable restroom service company specifying the dates the facilities will be on the event site, the number of restroom facilities to be provided, the servicing frequency and the removal date for the units.

(e) Table PR II shall be used to determine the number of required facilities at remote locations and commercial and residential building sites.

1. Table PR II assumes that the portable restrooms are serviced only once per week. If the restrooms are serviced twice per week, the value from the table shall be divided by two. If they are pumped three or more times per week, the value shall be divided by three. All resulting fractional numbers of restrooms required shall be rounded up to the next higher whole number of restrooms.

2. Where a contractor has multiple building sites, the individual sites shall be considered a single site for purpose of determining the number of facilities. Portable restrooms serving multiple individual building sites may be shared between sites provided they are no more than 300 feet from any individual building site served.

(f) Waste receptacles shall be watertight and made of non-absorbent, acid resistant, corrosion-resistant and easily cleanable material.

(g) The floors and interior walls shall have a non-absorbent finish and be easily cleanable.

(h) Portable restrooms shall be serviced at least weekly and the inside of the structure housing the storage compartment shall be cleaned on each service visit.

(i) Each portable restroom shall have listed in a conspicuous place the name and telephone number of the servicing company.

(j) Portable restrooms shall be maintained in a sanitary condition. Portable restrooms at special events shall be serviced at least daily.

TABLE PR I
NUMBER OF PORTABLE RESTROOMS REQUIRED FOR SPECIAL EVENTS
(ASSUMES SERVICING ONCE PER DAY)
NUMBER OF PEOPLE PER DAY NUMBER OF HOURS FOR EVENT PER DAY

	1	2	3	4	5	6	7	8	9	10
250	2	2	2	2	2	3	3	3	3	3
500	2	3	4	4	4	4	4	4	4	4
1000	4	5	6	7	7	8	8	8	8	8
2000	6	10	12	13	14	14	14	15	15	15
3000	9	14	17	19	20	21	21	21	21	22
4000	12	19	23	25	28	28	28	30	30	30
5000	15	23	30	32	34	36	36	36	36	36
6000	17	28	34	38	40	42	42	42	44	44
7000	20	32	40	44	46	48	50	50	50	50
8000	23	38	46	50	54	57	57	58	58	58
9000	26	42	52	56	60	62	62	62	64	64
10,000	30	46	57	63	66	70	70	72	72	72
12,500	36	58	72	80	84	88	88	88	88	92
15,000	44	70	84	96	100	105	105	110	110	110
17,500	50	80	100	110	115	120	125	125	126	126
20,000	57	92	115	125	132	138	138	144	144	150
25,000	72	115	144	154	168	175	175	176	176	184
30,000	88	138	168	192	200	208	208	216	216	216

TABLE PR II
PORTABLE RESTROOMS REQUIRED FOR REMOTE LOCATIONS AND
COMMERCIAL AND RESIDENTIAL BUILDING SITES
PER SITE OR LOCATION
(ASSUMES SERVICING ONCE PER WEEK)

NUMBER OF PEOPLE PER SITE	NUMBER OF RESTROOMS REQUIRED
8 HOURS PER DAY - 40 HOURS PER WEEK	
1-10	1
11-20	2
21-30	3
31-40	4
41-50	5
over 50	Add 1 restroom for every 10 additional people or fraction thereof

TABLE PR III
HOLDING TANK CAPACITY REQUIRED FOR REMOTE LOCATIONS, AND
SPECIAL EVENTS
PER SITE OR LOCATION
(ASSUMES SERVICING TWICE PER WEEK)

NUMBER OF PEOPLE PER SITE	MINIMUM HOLDING TANK CAPACITY (IN GALLONS)
8 HOURS PER DAY - 40 HOURS PER WEEK	
1	125
2-3	250
4-5	500
6-7	750
over 7	Add 125 gallons for each additional person

(k) Portable hand washing facilities shall be self-contained and have access to a fresh water compartment and a wastewater compartment. A sign shall be posted near the hand washing apparatus to advise users that the water is not for drinking.

(l) Portable hand washing facilities shall be provided in a proportion of one hand wash facility to every ten portable restrooms required, and shall be provided at special events and remote locations where food is served or picnic areas are provided. With the exception of locations where food is served, hand sanitizers may be used in lieu of hand washing facilities, at the option of the applicant.

(m) The number and location of portable restroom and hand washing facilities for food handlers at special events shall be based on this section or applicable local or state food hygiene requirements, whichever is greater.

(n) An applicant for a stationary holding tank installation permit shall provide to the county health department a copy of a contract with a permitted disposal company that states the holding tank capacity and the scheduled pumping frequency.

(o) All stationary ~~stationery~~ holding tanks shall be constructed in compliance with the construction standards for treatment receptacles in Rule 64E-6.013, F.A.C.

(p) Portable holding tanks shall meet the following requirements:

1. The total effective capacity of the portable holding tank shall not exceed 300 gallons;

2. No portion of the portable holding tank shall be more than 12 inches below the surface of the ground;

3. The portable holding tank shall be used for a construction site or temporary use;

4. The portable holding tank shall be rigid, water-tight, impervious;

5. Polyethylene holding tanks shall meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO) PS 1-93, Paragraph 5.4 "Polyethylene", herein incorporated by reference. Where the requirements of IAPMO PS 1-93 Paragraph 5.4 "Polyethylene" conflict with the standards in this section, the standards in this section shall apply;

6. Multiple portable holding tanks, if used, shall be connected in such a manner that leakage from one tank will not result in the loss of any liquid from any other tanks; ,

7. Each portable holding tank shall have listed in a conspicuous place the name and telephone number of the servicing company, and;

~~8.7.~~ The portable holding tank shall be removed from the site when no longer needed.

9. The portable holding tank servicing company shall maintain a list of the location and the installation or placement date of all portable holding tanks placed into service. The list shall be made available to the Department upon request.

~~(q)(p)~~ Portable or stationary holding ~~Holding~~ tanks shall be serviced at least weekly to prevent insanitary conditions.

~~(r)(q)~~ Table PR III shall be used to determine the required total capacity of portable or stationary holding tanks serving a remote location, construction site, or special event. The values from Table PR III shall be adjusted proportionately to the number of times per week the holding tank will be emptied.

~~(r)~~ ~~Persons servicing portable restrooms, portable hand washing facilities and holding tanks shall obtain an annual permit on Form DH 4013, 01/92, Operating Permit, herein incorporated by reference, from the county health department in the county in which the service company has an office or storage yard. Permits issued under this section authorize the disposal service to handle liquid waste associated with portable restrooms, portable hand washing facilities and holding tanks containing domestic wastewater produced in the State of Florida.~~

(s) Application for a service permit shall be made to the county health department on Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

1. The permanent location and address of the business where operations will originate and where equipment is to be stored when it is not in use.

2. The proposed disposal method and the site to be used for disposing of the waste.

(t) The following equipment, maintenance and service requirements shall be complied with:

1. Vehicles used for servicing portable restrooms shall be provided with two separate tanks or a dual compartment tank. One compartment or tank shall be used for receiving and removing wastes and the other shall be used for clean water storage and shall have adequate capacity to allow proper cleaning of each serviced unit. ~~Vehicles servicing holding tanks shall be equipped with a tank for receiving and removing wastes.~~ The waste tank on all vehicles servicing portable restrooms or portable or stationary holding tanks shall be equipped with a suction hose having a cut-off valve not more than 36 inches from the intake end.

2. Standby portable restroom and holding tank service equipment shall be available for use during breakdowns or emergencies. If equipment from another approved service is to be used for stand-by purposes, a written agreement between the services must be provided to the county health department.

3. The waste storage compartment of a tank truck shall be maintained as necessary to prevent the creation of sanitary nuisance conditions.

(u) Portable or stationary holding ~~Holding~~ tank, portable restroom, and portable hand sink wastes shall be disposed of into a septage treatment and disposal facility approved by the department or into a treatment facility approved or permitted for such disposal by the Department of Environmental Protection. These wastes shall be land applied under provisions of subsection Rule 64E-6.010(7), F.A.C., provided a DEP-approved treatment facility is not available. Companies which service portable or stationary holding tanks or portable restrooms which use quaternary ammonium sanitizing and deodorizing compounds are prohibited from having the wastes treated or disposed of at lime stabilization facilities.

(v) When disposed of in a department approved lime stabilization facility, the portable restroom, portable hand washing and portable or stationary holding tank wastes shall be blended with domestic septage at a rate of no less than 3 parts septage to 1 part holding tank, portable restroom or portable

hand washing facility waste prior to lime stabilization. Treatment and disposal shall comply with the provisions of paragraphs Rule 64E-6.010(7)(a)-(u), F.A.C.

(w) Contents of portable restrooms and portable or stationary holding tanks shall be removed in their entirety when pumped.

(x) Persons who own portable restrooms but are not a permitted service company shall maintain a service contract with a permitted service company for every portable restroom in use. The name and telephone number of the owner shall be displayed on every portable restroom in use.

(8) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06, 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557 FS. Law Implemented 154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.0066, 381.0067, 386.041 FS. History—New 5-24-04, Amended _____.~~

64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units.

When aerobic treatment units are used for treating domestic and commercial sewage waste, each unit shall be installed, operated and maintained in conformance with the following provisions:

(1) Aerobic systems designed to treat up to 1500 gallons of sewage waste per day shall be listed by a third party certifying program approved by the State Health Office. Aerobic treatment units shall be in compliance with standards for Class I systems as defined by ANSI/NSF International Standard Number 40, revised July, 2000, herein incorporated by reference. An approved third party certifying program shall comply with the following provisions in order for units which it has certified to be approved for use in Florida:

(a) through (i) No change.

(j) Manufacturers shall provide a listing of approved maintenance entities they have authorized to provide service in the state and shall demonstrate that the entire state is covered by at least one maintenance entity. A system using a manufacturer's unit shall not be approved in the state if the manufacturer cannot demonstrate that there are maintenance entities to service it.

(j) through (l) renumbered (k) through (m) No change.

~~(n)(m)~~ The DOH county health department shall, at least annually, inspect the maintenance and performance of aerobic treatment units. The DOH county health department shall also inspect each authorized maintenance entity, including review of their service records and maintenance agreements. ~~Aerobic treatment units shall be sampled as necessary to determine compliance with performance criteria.~~

(2) No change.

(3) An aerobic treatment unit used for treating domestic sewage flows in excess of 1500 gallons per day but not exceeding 10,000 gallons per day shall be designed and certified by an engineer licensed registered in the State of Florida. The certification shall state that the unit is capable of consistently meeting, at minimum, secondary treatment standards established by DEP in Rule 62-600.420, F.A.C. In addition, the following requirements shall also be met:

(a) through (e) No change.

(4) No aerobic treatment unit shall be serviced or repaired by a person or entity engaged in an aerobic treatment unit maintenance service until the service entity has obtained an annual written permit issued on Form DH 4013 from the DOH county health department in the county where the service company is located. Each service entity shall employ at least one plumbing contractor licensed under Section 489.105(3)(m), F.S., septic tank contractor registered under Part III of Chapter 489, F.S., or a state-licensed wastewater treatment plant operator, who is responsible for maintenance and repair of all systems under contract. Application for a Maintenance Service Permit, Form DH 4066, shall be made to the DOH county health department and shall contain the following information:

(a) through (c) No change.

(5) No change.

Specific Authority 154.06(1), 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(4) FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, Part I 386 FS. History—New 3-17-92, Amended 1-3-95, Formerly 10D-6.0541, Amended 11-19-97, 4-21-02, 6-18-03, _____.

64E-6.013 Construction Materials and Standards for Treatment Receptacles.

(1) Onsite wastewater treatment receptacle design – The following requirements shall apply to all onsite wastewater treatment receptacles manufactured for use in Florida unless specifically exempted by other provisions of these rules:

(a) Onsite wastewater treatment receptacles include: septic tanks, graywater tanks, laundry tanks, grease interceptors, pump tanks, aerobic treatment unit tanks, tanks containing treatment media and stationary holding tanks not described in paragraph 64E-6.0101(7)(p), F.A.C. Treatment receptacles shall be constructed of concrete, fiberglass or polyethylene.

(b) Design and testing of concrete treatment receptacles:

1. Structural design of receptacles shall be by calculation or by performance.

2. Structural design shall be verified by actual vacuum load or hydrostatic test in accordance with the department's policy for Test Requirements for Structural Proofing, August 16, 2005, herein incorporated by reference. The vacuum test shall be followed by a water tightness test.

3. Treatment receptacles shall be watertight as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2., herein incorporated by reference. ASTM C1227 98, paragraph 9.2.2, herein incorporated by reference, shall be modified to read as follows: Water tightness testing – Fill the receptacle with water to the invert of the outlet and let stand for 24 hours. Refill the receptacle. The receptacle is approved as water tight if the water level is held for one hour.

4. Manufacturers may use calculations provided by the design engineer in lieu of proof testing for receptacles using reinforcement bars for structural strength and having a wall thickness of 5 inches or greater. Design by calculation shall be completed using the Strength Design Method (ultimate strength theory) or the Alternate Design Method (working stress theory) outlined in the American Concrete Institute (ACI) publication ACI 318-99, Building Code Requirements for Structural Concrete (318-99) and Commentary (318R-99), herein incorporated by reference. The Strength Design Method is outlined in Chapter 9 and the Alternate Design Method is in Appendix A. Equation (9-1), herein incorporated by reference, shall be modified to read as follows: $U=1.4L + 1.4D$. When the Strength Design Method is used to verify satisfaction of the required strength a strength reduction factor of 0.90 shall be applied per ACI 318-99 paragraph 9.3.2.1.

(c) Design and testing of fiberglass and polyethylene treatment receptacles:

1. Vacuum testing shall be conducted in accordance with the department's policy for Test Requirements for Structural Proofing. The vacuum test shall be followed by a water-tightness test.

2. Vacuum testing shall demonstrate a distortion of volume of no more than 1% at a safety factor of 1.0 and 2% at a safety value of 1.4 followed by passing a water-tightness test to be considered satisfactory. To determine the vacuum at a 1.0 safety factor, divide the required total vacuum values by 1.4. There shall be no distortion of the access hatch perimeters at the full vacuum load and the access hatch must be able to be removed and reinstalled at the conclusion of the test.

3. Water-tightness testing shall be performed as follows: Fill the receptacle with water to the invert of the outlet. The receptacle is approved as water tight if the water level is held for one hour.

(b) Treatment receptacles shall be watertight as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2., herein incorporated by reference. ASTM C1227 98, paragraph 9.2.2, herein incorporated by reference, shall be modified to read as follows: Water pressure testing – Fill the tank with water to the invert of the outlet and let stand for 24 hours. Refill the tank. The tank is approved as water tight if the water level is held for one hour.

~~(c) Structural design of receptacles shall be by calculation or by performance. Design by calculation shall be completed using the Strength Design Method (ultimate strength theory) or the Alternate Design Method (working stress theory) outlined in the American Concrete Institute (ACI) publication ACI 318-99, Building Code Requirements for Structural Concrete (318-99) and Commentary (318R-99), herein incorporated by reference. The Strength Design Method is outlined in Chapter 9 and the Alternate Design Method is in Appendix A. Equation (9-1), herein incorporated by reference, shall be modified to read as follows: $U=1.4L + 1.4D$.~~

~~(d) When the Strength Design Method is used to verify satisfaction of the required strength a strength reduction factor of 0.90 shall be applied per ACI 318-99 paragraph 9.3.2.1.~~

~~(e) Structural design of receptacles shall be verified by actual vacuum load or hydrostatic test in accordance with the department's policy for Test Requirements for Structural Proofing August 1999, herein incorporated by reference. All vacuum testing shall be followed by a watertightness test as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2. Manufacturers may use calculations provided by the design engineer in lieu of proof testing for tanks using reinforcement bars for structural strength and having a wall thickness of 5 inches or greater. Curve-shaped tanks, fiberglass tanks and polyethylene tanks shall be vacuum tested followed by a watertightness test. Vacuum testing of polyethylene tanks shall demonstrate a distortion of volume of no more than 5% at a safety factor of 1.0 and watertightness at a safety value of 1.4 to be considered satisfactory. To determine the vacuum or hydrostatic pressure at a 1.0 safety factor, divide by 1.4 the values required on pages 3 through 5 of the department's policy entitled "Test Requirements for Structural Proofing, August 1999", herein incorporated by reference.~~

~~(d)(f) Testing shall be conducted in the presence of an engineer licensed registered in the state of Florida, or by an employee of the department that has been authorized certified by the State Health Office to perform or witness receptacle tank testing. Test results shall be certified by the witnessing engineer or department state employee.~~

~~(e)(g) Receptacle tank lids for non-traffic residential installations shall be designed for a dead load of 12 inch earth cover with a dry soil density of 100 pounds per cubic foot or a live load of two concentrated loads of 1750 pounds at a 60 inch spacing or a concentrated load of 1750 pounds located at the center of the tank lid, whichever provides the greater shear and moment stresses to the tank lid. The required strength shall be per ACI 318-99, equation (9-1) as follows: $U=1.4D + 1.7L$. Structural integrity proof test or calculations for the 12 inch overburden earth load and the 1750 pound concentrated loading shall be provided. Designs sealed by an engineer licensed registered in the state of Florida shall be acceptable for design proof of receptacle tank lid designs.~~

(f)(h) Receptacles and ~~receptacle tank~~ lids for traffic installations shall be designed, signed and sealed by an engineer ~~licensed registered~~ in the state of Florida. Whenever vehicular traffic is anticipated to cross over the ~~septic tank or other onsite waste~~ receptacle, traffic lids shall be installed with manhole covers to finished grade. Traffic receptacles and lids shall be designed in accordance with ASTM C 890-91 (Reapproved 1999), Standard Practice for Minimum Structural Design Loading for Monolithic or Sectional Precast Concrete Water and Wastewater Structures, herein incorporated by reference, for the appropriate loading. Application of paragraph 5.2.4 of ASTM C 890-91 (Reapproved 1999), shall be at the discretion of the design engineer.

(2) Onsite wastewater treatment receptacle design requirements – The following details shall be incorporated into the design:

(a) Septic tanks and graywater tanks shall have multiple compartments, or single compartment tanks shall be placed in series to achieve the required effective capacity. Grease interceptors, laundry tanks, pump tanks, aerobic treatment unit tanks and retention tanks shall be either multi-compartment or single compartment tanks. All receptacle stiffening members such as ribs shall be a homogeneous integral part of the structure. When slide-in type compartment walls are proposed, the structural testing for such tanks shall be conducted without the slide-in wall in place. There shall be a maximum of two horizontal seams between the topside of the bottom of the receptacle and the underside of the lid. There shall be no vertical seams. Except as noted in this paragraph, the first chamber of a dual compartment septic or graywater tank or the first tank of single compartment tanks in series shall have a minimum effective capacity of at least 2/3 of the total required effective capacity. The second single compartment tank or chamber of a multi-compartment tank shall have a minimum effective capacity of at least 1/5 of the total required effective capacity. The combined effective capacities of the first and second chambers or the first and second single-compartment tanks shall equal or exceed the total required effective capacity. Systems with daily flows in excess of 3500 gallons per day may utilize two tanks to achieve the total required effective capacity, provided that the first tank shall provide no less than 1/2 ~~and no more than 4/5~~ of the total required effective capacity. The second tank shall provide no less than 1/5 of the total required effective capacity and the total effective capacities of the two tanks combined shall be no less than the total required effective capacity.

(b) The liquid depth of compartments for septic tanks and grease interceptors shall be at least ~~40~~ 42 inches. The liquid depth of compartments for graywater tanks, laundry interceptors and ~~pumping~~ tanks shall be at least 30 inches. Liquid depths greater than 84 inches shall not be considered in determining the effective capacity.

(c) A minimum free board or airspace of 15 percent by volume of the effective capacity of all blackwater, graywater and laundry tanks shall be provided. The volume of risers above the liquid level cast as an integral part of the tank may be included as free board or airspace. ~~For pump tanks, the 15% airspace may be included in the pump tank minimum effective capacity.~~

(d) The inlet invert of septic tanks, graywater tanks and laundry ~~tanks interceptors~~ shall enter the tank 1 to 3 inches above the liquid level of the tank. A vented inlet tee, vented sweep or a baffle may be provided at the discretion of the manufacturer to divert the incoming sewage. The inlet device, if utilized, shall have a minimum diameter of 4 inches and shall not extend below the liquid surface more than 33 percent of the liquid depth.

(e) In septic tanks, graywater tanks and laundry ~~tanks interceptors~~, a minimum 4 inch diameter vented outlet tee, sweep or baffle shall extend below the liquid level of the tank so that the invert level of the outlet device is a distance not less than 30 percent nor greater than 40 percent of the liquid depth. The outlet device shall extend at least 4 inches above the liquid level. The submerged intake orifice of any outlet fixture not incorporating an approved outlet filter device shall be provided with an approved solids deflection device to reduce, by a minimum of 90 percent, the intake area of the outlet fixture exposed to the vertical rise and fall of solid particles within the tank. Turning the intake orifice of an outlet tee or sweep 90 degrees from the vertical will satisfy the solids deflection device requirement.

(f) The inlet and outlet devices shall be located at opposite ends of the ~~receptacle tank~~ so as to be separated by the maximum distance practical and shall be in accordance with ASTM C 923-98, Standard Specification for Resilient Connectors Between Reinforced Concrete Manhole Structures, Pipes, and Laterals, herein incorporated by reference. The head pressure noted in paragraph 7.1.1 of ASTM C 923-98 shall be reduced from 23 feet to 10 feet. The building sewer can enter the side of the tank no more than 12 inches from the inlet end of the tank if this construction will allow for better plumbing routing of the building sewer to the septic tank. The outlet device can exit the side of the tank no more than 12 inches from the outlet end of the tank if this construction will allow for better plumbing routing from the septic tank to the drainfield. Inlets and outlets on the sides of any treatment receptacle must be located no more than 12 inches from the end of the receptacle.

(g) Compartment walls shall be designed to withstand the stresses induced by pumping out either of the compartments. There shall be no relief holes. However, the compartment walls may be inserted in grooves without grouting, fibreglassing or otherwise permanently attaching in place, unless such attachment is required for proving structural integrity of either the ~~receptacle tank~~ or compartment wall.

(h) Sewage flow between the first and second chamber of a multi-chamber ~~receptacle tank~~ shall interconnect utilizing either a minimum 4 inch diameter hole or equivalent size slot in the wall or with a minimum 4 inch diameter vented and inverted U-fitting or a tee. Receptacles Tanks in series shall interconnect utilizing a minimum 4 inch diameter vented, inverted U-fitting or a tee. The outlet device or slot shall extend below the liquid level of the receptacle tank so that the invert level is located not less than 30 percent nor greater than 40 percent of the liquid depth.

(i) Joints of receptacles tanks, including mid-seams, risers, and ~~tank~~ lids shall be sealed using a bonding compound that meets ASTM C 990-96, Standard Specification for Joints for Concrete Pipe, Manholes, and Precast Box Sections using Preformed Flexible Joint Sealants, herein incorporated by reference.

(j) The State Health Office's designated approval number for the receptacle tank, and the effective capacity of the receptacle tank in gallons shall be cast or stamped into the wall or permanently stenciled or decalced onto the wall at the inlet end, to begin within 6 inches of the top of the wall. All identifying marks shall be inscribed or affixed at the point of manufacture only. All information supplied in the legend shall be provided with a minimum of two inch high lettering.

(k) Each compartment shall have access using manholes, with each manhole having a minimum area of 225 square inches. ~~Septic tanks and pump tanks with an effective capacity of 1200 gallons or less shall have a lid of one piece construction. Septic tanks and pump tanks with an effective capacity of greater than 1200 gallons shall have a one piece lid or a lid with a maximum of three sections with each being equal in size.~~ Manholes shall be located so as to allow access to the inlet and outlet devices. A minimum 6-inch diameter opening shall be placed at the inlet and outlet ends of the ~~tank~~ lid if a minimum 225 square inch access port is placed in the middle of the ~~tank~~ lid. The access manhole over the inlet and outlet shall extend to within 8 inches of finished grade; ~~however the entire septic tank shall be covered with a minimum of four inches of soil cover.~~ If a riser is used, and if the riser access lid opens directly to the receptacle tank interior, joints around the riser and receptacle tank shall be sealed and made watertight as specified in paragraph 64E-6.013(2)(i), F.A.C., to prohibit intrusion of ground water into the receptacle tank. For multi-compartment receptacles tanks or receptacles tanks in series, manholes shall extend to within 8 inches of finished grade over the first compartment inlet and the last compartment outlet. An appropriate mechanism shall be provided to make access manholes vandal, tamper, and child resistant. Acceptable protection of openings shall consist of one or more of the following methods as specified by the ~~tank~~ manufacturer:

1. A padlock.
2. A twist lock cover requiring special tools for removal.

3. Covers weighing 58 pounds or more, net weight.

4. A hinge and hasp mechanism which uses stainless steel or other corrosion resistant fasteners to fasten the hinge and hasp to the lid and receptacle tank for fiberglass, metal or plastic lids.

(l) Receptacle Tank designs that specify a monolithic compartment wall from the bottom of the receptacle tank up to the invert of the pass-through orifice and a drop-in section for the upper portion of the wall shall be approved for both single and multi-compartment use.

(m) Treatment receptacles shall have a one-piece lid or a lid with a maximum of three sections. All lids shall be designed by Licensed Engineers in accordance with paragraphs 64E-6.013(1)(e) and (f), F.A.C., and approved by the Department.

(3) Onsite wastewater treatment receptacle design approval – All onsite wastewater treatment receptacles distributed in the state shall be approved for use by the department prior to being offered for sale or installed. Such approval shall not be obtained until the manufacturer of a specific receptacle tank model has submitted the following:

(a) Detailed design drawings of the receptacle tank and ~~tank~~ lid showing:

1. Design calculations or proof testing results in accordance with subsection 64E-6.013(1), F.A.C.
2. Dimensions, including location and size of all inlets, outlets, access hatches, manholes and pass through orifices.
3. Effective capacity in gallons.
4. Freeboard or air space in gallons.
5. Production materials. For concrete receptacles tanks include 28 day compressive strength, in pounds per square inch (psi).
6. Reinforcing materials. For concrete receptacles tanks, include size and location of all rebar, if any; and fiber reinforcing material size and quantity (in pounds) per cubic yard, if any.

(b) For concrete receptacles tanks – see subsection 64E-6.013(5)(6)(k), F.A.C.

(c) For fiberglass ~~and~~; polyethylene receptacles and similar material tanks see subsection 64E-6.013(6)(7)(f), F.A.C.

(d) Certification that the receptacle has undergone flow testing to confirm the effective capacity, airspace, and water tightness. Flow testing shall be conducted by an engineer licensed in the state of Florida, a third-party certified testing laboratory or a Department employee. Test results shall be certified by the engineer, laboratory or state employee.

(e) Designs shall be submitted to the State of Florida Department of Health, Bureau of ~~Water and~~ Onsite Sewage Programs.

(f) There shall be two receptacle tank design classifications. The following criteria shall be used for each category:

1. Category 3 receptacles tanks shall be designed for saturated soil with the saturation at finished grade the top of the tank surface. The design shall provide for a maximum of 18 6 inches of saturated wet soil cover over the top of the receptacle tank. Soil cover shall be limited to 18 inches over the top of the tank lid. Wet soil density shall be 100 110 pounds per cubic foot. The lateral earth pressure coefficient (K) shall be no less than 0.33 0.50.

2. Category 4 receptacles tanks shall be designed for saturated soil with the saturation at finished grade the top of the tank surface. The design shall provide for a maximum of 48 inches of saturated wet soil cover over the top of the receptacle tank. Soil Wet soil density shall be 100 110 pounds per cubic foot. The lateral earth pressure coefficient (K) shall be no less than 0.33 0.50. Where a receptacle tank will be placed with greater than 48 inches of soil over the top of the tank receptacle, an engineer licensed registered in the state of Florida shall design the receptacle for the specific conditions anticipated at the site tank.

(g) A series of receptacles may be approved by successful demonstration of the largest in a series of receptacles tanks. Approval for inclusion of the receptacles to be considered in a series must be obtained from the state health office prior to testing the receptacles. A series is either where only one dimension, this being height, length, or width, is changed or where two dimensions change in the same proportion to offer a different capacity of treatment receptacle tank.

(h) The manufacturer shall notify the state health office in writing, stipulating the date, time and location of the test, no less than ten working days prior to the receptacle proof testing. The notice shall include the receptacles tanks to be tested. Approval shall not be granted until after successfully passing the required tests, and submitting the testing results.

(i) The department will issue an approval number to the manufacturer. Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, shall be used to apply for septic tank manufacturing approval. The form can be obtained from the department.

~~(4) Reapproval of receptacles approved prior to effective date of this rule. It shall be the responsibility of each manufacturer to apply for reapproval of existing tank designs. The reapproval request shall list the existing State of Florida approval numbers, indicating the effective capacity in gallons, liquid depth, and wall thickness. The state health office will review the manufacturer's files on record at the state office for verification of approval numbers and satisfactory detailed drawings. The state health office shall notify the manufacturer~~

~~of deficiencies that must be corrected. The manufacturer shall provide engineering drawings or utilize a standard drawing and dimension table format provided by the state office. Designs shall be submitted to the State of Florida Department of Health, Bureau of Water and Onsite Sewage Programs. Flat concrete lid designs will be evaluated either by requesting in writing that the state health office perform the calculations using the working stress theory or by the manufacturer performing proof testing and submitting satisfactory results. Cylindrical tanks shall be proof tested. Reapproval shall be obtained only after the manufacturer of a specific tank model has submitted the following:~~

~~(a) Details of the tank and tank lid showing:~~

~~1. Proof testing results in accordance with 64E-6.013(1).~~

~~2. Dimensions.~~

~~3. Effective capacity in gallons.~~

~~4. Freeboard or air space in gallons.~~

~~5. Production materials.~~

~~6. Reinforcing materials. Drawings on file with the state health office that do not detail reinforcing must be updated by the manufacturer.~~

~~(b) There shall be four tank design classifications. The criteria and categories in 64E-6.013(3)(f) shall be used.~~

~~(c) A series of receptacles may be approved by successful demonstration of the largest in a series of tanks. Approval for inclusion of the receptacles to be considered in a series must be obtained from the state health office prior to testing the receptacles.~~

~~(d) The manufacturer shall notify the state health office no less than ten working days prior to the receptacle proof testing. Approval shall not be granted until after successfully passing the required tests, and submitting the testing results.~~

~~(e) The department will issue an approval number to the manufacturer. Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, shall be used to apply for septic tank manufacturing approval. The form can be obtained from the department.~~

~~(4)(5) Onsite wastewater treatment manufacturer's yearly inspection - Yearly inspection of the manufacturer's facility shall consist of the following:~~

~~(a) Verify that the manufacturer has the design mix recorded and in a readily accessible location for the plant operators.~~

~~(b) Verify that the production process is recorded and that the operators are following the process.~~

~~(c) Verify that the necessary tests are being conducted by a certified testing lab or by a technician certified by the ACI. The preparation of the test specimens shall be performed by certified third party testing laboratory personnel; or manufacturers, or their employees, that have successfully~~

passed the ACI certification program. Each manufacturer shall submit a minimum of three cylinders per year. The specimens shall be taken from a production mix.

(d) Verify that the manufacturer has the proper number of tests for the year and that the results are recorded. Review the results for compliance with the design.

(e) Examine the material stockpiles to insure that the materials are free from deleterious materials.

(f) Examine the measuring equipment to insure that the equipment has been calibrated within the last year.

(g) Examine conveyors to insure that material is transported as measured.

(h) Inspect a minimum of five receptacles tanks in the manufacturers' inventory. For different series, a minimum of one receptacle tank shall be inspected from each series. Report the following unacceptable defects:

1. Cracks in all interior and exterior surfaces of the receptacles tanks.

2. Cold joint lines. This is an indication of non-monolithic pours. Examine both the interior and exterior of the receptacle tank for confirmation of a cold joint that extends across the thickness of the wall.

3. Evidence of improper steel cover. Rebar and wire mesh shall not be exposed.

4. Watertight inlets and outlets shall be provided per rule.

(i) Where cold-joint lines that appear to extend through the wall, or cracks in any surface of the receptacle tank exist, conduct a watertightness test on a maximum of two receptacles tanks per ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2. The receptacles tanks shall not be tested until they have cured for 28 days. If there are no indications of cold-joint lines that appear to extend through the wall, or cracking of receptacle tank surfaces, two receptacles tanks shall be tested at random. Record all data and submit results to the department.

(j) Verify that the manufacturer is not relocating the receptacles tanks prior to the receptacle tank achieving 75% of the design compressive strength. Record how this is accomplished.

(k) Conduct impact hammer ~~Schmidt Hammer~~ tests-record data.

(l) Examination of the manufacturer's receipts for material used during the previous year. Receptacle Tank manufacturers shall retain all receipts from the previous year for material used in the manufacture of treatment receptacles and make them available for inspection.

~~(5)(6)~~ Concrete onsite wastewater receptacles shall be built of precast or poured in place concrete in accordance with ACI 318-99, Building Code Requirements for Structural

Concrete (1999) or ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks (1998), except as revised herein.

(a) For design and analysis of concrete septic tanks, the publication "Rectangular Concrete Tanks" revised 5th edition (1998), as published by the Portland Cement Association may be used at the designer's discretion, herein incorporated by reference. When computing length to height and width to height ratios the designer may interpolate between tables for intermediate ratios and values or may use the table and values for the higher ratios.

(b) Temperature and shrinkage crack control in concrete receptacles shall be accomplished by use of steel reinforcing in accordance with ACI 318-99 Chapter 16, or by use of fiber reinforcement. Minimum ratio of vertical and horizontal reinforcement area to gross concrete area shall be 0.0010 for deformed bars or welded wire fabric. Fiber reinforcing materials may be used by the manufacturer to achieve crack control equivalent to the use of deformed bars or welded wire fabric. To be considered equivalent, acceptable fibers shall at least meet or exceed ACI recommendations regarding materials, fiber sizing, and required fiber quantities. Any current or future revisions to the ACI recommendations may be used by the manufacturer, at their option. Materials other than materials recognized by ACI for crack control use will not be acceptable. Minimum reinforcement shall be as outlined in the document entitled Reinforcement Required to Meet 64E-6.013(5)(b) dated April 15, 2005, herein incorporated by reference.

(c) Concrete mixes shall be in accordance with the Portland Cement Association (PCA) publication entitled PCA Design and Control of Concrete Mixtures, Thirteenth Edition (1994), herein incorporated by reference.

(d) Terminology relating to concrete and concrete aggregates shall be in accordance with ASTM C 125-98, Standard Terminology Relating to Concrete and Concrete Aggregates (1998), herein incorporated by reference.

(e) Concrete aggregates used in the manufacturing of all precast or poured-in-place concrete receptacles for use in onsite sewage treatment and disposal systems shall conform to ASTM C 33-99, Standard Specification for Concrete Aggregates (1999), herein incorporated by reference.

(f) Minimum concrete cover over structural steel reinforcing shall be 3/4 inches. The minimum bend radius for structural reinforcing shall be three times the reinforcing bar diameter.

(g) Temperature and shrinkage crack control steel shall not be exposed. Exposure of fiber reinforcing is acceptable.

(h) Minimum 28-day compressive strength shall be 4000 psi.

(i) Three compressive test cylinders shall be prepared, cured, and tested in accordance with ASTM C 31-98, Standard Practice for Making and Curing Concrete Test Specimens in the Field (1998), herein incorporated by reference, and ASTM C 39-96, Standard Test Method for Compressive Strength of Cylindrical Concrete Specimens (1996), herein incorporated by reference, at least one time every year, or whenever the manufacturer changes the design mix or the manufacturing process.

(j) The bottoms of concrete receptacles ~~septic tanks~~ shall be monolithic and shall either be an integral part of the walls or shall be sealed to the walls using water-stops cast into the wall and bottom. Receptacle Tank bottoms shall not contain openings for any purpose, for example, to facilitate the removal of rainwater.

(k) Approval ~~Reapproval~~ of designs approved prior to the effective date of this rule and approval of new designs shall not be granted until the following has been completed and submitted as part of the application:

1. Establish a design mix and production process. Record the aggregate material, size and gradation; type and strength of cement; cement to aggregate ratios; water to cement ratio; and any other pertinent design data. Record the production process, for example; measuring equipment, batch sizes, mixing sequence, transportation techniques from mixer to mold, pouring techniques with consolidation of concrete methods detailed.

2. Construct three receptacles tanks using the design mix.

3. Test two sets of cylinders from the design mix at 7 day and 28 days.

4. Structural proof test three receptacles tanks to the design strength in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity of 1350 gallons or less.

5. Structural proof test one receptacle tank to the design strength in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity greater than 1350 gallons but not more than 1500 gallons.

6. Structural proof test one receptacle tank or provide receptacle tank strength calculations in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity exceeding 1500 gallons.

7. Verify that the manufacturer is not removing receptacles tanks from the producer's facility prior to the receptacle tank achieving 75% of the design compressive strength. Record how this is accomplished.

~~(6)(7)~~ Fiberglass reinforced plastic onsite wastewater receptacles The following structural requirements are applicable to fiberglass and polyethylene receptacles, ~~and receptacles made of a comparable class of materials:~~

(a) Materials and sealants used in the receptacle tank manufacturing process shall be capable of effectively resisting the corrosive influences of the liquid components of sewage, sewage gases and soil burial. Materials used shall be formulated to withstand shock, vibration, normal household chemicals, deterioration from sunlight and other environmental factors.

~~(b) Not less than 30 percent of the total weight of the fiberglass tank shall be fiberglass reinforcement.~~

~~(c) Internal surfaces shall be coated with an appropriate gel coating or resin to provide a smooth, pore-free, watertight surface.~~

~~(b)(d)~~ Fiberglass receptacles tanks shall be constructed so that all parts of the receptacle tank meet the following mechanical requirements. A test report from an independent testing laboratory is required to substantiate that individual receptacle designs and material formulations meet these requirements.

1. Ultimate tensile strength – minimum 12,000 psi when tested in accordance with ASTM D 638-98, Standard Test Method for Tensile Properties of Plastics (1998), herein incorporated by reference.

2. Flexural strength – minimum 19,000 psi when tested in accordance with ASTM D 790-98, Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (1998), herein incorporated by reference.

3. Flexural modulus of elasticity – minimum 800,000 psi when tested in accordance with ASTM D 790-98 Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (1998), herein incorporated by reference.

4. Not less than 30 percent of the total weight of the fiberglass receptacle shall be fiberglass reinforcement.

5. Internal surfaces shall be coated with an appropriate gel coating or resin to provide a smooth, pore-free, watertight surface.

~~(c)(e)~~ Polyethylene receptacles tanks shall meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO) PS 1-93, Paragraph 5.4 "Polyethylene", herein incorporated by reference. Where the requirements of IAPMO PS 1-93 Paragraph 5.4 "Polyethylene" conflict with the standards in this section, the standards in this section shall apply. A test report from an independent testing laboratory is required to substantiate that individual receptacle designs and material formulations meet these requirements.

~~(f) A test report from an independent testing laboratory is required to substantiate that individual tank designs and material formulations meet the requirements of (d) above.~~

~~(d) Approval (e) Reapproval of designs approved prior to August 31, 1999 and approval~~ of new designs shall not be granted until the following has been completed and submitted as part of the application:

1. Establish a design mix and production process. Record the ~~fiberglass and resin~~ material specifications and other pertinent design data. Record the production process, for example; measuring equipment, batch sizes, mixing sequence, transportation techniques from mixer to mold, and spraying techniques.

2. Construct three ~~receptacles tanks~~ using the design mix.

3. Test two sets of test strips from the design mix.

4. Structural proof test three ~~receptacles tanks~~ to the design strength per paragraph 64E-6.013(1)~~(c)(e)~~, F.A.C., for ~~receptacles tanks~~ having an effective capacity of 1350 gallons or less.

5. Structural proof test one ~~receptacle tank~~ to the design strength in accordance with ~~paragraph Rule~~ 64E-6.013(1)~~(c)(e)~~, F.A.C., for ~~receptacles tanks~~ having an effective capacity greater than 1350 gallons.

6. Verify that the manufacturer is not planning to relocate the ~~receptacles tanks~~ prior to the ~~receptacle tank~~ achieving 75% of the design compressive strength. Record how this is accomplished.

~~(7)(8)~~ No change.

~~(8)(9)~~ Laundry waste interceptor – when a separate system is installed to accept effluent from a single home washing machine only, the retention tank or interceptor for such system shall meet the following minimum standards:

(a) The minimum effective capacity shall be 225 gallons for establishments with an estimated sewage flow of up to 300 gallons per day and shall be increased by 50 gallons for every 100 gallons of additional daily sewage flow.

(b) The interceptor shall be provided with a vented inlet tee, vented sweep, or a baffle.

(c) The interceptor shall not receive waste flow from kitchen fixtures or be used as a grease trap.

~~(9)(10)~~ Pump tanks and pumps – when used as part of an onsite sewage treatment and disposal system, the following requirements shall apply to all pump tanks manufactured for use in Florida unless specifically exempted by other provisions of these rules:

(a) through (b) No change.

(c) The electrical conduit and effluent dosing pipe shall exit the dosing chamber through the tank outlet using plumbing fittings and reducers to produce a watertight seal or, when risers are used, the electrical line and the effluent dosing pipe may penetrate the riser wall provided the penetration is above the wet season ~~seasonal~~ high water table elevation and there is a soil-tight seal around the penetrations. When the top of the

dosing tank is placed more than 8 inches below the finished grade, risers shall be used to provide access within 8 inches of the finished grade. Where risers are used, risers shall be attached to the tank in accordance with ~~paragraph section~~ 64E-6.013(2)(i), F.A.C. The unused tank outlet shall be sealed with a length of capped PVC pipe installed in accordance with ~~paragraph section~~ 64E-6.013(2)(f), F.A.C.

(d) No change.

~~(10)(11)~~ No change.

~~(11)(12)~~ No change.

~~(12)(13)~~ All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), ~~489.553~~ FS. Law Implemented ~~154.01~~, 381.001(2), 381.001(4), ~~381.0012~~, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, ~~386.041~~, ~~489.553~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92, 1-3-95, Formerly 10D-6.055, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 5-24-04,_____.

64E-6.014 Construction Standards for Drainfield Systems.

(1) through (2) No change.

(3) ~~Low-Pressure Automatic~~ dosing – where the total required area of drainfield is greater than 1000 square feet or where the applicant proposes to use low-pressure dosing, an automatic dosing device discharging into a low pressure distribution network consisting of 2 inch or smaller diameter schedule 40 PVC or equal pipe with 1/2 inch or smaller diameter drilled holes designed by a registered engineer shall be used. All piping shall use solvent welded connections or equal throughout to prevent dislocation of connections under pressure. The network shall be designed for equal distribution of effluent. For the purposes of this section, equal distribution shall mean that the flow from the least effective hole in the network shall deliver no less than 75% of the flow from the most effective hole. The selected pump capacity (as measured in Gallons Per Minute) versus total dynamic head shall be indicated on a pump curve and shall be shown by calculation to achieve an effluent velocity through the network of at least 2 ft per second to the first exit hole on each lateral. Each line of the pressure network shall individually connect to a pressure manifold and be sealed on their distal ends and shall not be looped with other lines regardless of whether the drainfield is a bed or a trench or whether it is in a mound, filled subsurface installation. Plans and equipment specifications for ~~automatic~~ low-pressure dosing systems shall be approved by the department prior to construction or installation.

(a) through (b) No change.

(c) The volume dosed between the pump operating levels shall be adequate to assure that the entire drain pipe network is dosed filled at least four times each cycle, ~~or as stipulated by the design engineer.~~

(d) When a drainfield is installed in slightly limited soil, operating levels shall be adjusted to dose the drainfield a maximum of six times in a 24 hour period. For moderately limited soils the drainfield shall be dosed no more than two times in a 24 hour period. More frequent dosing may be allowed with systems designed by engineers licensed registered in the state of Florida.

(e) The distribution network for drainfields having an absorption area less than 1500 square feet shall be designed by a Florida licensed professional engineer or a master septic tank contractor. The network for drainfields having an absorption area of 1500 square feet or larger shall be designed by a Florida licensed professional engineer.

(f) Drip emitter systems shall be designed in accordance with subsection 64E-6.009(5), F.A.C.

(4) No change.

(5) Drain trenches and absorption beds – drain trenches and absorption beds are the standard subsurface drainfield systems used for disposing of effluent from septic tanks or other sewage waste receptacles. When used, these systems shall be constructed as specified below.

(a) through (h) No change

(i) The maximum length of drain lines shall not exceed 100 feet for all gravity-fed and lift-dosed drainfields. and where two or more drain lines are used, they shall be, as near as practical, the same length. The ends of two or more drain lines in bed and mound systems shall be connected to produce a continuous circuit. A continuous circuit arrangement is also recommended but not required for standard drain trench systems. However, when a continuous circuit arrangement is not used, the distal ends of the drain lines shall be capped or sealed.

(j) through (k) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4), (13), ~~381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 5-24-04, _____.

64E-6.015 Permitting and Construction of Repairs.

All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only if all of the following conditions are met:

(1) No change.

(2) Site evaluations necessary to obtain the above referenced information shall be conducted at the expense of the owner or lessee by department personnel, by an engineer who is licensed registered in the State of Florida, or by other qualified persons as per subsection Rule 64E-6.004(3), F.A.C. Site specific information may be obtained by the applicant through examination of department records of permits previously issued for the site.

(3) through (12) No change.

Specific Authority 381.0011(4), (13), ~~381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041~~ FS. History–New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00, 5-24-04, _____.

64E-6.018 System Location, Design and Maintenance Criteria.

Table III of Chapter 64E-6, F.A.C., Part I, and other subsections of Part I pertaining to soil texture, soil depth, and maximum sewage loading rates for specific soils shall not apply to areas subject to the provisions of this Part except for Table III, footnote 2. as it relates to the falling head percolation test procedure. However, approved system design criteria, system location, operation, maintenance and monitoring requirements of subsections 64E-6.018(1), (2), (3), and (4), F.A.C., shall apply. A minimum of one soil profile and one percolation test per application shall be required for site evaluations performed in the Florida Keys. However, a soil profile and percolation test is not required when the system design engineer chooses the use of an injection well for effluent disposal. All new onsite sewage treatment and disposal systems shall be performance-based treatment systems designed by an engineer licensed registered in the State of Florida and shall meet the minimum level of waste treatment as defined in Rule 64E-6.017, F.A.C. All receptacles subject to a positive buoyancy exposure shall be anchored or otherwise weighted to prevent flotation during flooding periods. The receptacles shall be evaluated for buoyancy while in their normal operating condition.

(1) through (4) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0065(3)(a) ~~and (4)(k)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655~~ FS. History–New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.063, Amended 3-3-98, 3-22-00, 4-21-02, _____.

64E-6.0181 Cesspit and Undocumented System Replacement and Interim System Use.

- (1) through (2) No change.
- (3) Interim systems standards shall be:
 - (a) No change.

(b) A performance-based treatment system designed and certified by a professional engineer, ~~licensed~~ ~~registered~~ in the state, as producing an effluent meeting at a minimum the treatment standards for a system designed in accordance with ~~paragraph rule~~ 64E-6.0181(3)(a), F.A.C., and permitted, constructed and monitored in accordance with Part IV.

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), ~~(4)(d)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655, 386.01, 386.03, 386.04~~ FS., 2001-337, LOF. History–New 3-3-98, Amended 3-22-00, 4-21-02, 5-24-04, _____.

64E-6.019 Requirements for Registration.
 (1) through (2) No change.

(3) A person shall be eligible to take the registration examination if they submit necessary exhibits and fees and meet the requirements of ~~Section~~ ~~§~~ 489.553(4), F.S.

(a) Under the supervision and control of a registered septic tank contractor or a plumbing contractor in Section 489.553(4)(d), F.S., is defined as an employment relationship where compensation can be documented by the regular deduction of FICA and federal withholding tax ~~and the provision of worker's compensation, all~~ as required by law. Principal officers of a corporation or partners of a partnership providing onsite sewage contracting services shall be recognized as being under the supervision and control of the corporation's or partnership's qualifying registered septic tank contractor or plumbing contractor.

(b) through (c) No change.

(4) Completed applications for registration must be received by the department's Onsite Sewage Program at least 21 days prior to examination. In order to be complete, the application must have all appropriate spaces filled, be signed by the applicant, be reviewed by the county health department where the applicant provides service, include a money order or sufficiently funded check in the correct amount and contain all necessary support documentation. Support documentation shall include:

(a) through (c) No change.

(d) Documentation of payment of federal withholding tax and social security ~~and worker's compensation, all~~ as required by law. For principle corporate officers of a corporation or partners in a partnership ~~the corporation~~, legal documentation of their position in the corporation or partnership may be substituted for withholding tax ~~and~~, social security ~~and worker's compensation~~ documentation.

- (e) No change.
- (5) No change.

Specific Authority ~~154.06(1), 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553(2), (3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011(4), 381.0012, 381.006, 381.0061, 381.0065, Part III~~ 489.552, 489.553 FS. History–New 10-25-88, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.072, Amended 2-3-98, 4-21-02, 6-18-03, _____.

64E-6.020 Master Septic Tank Contractors.
 (1) through (4) No change.

(5) Master septic tank contractor certificates shall be renewed only after the contractor has completed 18 ~~12~~ classroom hours of approved instruction for each renewal cycle. At least 6 classroom hours must be successfully completed in an approved master contractor course. Instructional time spent by a master septic tank contractor in providing department approved continuing education training shall receive credit as master contractor course hours. Application for renewal shall be made on Form DH 4076, 01/03, Application for Septic Tank Contractor Registration Renewal, herein incorporated by reference, accompanied by the required supporting documentation and fees.

(a) A master septic tank contractor who only completes 12 ~~6~~ classroom hours of approved instruction during the renewal cycle shall revert to registered septic tank contractor status and shall apply for renewal under Rule 64E-6.021, F.A.C.

(b) through (e) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 ~~by contacting the department.~~

Specific Authority ~~154.06(1), 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553(2), (3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011(4), 381.0012, 381.006, 381.0061, 381.0065, Part III~~ 489.552, 489.553 FS. History–New 2-13-97, Formerly 10D-6.0725, Amended 2-3-98, 4-21-02, 6-18-03, _____.

64E-6.021 Issuance of Registration Certificates and Renewal.

(1) Certificates of registration shall be renewed only after information has been provided to the department that the contractor has successfully completed 12 ~~6~~ classroom hours of department-approved instruction within the previous 12-month period. However, if a registered contractor successfully completes more hours of approved instruction than are required for registration renewal ~~12 or more classroom hours of approved instruction~~ within a 12-month period, a maximum of 6 unused hours can be rolled over to renew their next year's certificate of registration. Such information shall be accompanied by necessary renewal fees and a completed renewal application on Form DH 4076, Application for Septic Tank Contractor Registration Renewal.

(2) No change.

(3) A registered contractor may request inactive status. Inactive registrations not renewed in five renewal cycles from the date of inactivation shall be considered null and void. Persons wishing to renew an inactive registration must make application on Form DH 4076 and substantiate 12 ~~six~~ classroom hours of approved instruction for each year the registration was considered inactive. Application must be accompanied by necessary exhibits and renewal fees.

(4) through (6) No change.

(7) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06, 381.0011, 381.006, 381.0065, 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041, Part III 489.552, 489.553, 489.554~~ FS. History–New 10-25-88, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.073, Amended 3-22-00, 4-21-02, 5-24-04,_____.

64E-6.025 Definitions.

Definitions in Chapter 64E-6, Parts I and II, are also applicable to Chapter 64E-6, Part IV.

(1) through (9) No change.

(10) Performance-based treatment system – a specialized onsite sewage treatment and disposal system designed by a professional engineer with a background in wastewater engineering, licensed registered in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD₅ (carbonaceous biochemical oxygen demand), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), and fecal coliform found in domestic sewage waste, to a specific and measurable established performance standard. This term also includes innovative systems.

(11) through (15) No change.

Specific Authority 381.0011(4), (13), ~~381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553~~ FS. History–New 2-3-98, Amended 3-22-00, 6-18-03,_____.

64E-6.026 Applications for Innovative System Permits and System Construction Permits.

(1) Applications for innovative system permits – Applications for innovative system permits shall be made using form DH 3143 herein incorporated by reference. The application and all supporting information shall be signed, dated and sealed by an engineer, licensed registered in the State of Florida. Except as provided for in subsection 64E-6.028(3) F.A.C., alternative drainfield materials and designs shall not be approved which would result in a reduction in drainfield size

using the mineral aggregate drainfield system as described in Rule section 64E-6.014, F.A.C., and the total surface area of soil at the bottom of the drainfield as the criteria for drainfield sizing comparisons. Applications shall include:

(a) through (b) No change.

(2) No change.

(3) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4), (13), ~~381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, Part I 386, 489.553~~ FS. History–New 2-3-98, Amended 6-18-03,_____.

64E-6.030 Fees.

(1) No change.

(2) Except for the ~~time limited~~ research fee which is to be placed in a designated account, all fees collected pursuant to paragraphs Rule 64E-6.030(1)(a) through (w)(*), F.A.C., shall be deposited in an individual county health department trust fund to be used to meet the cost of administering the onsite sewage treatment and disposal program.

(3) No change.

Specific Authority 154.06(1), ~~381.0011(13), 381.006, 381.0065(3)(a), 381.0066, 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0066, 381.0067, 386.041, 489.553, 489.554, 489.555, 489.557~~ FS. History–New 2-3-98, Amended 3-22-00, 4-21-02, 5-24-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dale Holcomb, Environmental Manager, Bureau of Onsite Sewage Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2006

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 3, 2005 and June 16, 2006

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:
12C-3.008 Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rule 12C-3.008 F.A.C. (Public Use Forms), published in Vol. 32, No. 2, pp. 123-124, January 13, 2006, issue of the Florida Administrative Weekly.

In response to written comments received from the Joint Administrative Procedures Committee, Form DR-301 (Preliminary Notice and Report), Form DR-308 (Request and Certificate for Waiver and Release of Florida Estate Tax Lien), Form DR-312 (Affidavit of No Florida Estate Tax Due), and Form F-706 (Florida Estate Tax Return) have been changed to revise the statement made under penalty of perjury by the personal representative or attorney for the estate on each form. Question 5 of the Instructions to Form DR-301 (Preliminary Notice and Report) has been changed to remove replace the word “etc.” with the phrase “or similar document establishing Florida domicile” as one of the document copies that must be attached to establish the date of Florida domicile for the decedent. Technical changes have been made to Form DR-310 (Domicile Statement). Subsections (2) through (6) of Rule 12C-3.008, F.A.C. (Public Use Forms), have been amended so that, when adopted, those subsections will read as follows:

Form Number	Title	Effective Date
(2) DR-301	Preliminary Notice and Report (R. 08/06 09/01)	___ 09/01 <u>05/03</u>
(3) DR-308	Request and Certificate for Waiver and Release of Florida Estate Tax Lien (R. 08/06 09/01)	___ 09/01 <u>05/03</u>
(4) DR-310	Domicile Statement (R. 08/06 09/01)	___ 09/01 <u>05/03</u>
(5) DR-312	Affidavit of No Florida Estate Tax Due (for decedents dying on or after January 1, 2000) (R. 08/06 08/02)	___ 08/02 <u>05/03</u>
(6) F-706	Florida Estate Tax Return for Residents, Nonresidents and Nonresident Aliens (R. 08/06 01/03)	___ 01/03 <u>05/03</u>

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.: 59A-25
 RULE CHAPTER TITLE: Minimum Standards for Home Medical Equipment Providers

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 33, August 18, 2006 issue of the Florida Administrative Weekly.

THE TIME OF THE ORLANDO RULE DEVELOPMENT WORKSHOP HAS BEEN CHANGED.

DATE AND TIME: September 14, 2006, 12:00 Noon – 2:30 p.m.

PLACE: Hurston Building, South Tower Conference Rooms A & B, 400 West Robinson Street, Orlando, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Noel Cronin Lawrence, Agency for Health Care Administration, Home Care Unit, 2728 Mahan Drive ñ Mail Stop 34, Tallahassee, FL 32308, or lawrencn@ahca.myflorida.com.

Agendas and copies of the preliminary draft rule revisions can be obtained by contacting this office.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-21.007
 RULE TITLE: Re-examination

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 32, August 11, 2006 issue of the Florida Administrative Weekly.

The above proposed rule was published in the August 11, 2006 issue of the Florida Administrative Weekly, Vol. 32, No. 32. In the reference used for the Purpose and Effect of the Rule, the word “score” which appears there has subsequently been deemed inappropriate for clarity and is hereby substituted with the word “grade.” The foregoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-22.0105
 RULE TITLE: Standard for Laws and Rules Course Providers

NOTICE OF PUBLIC HEARING

The Board of Professional Engineers announces a hearing regarding the above rule, as noticed in Vol. 32, No. 31, August 4, 2006, Florida Administrative Weekly.

DATE AND TIME: October 25, 2006, 2:00 p.m.

PLACE: Sheraton Suites Cypress Creek, 555 N.W. 62nd Street, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing on the above referenced rule notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. 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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-22.0105
 RULE TITLE: Standard for Laws and Rules Course Providers

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 31, August 4, 2006 issue of the Florida Administrative Weekly.

The above-proposed rule was published in the August 4, 2006 issue of the Florida Administrative Weekly, Vol. 32, No. 31. In the original notice of rule development, published in the May 20, 2005 issue of the Florida Administrative Weekly, Vol. 31, No. 20, page 10, the rule number was erroneously given as 61G15-22.015. The correct number is 61G15-22.0105. The foregoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-5.009
 RULE TITLE: Supervision by a Disciplined Practitioner

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. 32, No. 23, June 9, 2006 issue of the Florida Administrative Weekly.

The change is a substantial rewording of the rule in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

The Purpose and Effect section of the Rule Notice shall read as follows:

The Board proposes the substantial rewording of the rule to replace unnecessary language and clarify supervision by a disciplined practitioner.

The text of the rule shall read as:

64B4-5.009 Supervision by a Disciplined Practitioner.

Any licensee who is disciplined by a final order of this Board shall not serve as a "qualified supervisor" until the licensee has complied with all of the obligations imposed by the final order. Within 15 days after the filing of an administrative complaint against a "qualified supervisor" license, the "qualified supervisor" shall provide written notice of the administrative complaint to all his or her supervisees. Within 1 days of the filing of a final order against a "qualified supervisor's" license, the "qualified supervisor" shall provide written notice of the final order and shall terminate all supervisory relationships.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-54.0022
 RULE TITLE: Applying for Active License after Period of Inactivity or Retirement

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. 32, No. 18, May 5, 2006 issue of the Florida Administrative Weekly.

The change is as follows so that the rule reads as:

64B8-54.0022 Applying for an Active License after Period of not practicing or Retirement.

Any person applying for an active status license who has been on retired status or otherwise inactive for more than 5 years; or, if licensed elsewhere and applying by endorsement, has been retired or not been actively employed as an electrologist for more than 5 years shall, as a condition of licensure, demonstrate that he or she is able to practice with the care and skill sufficient to protect the health, safety and welfare of the public.

(1) If not practicing for 7 years or more, retake the examination.

(2) If not practicing for more than 9 years, in addition to complying with subsection (1) take two (2) hours of CE in HIV and Blood-Borne Disease and two (2) hours in Medical Errors.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Marine Fisheries

RULE NO.: 68B-45.007
RULE TITLE: Blue Crab Effort Management Program

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. 32, No. 28, July 14, 2006 issue of the Florida Administrative Weekly.

The Fish and Wildlife Conservation Commission announces changes to the above-referenced proposed rule amendments, after the final public hearing on the rule, held on August 16, 2006, in Tampa, Florida. The proposed amendment to Rule 68B-45.004, F.A.C., has not been changed. The proposed amendments to subsections (3) and (6) only of Rule 68B-45.007, F.A.C., have been changed in response to comments from the staff of the Joint Administrative Procedures Committee, to read as follows:

68B-45.007 Blue Crab Effort Management Limited Entry Endorsement Program.

(3)(a) Except for those qualifying for a non-transferable blue crab effort management limited entry endorsement as specified in subsection (6), the Blue Crab Effort Management Limited Entry Endorsement Application must be received by the Commission no later than September 30, 2006. An applicant may be a person, firm, or corporation.

(b)(a) In order to qualify for a blue crab effort management limited entry endorsement number other than a V-N endorsement issued pursuant to subsection (6), an applicant must have held a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application and establish landings qualify as specified in paragraph (3)(c)(b). ~~A limited entry blue crab endorsement number will not be issued to an applicant who did not hold a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application.~~

~~(b) Except as specified in subsection (6), qualification for a blue crab limited entry endorsement number shall be determined by landings of blue crab reported on a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement, and as specified in paragraph (c).~~

(c) Qualified blue crab effort management limited entry endorsement number applicants must have documented blue crab landings in quantities as specified in subsection (4) or (5) pursuant to Commission trip ticket records generated under the provisions of Rule Chapter 68E-5, F.A.C., during at least one of the following three license years: July 1, 2000 through June

30, 2001, July 1, 2001 through June 30, 2002, or July 1, 2002 through June 30, 2003. Qualifying landings must have been received by the FWC by August 1, 2003; applicants lacking sufficient blue crab landings during the qualifying years may have their eligibility for a blue crab effort management limited entry endorsement considered by the blue crab effort management limited entry endorsement appeals board as specified in subsection (11)(40).

(6) Non-transferable blue crab effort management limited entry endorsement (V-N). Persons will qualify for the V-N endorsement if they held a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application ~~meet the criteria set forth in paragraph (3)(a)~~, have had no convictions for violations associated with gears defined in subsection 68B-4.002(3) or (4), F.A.C., since July 1, 1995, and have documented landings using such gears pursuant to Commission trip tickets generated for the Marine Information System under Rule Chapter 68E-5, F.A.C., prior to July 1, 1995, or, sold nets to the state according to the provisions of the net buy back program, Chapter 95-414, Laws of Florida. Qualifying landings must have been received by the Marine Information System no later than August 1, 1995.

(a) The non-transferable blue crab effort management limited entry endorsement cannot be sold or otherwise transferred to any other person as described in subsection (15) or (16).

(b) The holder of a non-transferable blue crab effort management limited entry endorsement number shall be entitled to purchase up to 100 hard shell blue crab trap tags that will allow them to deploy a like number of hard shell blue crab traps in any state waters where blue crab traps are allowed.

(c) Applicants qualifying for a V-N blue crab effort management limited entry endorsement number pursuant to this subsection may apply for the endorsement by completing and submitting application Form DMF-SL4570, Non-Transferable Blue Crab Effort Management Limited Entry Endorsement (09-06 01-06), incorporated herein by reference.

(d) Applicants must submit their application to the Commission no later than September 30, 2007 ~~2006~~. An applicant may be a person, firm, or corporation.

(e) No change.

(f) Applicants initially denied a V-N endorsement number may appeal their denial by submitting a completed appeals application form (DMF-4580, Application for Appeal of the Non-Transferable Blue Crab Limited Entry Endorsement (09-06 01-06), hereby incorporated by reference), to the Director of the Division of Marine Fisheries Management by March 31, 2007 ~~2006~~.

(g) through (h) No change.

(i) The holder of a V-N blue crab effort management ~~limited entry~~ endorsement number shall be subject to the same trap tag requirements described in subsection (7).

(j) The holder of a V-N blue crab effort management ~~limited entry~~ endorsement number shall be subject to the same renewal criteria described in subsection (9).

(k) The holder of a V-N blue crab effort management ~~limited entry~~ endorsement number shall be subject to the renewal criteria described in paragraph (10)(a).

(l) The holder of a V-N blue crab effort management ~~limited entry~~ endorsement number shall not be eligible to serve either on the blue crab limited entry appeals board described in subsection (11) or the advisory board described in subsection (12).

(m) No change.

(n) If the holder of a V-N blue crab effort management ~~limited entry~~ endorsement number purchases a V-H endorsement described in subsection (4) or a V-S endorsement described in subsection (5), the non-transferable endorsement shall be forfeited.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
69A-58	Firesafety in Educational Facilities
RULE NOS.:	RULE TITLES:
69A-58.002	Scope: Existing Facilities
69A-58.003	Definitions
69A-58.0031	New Construction
69A-58.004	Firesafety Inspections
69A-58.005	Serious Life Safety Hazards
69A-58.006	Inspections in General
69A-58.007	Counties, Municipalities, and Special Districts Having Firesafety Responsibilities, Without Firesafety Inspectors
69A-58.0081	Means of Egress
69A-58.0082	Relocatable Buildings
69A-58.0083	Protection from Hazards
69A-58.0084	Seclusion Time Out Rooms
69A-58.009	Florida Firesafety School Evaluation System
69A-58.010	Other Applicable Codes and Standards

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. 32, No. 32, August 11, 2006 issue of the Florida Administrative Weekly.

UNIFORM FIRESAFETY STANDARDS FOR EDUCATIONAL FACILITIES

69A-58.002 Scope: New Construction and Existing Facilities.

(1) through (3) No change.

(4) Existing educational and ancillary facilities shall comply with the applicable provisions of NFPA 1 and NFPA 101, the Florida editions adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C., except as modified by Chapter 1013, F.S., and this rule chapter.

(5) Any time NFPA 1 or NFPA 101 refers to any other NFPA standard that has not been adopted by the Division of State Fire Marshal in this rule chapter, the referenced standard shall be the Florida edition adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C.

(6) Community colleges shall comply with the applicable chapters of NFPA 1 and NFPA 101, the Florida editions adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C., in accordance with the following:

(a) through (c) No change.

(7) through (10) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History–New 2-18-03, Formerly 4A-58.002, Amended.

69A-58.003 Definitions.

As used in this rule chapter, the following definitions apply:

(1) through (9) No change.

(10) “FISH” means Florida Inventory of School Houses.

(11)(40) “Florida Fire Prevention Code” means the Florida Fire Prevention Code as adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C.

(12)(41) No change.

(13)(42) “New” facility means a facility that has not been occupied nor issued a building permit certificate of occupancy prior to the effective date of this edition of this rule chapter.

(14)(43) “NFPA 1” means the National Fire Protection Code 1, entitled the “Uniform Fire Code,” the Florida edition as adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C.

(15)(44) “NFPA 101” means the National Fire Protection Association Code 101, entitled the “Life Safety Code,” the Florida edition as adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C.

(15) through (17) renumbered (16) through (18) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History–New 2-18-03, Formerly 4A-58.003, Amended.

69A-58.0031 New Construction.

(1) New construction and new buildings are subject to and controlled by the Florida edition of NFPA 1, the edition as adopted in Rule 69A-3.012, F.A.C., 2003 edition, in Chapter 20, relating to “*Educational occupancies*” and the Florida

~~edition of NFPA 101, the edition as adopted in Rule 69A-3.012, F.A.C. 2003 edition, Chapter 14, "New educational occupancies," except where specifically otherwise provided in this rule chapter.~~

(2) Notwithstanding any rule or adopted code or standard in conflict herewith, the following procedures apply with respect to new construction and new buildings.

(a) Prior to commencement of any new construction or remodeling:

1. The board shall approve or cause to be approved the plans, drawings, designs, proposals, blueprints, and other construction or remodeling documents and evaluate the same for complete compliance with the Florida Fire Prevention Code in accordance with Section Chapter 1013.38(1)(2), F.S., or

2. No change.

(b) through (c) No change.

~~(d) The board shall provide to the fire fighting authority charged with responding to calls at the subject educational facility a copy of the site plan for each educational plant in which site conditions will be affected. Such local fire fighting authority shall review the site plans for compliance with Chapter 18 of the Florida Edition of NFPA 1, "Fire Department Access and Water Supply," and this rule chapter. The local fire fighting authority shall review and provide approval or comments to the board within 15 days of receipt. If the local fire fighting authority fails to provide approval or comments to the board within 15 days of receipt, the site plan shall be deemed compliant.~~

(3) through (4) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History—New 2-18-03, Formerly 4A-58.003, Amended _____.

69A-58.004 Firesafety Inspections.

(1) No change.

(a) through (b) No change.

(2) The inspections in subsection (1), paragraphs (a) and (b):

(a) through (b) No change.

(c) Shall be performed in accordance with any applicable firesafety code or standard, such as NFPA 101, the edition as adopted in Rule 69A-3.012 Chapter 69A-60, F.A.C., or any other applicable code or standard which has been adopted in this rule chapter; and

(d) through (5)(h) No change.

(i) A report of each deficiency noted during the inspection.

Each deficiency report shall contain:

1. The building name or number and, if applicable, the FISH number of the room or building in which the violation was noted;

2. through 11. No change.

(6) The inspection reports required by subsection (1) shall be submitted to the division by June 30, of each year.

(a) The board shall either:

1. Forward one copy of the completed inspection report for each inspection conducted by the board to the division electronically by entering it into the "School Inspection Reporting System" database, or

2. Submit the report in any legible format with each violation coded in accordance with Form DFS-KL3-1674 (Rev. 02-06) the "School Inspection Reporting System" database schedule which is adopted herein by reference (Schedule A) and retain the original. A copy of the form can be obtained at the Department's website located at www.fldfs.com/SFM/, or by mailing a request to The Florida State Fire Marshall, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(b)The local fire official shall either:

1. Forward one copy of the completed inspection report for each inspection conducted by the board to the division electronically by entering it into the "School Inspection Reporting System" database, or

2. Submit the report in any legible format with each violation coded in accordance with Form DFS-KL3-1674 (Rev. 02-06) the "School Inspection Reporting System" database schedule which is adopted herein by reference (Schedule A) and retain the original. A copy of the form can be obtained at the Department's website located at www.fldfs.com/SFM/, or by mailing a request to The Florida State Fire Marshall, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(c) through (d) No change.

(7) Any firesafety inspector authorized by a unit of government who is certified in accordance with Section 633.081(2) or Section 633.081(3), F.S. may enter the "School Inspection Reporting System" via the internet at <http://app.bebr.ufl.edu/egroupware/login.php?cd=1>. You may also access the "School Inspection Reporting System" through the Division's website located at www.fldfs.com/SFM/.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History—New 2-18-03, Formerly 4A-58.004, Amended _____.

69A-58.005 Serious Life Safety Hazards.

(1) No change.

(2)(a) Serious life safety hazards include:

1. A non-functional fire alarm system. A non-functional fire alarm system is one impaired to the extent that a significant portion is not in operation and the system any initiating device or any notification appliance is incapable of functioning as it was designed.

2. A non-functional fire sprinkler system; A non-functional fire sprinkler system occurs any time a significant portion of any one zone is impaired to the extent that the sprinkler system head component is incapable of automatic activation within the protected space or when any system component lacks an adequate water supply.

3. through 7. No change.

(b) Other conditions may be identified to the division by the board or local fire official for designation as a serious life safety hazard, including but not limited to:

1. The placement of a functional smoke and heat detector in a manner not consistent with NFPA 72, the edition as adopted in Rule ~~69A-3.012 Chapter 69A-60.005~~, F.A.C.;

2. through 3. No change.

(c) The criteria to be used by the division to determine whether such other condition shall be designated as a serious life safety hazard shall be either: ~~No change.~~

1. Those conditions located in subdivision 6.2, NFPA 101, the Florida edition as adopted in Rule ~~69A-3.012 Chapter 69A-60.004~~, F.A.C., to wit:

a. through c. No change.

2. Hazard of contents shall be determined by the board or local fire official on the basis of the character of the contents and the processes or operations conducted in the building or structure. For the purposes of these rules, where different degrees or hazard of contents exist in different parts of a building or structure, the most hazardous shall govern the classification unless hazardous areas are separated or protected as specified in subdivision 8.4 and the applicable subdivisions of Chapters 11 through 42 of NFPA 101, the edition as adopted in Rule ~~69A-3.012 Chapter 69A-60.004~~, F.A.C.; or

3. Upon a finding of a dangerous condition consistent with the ~~The~~ criteria located in NFPA 1 ~~of the Florida Fire Prevention Code~~, subdivision ~~3.3.32.1 2-28.1~~, the edition as adopted in Rule ~~69A-3.012 Chapter 69A-60.003~~, F.A.C., for extra high hazard ~~hazardous~~ occupancies based on; ~~to wit;~~ the total amount of Class A combustibles and Class B flammables present, in storage, production, use, finished product, or combination thereof, and when such material is over and above those expected in occupancies classed as ordinary (moderate) hazard. Those areas or occupancies could consist of woodworking, vehicle repair, cooking areas, product displays, and storage and manufacturing processes such as painting and coating, including flammable liquid handling. Also included is warehousing of or in-process storage of other than Class I and Class II commodities as defined by NFPA 13, *Standard for the Installation of Sprinkler Systems*, subdivision 10:1-5.3, the edition as adopted in Rule ~~69A-3.012 Chapter 69A-60.003~~, F.A.C.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.005, Amended.

69A-58.006 Vacant and Abandoned Buildings.

~~(1) Returning Buildings to Use. Any existing building which has been removed from instructional use for more than 180 days shall be inspected for deficiencies, and remodeled, renovated, or have its deficiencies corrected in accordance with the new construction requirements of the Florida Building Code before returning it to instructional purposes.~~

~~(2) Abandoned Buildings.~~ Board buildings no longer in use and abandoned shall be free of combustible waste and secured in such a manner as to prevent fire safety hazards and unauthorized or unlawful entry.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.006, Amended.

69A-58.007 Counties, Municipalities, and Special Districts Having Firesafety Responsibilities, Without Firesafety Inspectors.

(1) through (2) No change.

(3) Each such county, municipality, or special district having firesafety enforcement responsibilities shall employ or contract with a firesafety inspector certified under Section 633.081(2), F.S., pursuant to the requirement of Section 633.081(1), F.S., to fulfill the obligation imposed by Section ~~633.025 024~~(2), F.S.

(4) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History--New 2-18-03, Formerly 4A-58.007, Amended.

69A-58.0081 Means of Egress.

(1) Doors.

(a) No change.

(b) Opposite swinging smoke stop doors in smoke partitions within the corridor shall comply with the requirements of section 8.4.3 of the edition of NFPA 101 as adopted in Rule 69A-3.012 ~~meet the smoke compartment separation requirements.~~

(c) through (e) No change.

(2) Existing smoke stop doors shall meet the requirements of subdivision 8.3.4 of NFPA 101, the edition as adopted in Rule 69A-3.012 ~~be 1 3/4 inch solid core wood, or equivalent.~~

(a) No change.

~~(b) View panels of clear fire rated glazing (including existing wire glass) mounted in steel frames shall be permitted in smoke stop doors.~~

(c) through (f) renumbered (b) through (e) No change.

(3) Special Function Doors.

(a) through (b) No change.

(c) Turnstiles shall comply with subdivision 7.2.1.11 of NFPA 101, the edition as adopted in Rule 69A-3.012, F.A.C. ~~be placed to allow free access through a means of egress or have an emergency break-away feature or other similar type feature.~~

(4) through (16) No change.

(17) Boiler Rooms.

(a) Boilers shall comply with Chapter 554, F.S., and Rule Chapter 69A-51, F.A.C. A valid boiler inspection certificate of compliance issued by the State Fire Marshal shall be displayed and clearly visible, when required.

(b) No change.

1. through 2. No change.

(18) No change.

(19) Stages and Platforms.

~~(a)~~ Stages, and platforms, including props and equipment, shall conform to the specific requirements of Chapter 13 of NFPA 101, the edition as adopted in Rule 69A-3.012, F.A.C. this section.

~~(b) All curtains and flies on stages shall have attached labels verifying their flame resistance or equivalent documentation as approved by the AHJ.~~

~~(c) All scenery and stage props shall be free of any foam plastics.~~

~~(d) All steps leading to a stage shall have a minimum of 1 handrail.~~

(20) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History-New_____.

69A-58.0082 Relocatable Buildings.

(1) Relocatable buildings: Relocatable buildings sited after March 1, 2002 shall be separated as required by the Florida Building Code.

(a) No change.

(b) Relocatable buildings sited within a cluster in accordance with this section are permitted to achieve emergency vehicle access by providing vehicular access to within 200 feet of the entrance of the most remote relocatable unit and shall be either provided with an independent fire alarm system with a manual pull station within 100 feet of each egress door ~~or provided with a fire alarm system tied to the main school facility.~~

Exception: When required by the board, a cluster shall be protected by a fire zone extended from the main educational facility's fire alarm control panel.

In addition, all of the following shall be met:

1. The minimum overhead open space within the perimeter of the cluster shall be 50% of the maximum ~~Maximum~~ conditioned gross area of the relocatable units within the in a cluster is 12,000 square feet,

2. The minimum ~~Minimum~~ separation between individual units shall be as approved by the building official in accordance with Chapter 553, Part IV, Florida Statutes (2005), the "Florida Building Code,"

3. The nearest ~~Nearest~~ permanent building or cluster shall be a minimum of is 60 feet,

4. Any ~~Maximum~~ of 20% unprotected opening between adjacent wall spaces shall be as approved by the building official in accordance with Chapter 553, Part IV, Florida Statutes (2005), the "Florida Building Code," and,

5. Minimum overhead open space within the perimeter of the cluster is 50 percent, and

~~5.6. The minimum ~~Minimum~~ setback for non-combustible Type I, II or IV (non-combustible) relocatable buildings shall be as 25 feet or less if permitted by local zoning requirements.~~

(2) Egress doors in relocatable buildings shall be provided as follows:

(a) Classroom units of combustible Type III or Type V (combustible) construction shall have 2 remotely located doors opening directly to the outside.

(b) Multi-classroom units of non-combustible Type I, II or IV (non-combustible) construction shall have a primary exit door opening directly to the exterior or if served by interior corridors, shall have a primary exit door and an emergency rescue opening in each space designed to be occupied by 6 or more students.

1. through 2. No change.

(3) Fire Alarm Systems.

(a) In combustible Type III and Type V (combustible) construction, heat or smoke detectors connected to the building's fire alarms system shall be installed in every classroom, unsupervised space, storage space, and custodial closet.

(b) In non-combustible Type I, II or IV (non-combustible) construction, heat or smoke detectors connected to the buildings fire alarm system shall be installed in each is located in storage and custodial closet closets.

(c) No change.

(d) Drill switches shall not be permitted except where a computerized fire alarm system is specifically listed for this purpose.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History-New_____.

69A-58.0083 Protection from Hazards.

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

(c) There is posted a permanently affixed sign reading "FIRE EXTINGUISHER INSIDE." Exception: Exterior signage is not required when a fire extinguisher is installed inside of every relocatable building on a school or ancillary site.

(4) No change.

(5) ~~High Rise Buildings.~~ All existing high-rise structures and buildings more than 4 stories or 45 feet in height shall be equipped with automatic fire sprinkler systems.

(6) through (7) No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History-New_____.

69A-58.0084 Seclusion Time Out Rooms.

(1) No change.

(2) Locking devices.

(a) No change.

~~(b) The use of a secured seclusion time-out room must be explicitly stated in the student's exceptional student educational (ESE) records and shall include parental notice for the use of a secured seclusion time-out room. The use of secured seclusion time-out rooms by the district must be expressly permitted by the action of the school board. Compliance with this section shall be certified by the school administrator or their designee.~~

~~(b)(e)~~ No change.

1. through 4. No change.

(3) through (5) No change.

~~(6) Students in a secured seclusion time-out room must be observed continuously by a teacher or trained staff member.~~

~~(6)(7)~~ No change.

~~(7)(8)~~ During each unannounced inspection, the division or the local fire official is permitted to inspect secured seclusion time-out rooms, for compliance, interview staff, and review staff development activities, and conduct other activities as deemed appropriate to ensure compliance with this rule chapter.

~~(9) Permit Required.~~

~~(a) Any secured seclusion time-out room which is constructed following the effective date of this rule shall be allowed to become operational only after the issuance of a permit.~~

~~(b) Any secured seclusion time-out room which is in operation upon the effective date of this rule shall be allowed to continue in use provided a secured seclusion time-out room operational permit has been issued by the board on Form No. DFS XX-XXX.~~

~~(c) Each school wishing to use a secured seclusion time-out room shall apply to the board for a permit to operate a secured seclusion time-out room.~~

~~(d) Each secured seclusion time-out room must be constructed and operated in accordance with this rule chapter.~~

~~(e) A permit shall be issued only after an inspection by the board and a determination by the board that such secured seclusion time-out room has been designed and constructed in accordance with this rule chapter.~~

(f) Application for a permit need not be on any specific form and is permitted to be in the form of a letter, a memorandum, or a similar document; however, the application must be signed by the school administrator or his or her designee and must include the district's name, the school's name, the school's address, and contact information which must designate the name and phone number of the contact person at the school who is permitted to be the school administrator or anyone designated by the school administrator.

(g) Each permit shall be valid for a period of not more than one year from the date of issue.

~~(9)(10)~~ No change.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History-New_____.

69A-58.009 Florida Firesafety School Evaluation System.

(1) through (3) No change.

(4) For buildings occupied after January 1, ~~1985~~ 2085, boards and fire officials may use the equivalency provisions of Section 1.4 of the Florida Edition of NFPA 101, the edition as adopted in Rule ~~69A-3.012~~ Chapter 69A-60, F.A.C.

Specific Authority 1013.12 FS. Law Implemented 1013.12 FS. History-New. 2-18-03, Formerly 4A-58.009, Amended_____.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.:

RULE TITLE:

69O-149.041

Marketing Communication Material and Marketing Guidelines

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 30, No. 51, December 17, 2004, of the Florida Administrative Weekly, has been withdrawn.

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.:

RULE TITLE:

69W-600.013

Prohibited Business Practices for Dealers and Their Associated Persons

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the following proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 8, February 24, 2006, issue of the Florida Administrative Weekly. These changes are being made to address written comments by the Joint Administrative Procedures Committee.

WHEN AMENDED THE PROPOSED RULE WILL READ AS FOLLOWS:

69W-600.013 Prohibited Business Practices for Dealers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

~~(a) Causing any unreasonable delay in the delivery of securities purchased by any of its customers, or in the payment upon request of free credit balances reflecting complete transactions of any of its customers;~~

~~(b) Inducing trading in a customer's account which is excessive in size or frequency in view of the financial resources and character of the account;~~

~~(c) Recommending to a customer the purchase, sale or exchange of any security without reasonable grounds to believe that the recommendation is suitable for the customer on the basis of information furnished by the customer after~~

~~reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other information known by the dealer;~~

~~(d) Executing a transaction on behalf of a customer without authority to do so;~~

~~(e) Exercising any discretionary power in effecting a transaction for a customer's account without first obtaining written discretionary authority from the customer, unless the discretionary power relates solely to the time and/or price for the execution of orders;~~

~~(a)(f) Extending, arranging for, or participating in arranging for credit to a customer in violation of the provisions of Regulation T, Credit by Brokers and Dealers, 12 C.F.R. §§ 220.1-220.132 (2006), which is incorporated by reference. (12 CFR 220.1-220.131, inclusive) promulgated by the Federal Reserve Board, as such provisions existed on July 1, 2003;~~

~~(b)(g) Executing any transaction in a margin account without obtaining from its customer a written margin agreement prior to settlement date for the initial transaction in the account ;~~

~~(c)(h) Failing to segregate customers' free securities or securities in safekeeping;~~

~~(d)(i) Hypothecating a customer's securities in violation of SEC Rule 8c-1, 17 C.F.R. § 240.8c-1 (2006), which is incorporated by reference. (17 CFR 240.8c-1), as such rule existed on July 1, 2003;~~

~~(j) Charging its customer an unreasonable commission or service charge in any transaction executed as agent for the customer;~~

~~(k) Entering into a transaction for its own account with a customer with an unreasonable mark up or mark down;~~

~~(l) Entering into a transaction with or for a customer at a price not reasonably related to the current market price;~~

~~(e)(m) Failing to execute a customer's order;~~

~~(f)(n) Executing orders for the purchase by a customer of securities not registered under Section 517.081 or 517.082, F.S., unless the securities are exempted under Section 517.051, F.S., or the transaction is exempted under Section 517.061, F.S.;~~

~~(g)(o) Representing itself as a financial or investment planner, consultant, or advisor, when the representation does not fairly describe the nature of the services offered, the qualifications of the person offering the services, and the method of compensation for the services;~~

~~(h)(p) With respect to any customer, transaction or business in this state, violating any of the following:~~

~~1. Conduct Rules, Marketplace Rules, or the Uniform Practice Code of the National Association of Securities Dealers (NASD). The foregoing NASD regulations, along with the interpretive materials for those regulations, are published in the NASD manual dated March 2006, which is incorporated by reference. Any by law, schedule thereto, rule, or appendix thereto, of the National Association of Securities Dealers~~

~~(“NASD”), interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC, including: the Conduct Rules; the Marketplace Rules; and the Uniform Practice Code, as published in the NASD Manual as of July 1998 and any amendments as existed on July 1, 2003;~~

~~2. For members of the New York Stock Exchange, Rule 405, 412, or 435, or 445 of the New York Stock Exchange, as such rules existed on May 31, 2006. The foregoing New York Stock Exchange rules, including the interpretive supplementary materials, are incorporated by reference. July 1, 2003, interpreted in accordance with the guidelines, policies, and interpretations of the NYSE or SEC;~~

~~3. Sections 2, 4, 5, or 6 of the Securities Act of 1933, 15 U.S.C.A. §§ 77b, 77d, 77e, or 77f (Thomson/West 2006 (current through P.L. 109-229)), or SEC Rules 134, 134a, 135a, 144, 144A, 156, 419, 481, or 482, 17 C.F.R. §§ 230.134, 230.134a, 230.135a, 230.144, 230.144A, 230.156, 230.419, 230.481 or 230.482 (2006). The foregoing sections of the Securities Act of 1933 and rules of the SEC are incorporated by reference. 134, (17 CFR 230.134); 134a (17 CFR 230.134a); 135a (17CFR 230.135a); 144 (17 CFR 230.144); 144A (17 CFR 230.144A); 156 (17 CFR 230.156); 419 (17 CFR 230.419); 481 (17 CFR 230.481); or 482 (17 CFR 230.482) promulgated pursuant thereto, as such provisions existed on July 1, 2003, interpreted in accordance with the guidelines, policies, and interpretations of the NASD or SEC;~~

~~4. Section 15(b)(4)(E) of the Securities Exchange Act of 1934, 15 U.S.C.A. § 78o(b)(4)(E) (Thomson/West 2006 (current through P.L. 109-229)); Regulation SHO, Regulation of Short Sales, 17 C.F.R §§ 242.200 - 242.203 (2006); or NASD Conduct Rule 3210. The foregoing provisions of the Securities Exchange Act of 1934 and Regulation SHO, Regulation of Short Sales, are incorporated by reference. NASD Conduct Rule 3210, as it existed on July 3, 2006, is incorporated by reference, as it existed on July 1, 2003; or~~

~~5. Section 15B of the Securities Exchange Act of 1934, 15 U.S.C.A. § 78o-4 (Thomson/West 2006 (current through P.L. 109-229)), or the following rules of the Municipal Securities Rulemaking Board (MSRB), which have been promulgated under Section 15B: MSRB Definitional Rules D-1 to D-12, inclusive, and General Rules G-1 to G-34, inclusive, as those rules existed on May 31, 2006. Section 15B of the Securities Act of 1934 and the foregoing MSRB rules, including the MSRB interpretive letters and notices construing those rules, are incorporated by reference. Any rule of the Municipal Securities Rulemaking Board (“MSRB”) including the Definitional Rules (Rules D-1 through D-11, inclusive), and the General Rules with the exception of Rule G-35 (Rules G-1 through G-34, inclusive), promulgated pursuant to section 15B of the Securities Exchange Act of 1934, as such rules existed on July 1, 2003, interpreted in accordance with the guidelines, policies, and interpretations of the MSRB, NASD, or SEC;~~

6. To the extent that any of the rules described in subparagraphs 1. through 5. of this section or their interpretation by the NASD, NYSE, MSRB, or SEC, as appropriate, conflict or are inconsistent with other provisions of the Florida Securities and Investor Protection Act or rules promulgated pursuant thereto, this paragraph of this rule shall not be deemed controlling.;

~~(i)(*)~~ Failing to furnish to a customer purchasing securities in an offering, not later than the date of confirmation of the transaction, either a final prospectus or a preliminary prospectus and an additional document, which together include all information set forth in the final prospectus.;

~~(j)(*)~~ Introducing customer transactions on a “fully disclosed” basis to another dealer that is not registered under Chapter 517, F.S., unless the customer is a person described in Section 517.061(7), F.S.;

~~(k)(*)~~ Recommending to a customer that the customer engage the services of an investment advisor that is not registered or exempt from registration under Chapter 517, F.S., unless the customer is a person described in Section 517.061(7), F.S.;

~~(l)(*)~~ Recommending to a customer that the customer engage the services of an investment advisor in connection with which the dealer receives a fee or remuneration (other than directed business) from the investment advisor, except as permitted in Rule 69W-600.003, F.A.C.;

~~(m)(*)~~ Selling or offering for sale any security in a transaction exempt from registration pursuant to Section 517.061(17)(a)1., F.S., where the issuer of such securities has not filed with the SEC within the specified period of time all reports required by Sections 13 or ~~15D 15(d)~~ of the Securities Exchange Act of 1934, 15 U.S.C. A. §§ 78m, 78o-6 (Thomson/West 2006 (current through P.L. 109-229)). The foregoing sections of the Securities Exchange Act of 1934 are incorporated by reference, as such sections existed on July 1, 2003.;

~~(n)(*)~~ Giving false or otherwise misleading customer information to any financial institution or regulatory agency.

(2) The following are deemed demonstrations of unworthiness by an associated person of a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) Borrowing money or securities from a customer, except when persons are in compliance with NASD Conduct Rule 2370(a)(1), (a)(2)(A)-(C) only, and NASD Conduct Rule 2370(b)-(c), which are incorporated by reference in subparagraph (1)(h)1.; customer;

(b) Acting as a custodian for money, securities or an executed stock power of a customer;

(c) Effecting transactions in securities, or investments as defined by Section 517.301(2), F.S., not recorded on the regular books or records of the dealer, which the associated

person represents, unless the transactions are disclosed to, and authorized in writing by, the dealer prior to execution of the transactions;

(d) Operating an account under a fictitious name, unless disclosed to the dealer, which the associated person represents;

(e) Sharing directly or indirectly in profits or losses in the account of any customer without the written authorization of the customer and the dealer, which the associated person represents;

(f) Dividing or otherwise splitting commissions, profits or other compensation in connection with the purchase or sale of securities in this state with any person not also licensed as an associated person for the same dealer, or for a dealer under direct or in indirect common control;

(g) Failing to furnish to each offeree of a Small Corporate Offering Registration (SCOR) SCOR registration a copy of the “Florida Guide to Small Business Investments”, OFR-S-13-97, revised May 1, 2004, which is incorporated by reference; and

(h) Engaging in any of the practices specified in paragraph (1) (a), (b), (e), (f), (g), (h), (i), (k), (l), (m), or (n). ~~(1)(b), (e), (d), (e), (f), (g), (m), (n), (o), (p), (q), (s), (t), (u), or (v).~~

(3) All materials incorporated by reference in this rule may be obtained by mail from the Office of Financial Regulation, Bureau of Securities Regulation, 200 E. Gaines Street, Tallahassee, Florida 32399-0374.

Specific Authority 517.03(1), 517.1217 FS. Law Implemented 517.081, 517.1217, 517.161(1) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.13, Amended 8-1-91, 6-16-92, 1-11-93, 11-7-93, 5-5-94, 9-9-96, 10-20-97, 1-25-00, 10-30-03, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Andrea Moreland, Executive Senior Attorney, Office of Financial Regulation, 200 E. Gaines Street, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9662, andrea.moreland@fldfs.com.

**FINANCIAL SERVICES COMMISSION
Office of Financial Regulation**

RULE NOS.:	RULE TITLES:
69W-600.0131	Prohibited Business Practices for Investment Advisers and Their Associated Persons
69W-600.0132	Custody Requirements for Investment Advisers
69W-600.014	Books and Records Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the following proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 8, February 24, 2006, issue of the Florida Administrative Weekly. These changes are being made to address written comments by the Joint Administrative Procedures Committee.

WHEN AMENDED THE PROPOSED RULES WILL READ AS FOLLOWS:

69W-600.0131 Prohibited Business Practices for Investment Advisers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by an investment adviser or an associated person of an investment adviser under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) With respect to any customer, transaction or business in, to or from this state, engaging in any conduct prohibited by, or failing to comply with the requirements of, the following:

Sections 204, 204A, 205, 206, 207, 208 of the Investment Advisers Act of 1940, 15 U.S.C.A. §§ 80b-4, 80b-4a, 80b-5, 80b-6, 80b-7, 80b-8 (Thomson/West 2006 (current through P.L. 109-237)), or SEC Rules 204-3, 205-1, 205-2, 205-3, 206(3)-1, 206(3)-2, 206(4)-1, 206(4)-3, and 206(4)-4, 17 C.F.R. §§ 275.204-3, 275.205-1, 275.205-2, 275.205-3, 275.206(3)-1, 275.206(3)-2, 275.206(4)-1, 275.206(4)-3, and 275.206(4)-4 (2006), promulgated under the Investment Advisers Act of 1940. The foregoing provisions of the Investment Advisers Act of 1940 and rules of the SEC are incorporated by reference, 204-3 (17 CFR 275.204-3); 205-1 (17 CFR 275.205-1); 205-2 (17 CFR 275.205-2); 205-3 (17 CFR 275.205-3); 206(3)-1 (17 CFR 275.206(3)-1); 206(3)-2 (17 CFR 275.206(3)-2); 206(4)-1 (17 CFR 275.206(4)-1); 206(4)-2 (17 CFR 275.206(4)-2); 206(4)-3 (17 CFR 275.206(4)-3); and 206(4)-4 (17 CFR 275.206(4)-4) of the Investment Advisers Act of 1940 promulgated pursuant thereto, as such provisions existed on July 1, 2003, interpreted with the guidelines, policies, no action letters, and interpretations of the SEC;

(b) Borrowing money or securities from a customer unless the customer is a dealer, an affiliate of the investment adviser, or a financial institution engaged in the business of loaning funds;

(c) Loaning money to a customer unless the investment adviser is a financial institution engaged in the business of loaning funds or the customer is an affiliate of the investment adviser;

(d) Recommending to a customer the purchase, sale or exchange of any security without reasonable grounds to believe that the recommendation is suitable for the customer on the basis of information furnished by the customer after reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other information known by the investment adviser;

(e) Exercising any discretionary power in placing an order for the purchase or sale of securities for a customer's account without first obtaining written discretionary authority from the customer, unless the discretionary power relates solely to the time or price for the execution of orders;

(f) Inducing trading in a customer's account which is excessive in size or frequency in view of the financial resources, investment objectives, and character of the account;

(g) Placing an order to purchase or sell a security on behalf of a customer without authority to do so;

(h) Placing an order to purchase or sell a security for a customer's account upon instruction of a third party without first having obtained a written third-party trading authorization from the customer;

(i) Misrepresenting the qualifications of the investment adviser or any employee of the investment adviser to a client or prospective client when the representation does not fairly describe the nature of the services offered, the qualifications of the person offering the services, and the method of compensation for the services or omitting to state a material fact;

(j) Charging a customer an unreasonable advisory fee;

(k) Failing to disclose to customers in writing before any advice is rendered any material conflict of interest relating to the adviser or any of its employees which could reasonably be expected to impair the rendering of unbiased and objective advice including:

1. Compensation arrangements connected with advisory services to customers which are in addition to compensation from such customers for such services; and

2. Charging a customer an advisory fee for rendering advice when a commission for executing securities transactions pursuant to such advice will be received by the adviser or its employees;

(l) Guaranteeing a customer that a specific result will be achieved with the advice to be rendered;

(m) Recommending to a customer that the customer engage the services of a dealer that is not registered or exempt from registration under Chapter 517, F.S., unless the customer is a person described in Section 517.061(7), F.S.;

(n) Recommending to a customer that the customer engage the services of a dealer in connection with which the investment adviser receives a fee or remuneration from the dealer, except as permitted in Rule 69W-600.003, F.A.C.;

(o) Disclosing the identity, affairs, or investments of any customer unless required to do so by law or consented to by the customer;

(p) Giving false or otherwise misleading customer information to any financial institution or regulatory agency;

(q) Entering into, extending or renewing any investment advisory contract unless such contract is in writing and discloses, in substance, the services to be provided, the term of the contract, the advisory fee, the formula for computing the fee, the amount of prepaid fee to be returned in the event of contract termination or non-performance, whether the contract grants discretionary power to the adviser and that no

assignment of such contract shall be made by the investment adviser without the consent of the other party to the contract; and

(r) Entering into, extending or renewing any investment advisory contract contrary to the provisions of Section 205 of the Investment Advisers Act of 1940, 15 U.S.C.A. § 80b-5 (Thomson/West 2006 (current through P.L. 109-237)), which is incorporated by reference in paragraph (a) of this subsection. This provision shall apply to all advisers and investment adviser representatives registered or required to be registered under this Act, notwithstanding whether such adviser or representative would be exempt from federal registration pursuant to Section 203(b) of the Investment Advisers Act of 1940, 15 U.S.C. § 80b-3(b) (Thomson/West 2006 (current through P.L. 109-237)), which is incorporated by reference.

(s)(~~+~~) Including, in an advisory contract, any condition, stipulation, or provisions of Chapter 517, F.S., or with any provision of, or with any rule, regulation, or order issued under, the Investment Advisers Act of 1940, which is incorporated by reference of the Investment Advisers Act of 1940 or any other practice contrary to the provisions of Section 215 of the Investment Advisers Act of 1940.

(t) Taking any action, directly or indirectly, with respect to those securities or funds in which any client has any beneficial interest, where the investment adviser has custody or possession of such securities or funds when the adviser's action is subject to and does not comply with the requirements of Rule 69W-600.0132, F.A.C.

(2) The federal statutory and regulatory provisions referenced herein shall apply to investment advisers, investment adviser representatives and federal covered advisers, to the extent permitted by the National Securities Markets Improvement Act of 1996.

(3) All materials incorporated by reference in this rule may be obtained by mail from the Office of Financial Regulation, Bureau of Securities Regulation, 200 E. Gaines Street, Tallahassee, Florida 32399-0374.

Specific Authority 517.03(1), 517.1215 FS. Law Implemented 517.12(4), 517.161(1), 517.1215 FS. History--New 1-25-00, Amended 7-31-04, _____.

69W-600.0132 Custody Requirements for Investment Advisers.

(1) Definitions. For purposes of this section: "Custody" means holding directly or indirectly, client funds or securities, or having any authority to obtain possession of them or has the ability to appropriate them.

1. Custody includes:

a. Possession of client funds or securities unless received inadvertently and returned to the sender promptly, but in any case within three business days of receiving them;

b. Any arrangement (including a general power of attorney) under which the investment adviser is authorized or permitted to withdraw client funds or securities maintained with a custodian upon the investment adviser's instruction to the custodian; and

c. Any capacity (such as general partner of a limited partnership, managing member of a limited liability company or a comparable position for another type of pooled investment vehicle, or trustee of a trust) that gives the investment adviser or the investment adviser's supervised person legal ownership of or access to client funds or securities.

2. Receipt of checks drawn by clients and made payable to unrelated third parties will not meet the definition of custody if forwarded to the third party within 24 hours of receipt and the adviser maintains the records required under subsections 69W-600.014(3)-(7), F.A.C.:

(b) "Independent representative" means a person who:

1. Acts as agent for an advisory client, including in the case of a pooled investment vehicle, for limited partners of a limited partnership, members of a limited liability company, or other beneficial owners of another type of pooled investment vehicle and by law or contract is obliged to act in the best interest of the advisory client or the limited partners (or members, or other beneficial owners);

2. Does not control, is not controlled by, and is not under common control with the investment adviser; and

3. Does not have, and has not had within the past two years, a material business relationship with the investment adviser.

(c) "Qualified custodian" means the following independent institutions or entities that are not affiliated with the adviser by any direct or indirect common control and have not had a material business relationship with the adviser in the previous two years:

1. A bank or savings association that has deposits insured by the Federal Deposit Insurance Corporation under the Federal Deposit Insurance Act;

2. A registered broker-dealer holding the client assets in customer accounts;

3. A registered futures commission merchant registered under Section 4f(a) of the Commodity Exchange Act (7 U.S.C. § 6f), holding the client assets in customer accounts, but only with respect to clients' funds and security futures, or other securities incidental to transactions in contracts for the purchase or sale of a commodity for future delivery and options thereon; and

4. A foreign financial institution that customarily holds financial assets for its customers, provided that the foreign financial institution keeps the advisory clients' assets in customer accounts segregated from its proprietary assets.

(2) Safekeeping required. If the investment adviser is registered or required to be registered, it is unlawful and deemed to be a fraudulent, deceptive, or manipulative act, practice or course of business for the investment adviser to have custody of client funds or securities unless:

(a) Notice to Office. The investment adviser notifies the Office of Financial Regulation promptly in writing that the investment adviser has or may have custody. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.;

(b) Qualified Custodian. A qualified custodian maintains those funds and securities in a separate account for each client under that client's name or in accounts that contain only the investment adviser's clients' funds and securities, under the investment adviser's name as agent or trustee for the clients;

(c) Notice to Clients. If the investment adviser opens an account with a qualified custodian on their client's behalf, either under the client's name or under the investment adviser's name as agent, the investment adviser must notify the client in writing of the qualified custodian's name, address, and the manner in which the funds or securities are maintained, promptly when the account is opened and following any changes to this information.

(d) Account statements must be sent to clients, either:

1. By a qualified custodian for which the investment adviser has a reasonable basis for believing that the qualified custodian sends an account statement, at least quarterly, to each of the adviser's clients for which it maintains funds or securities, identifying the amount of funds and of each security in the account at the end of the period and setting forth all transactions in the account during that period; or

2. By the adviser who sends an account statement, at least quarterly, to each client for whom the adviser has custody of funds or securities, identifying the amount of funds and of each security of which the adviser has custody at the end of the period and setting forth all transactions during that period; and an independent certified public accountant verifies all client funds and securities by actual examination at least once during each calendar year at a time chosen by the accountant without prior notice or announcement to the adviser and that is irregular from year to year, and files a copy of the auditors report and financial statements with the Office of Financial Regulation within 30 days after the completion of the examination, along with a letter stating that it has examined the funds and securities and describing the nature and extent of the examination; and the independent certified public accountant, upon finding any material discrepancies during the course of the examination, notifies the Office of Financial Regulation within one business day of the finding, by means of a facsimile transmission or electronic mail, followed by first class mail, directed to the attention of the Office of Financial Regulation;

3. If the investment adviser is a general partner of a limited partnership (or managing member of a limited liability company, or hold a comparable position for another type of pooled investment vehicle), the account statements required under paragraph (d) of this subsection must be sent to each limited partner (or member or other beneficial owner or their independent representative).

(e) Independent Representative. A client may designate an independent representative to receive, on his behalf, notices and account statements as required under paragraphs (c) and (d) of this subsection.

(f) Direct Fee Deduction. An adviser who has custody as defined in sub-subparagraph (1)(a)1.b. of this rule by having fees directly deducted from client accounts must also provide the following safeguards:

1. Written Authorization. The adviser must have written authorization from the client to deduct advisory fees from the account held with the qualified custodian;

2. Notice of fee deduction. Each time a fee is directly deducted from a client account, the adviser must concurrently:

a. Send the qualified custodian an invoice of the amount of the fee to be deducted from the client's account; and

b. Send the client an invoice itemizing the fee. Itemization includes the formula used to calculate the fee, the amount of assets under managements the fee is based on, and the time period covered by the fee.

3. Notice of Safeguards. The investment adviser notifies the Office of Financial Regulation in writing that the investment adviser intends to use the safeguards provided above. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.

4. Waiver of Net Capital Requirement. An investment adviser having custody solely because it meets the definition of custody as defined in sub-subparagraph (1)(a)1.b. of this rule and who complies with the safekeeping requirements in paragraphs (2)(a)-(f) of this rule will not be required to meet the financial requirements for custodial advisers as set forth in paragraph 69W-600.016(3)(a), F.A.C.

(g) Pooled Investments. An investment adviser who has custody as defined in sub-subparagraph (1)(a)1.c. of this rule and who does not meet the exception provided under paragraph (3)(c) of this rule must, in addition to the safeguards set forth in paragraphs (a) through (e) of this subsection, also comply with the following:

1. Engage an Independent Party. Hire an independent party to review all fees, expenses and capital withdrawals from the pooled accounts;

2. Review of Fees. Send all invoices or receipts to the independent party, detailing the amount of the fee, expenses or capital withdrawal and the method of calculation such that the independent party can determine that the payment is in accordance with the pooled investment vehicle standards

(generally the partnership agreement or membership agreement) and forward, to the qualified custodian, approval for payment of the invoice with a copy to the investment adviser.

3. For purposes of this rule section, an Independent Party means a person that: is engaged by an investment adviser to act as a gatekeeper for the payment of fees, expenses and capital withdrawals from the pooled investment; does not control and is not controlled by and is not under common control with the investment adviser; and does not have, and has not had within the past two years, a material business relationship with the investment adviser. This shall not prohibit renewal of contracts with an existing independent third party.

4. Notice of Safeguards. The investment adviser notifies the Office of Financial Regulation in writing that the investment adviser intends to use the safeguards provided above. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.

5. Waiver of Net Worth or Bonding requirements and Audited Financial Statement. An Investment adviser having custody solely because it meets the definition of custody as defined in sub-subparagraph (1)(a)1.c. of this rule and who complies with the safekeeping requirements under paragraphs (2)(a)-(e) and (g) of this rule, will not be required to meet the financial requirements as set forth in paragraph 69W-600.016(3)(a), F.A.C.

(h) Investment Adviser or Investment Adviser as Trustee. When a trust retains an investment adviser, investment adviser representative or employee, director or owner of an investment adviser as trustee and the investment adviser acts as the investment adviser to that trust, the investment adviser will instruct the qualified custodian of the trust as follows:

1. Payment of fees. The qualified custodian will not deliver trust securities to the investment adviser, any investment adviser representative or employee, director or owner of the investment adviser, nor will the investment adviser instruct the qualified custodian to transmit any funds to the investment adviser, any investment adviser representative or employee, director or owner of the investment adviser, except that the qualified custodian may pay trustees' fees to the trustee and investment management or advisory fees to investment adviser, provided that:

a. The grantor of the trust or attorneys for the trust, if it is a testamentary trust, the co-trustee (other than the investment adviser, investment adviser representative or employee, director or owner of the investment adviser), or a defined beneficiary of the trust has authorized the qualified custodian in writing to pay those fees;

b. The statements for those fees show the amount of the fees for the trustee and, in the case of statements for investment management or advisory fees, show the value of the trust assets on which the fee is based and the manner in which the fee was calculated; and

c. The qualified custodian agrees to send to the grantor of the trust, the attorneys for a testamentary trust, the co-trustee (other than the investment adviser, investment adviser representative or employee, director or owner of the investment adviser), or a defined beneficiary of the trust, at least quarterly, a statement of all disbursements from the account of the trust, including the amount of investment management fees paid to the investment adviser and the amount of trustees' fees paid to the trustee.

2. Distribution of Assets. Except as otherwise set forth in sub-subparagraph a. below, the qualified custodian may transfer funds or securities, or both, of the trust only upon the direction of the trustee (who may be the investment adviser, investment adviser representative or employee, director or owner of the investment adviser), who the investment adviser has duly accepted as an authorized signatory. The grantor of the trust or attorneys for the trust, if it is a testamentary trust, the co-trustee (other than the investment adviser, investment adviser representative or employee, director or owner of the investment adviser), or a defined beneficiary of the trust, must designate the authorized signatory for management of the trust. The direction to transfer funds or securities, or both, can only be made to the following:

a. To a trust company, bank trust department or brokerage firm independent of the investment adviser for the account of the trust to which the assets relate;

b. To the named grantors or to the named beneficiaries of the trust;

c. To a third person independent of the investment adviser in payment of the fees or charges of the third person including, but not limited to:

(I) Attorney's accountant's or custodian's fees for the trust; and

(II) Taxes, interest, maintenance or other expenses, if there is property other than securities or cash owned by the trust;

d. To third persons independent of the investment adviser for any other purpose legitimately associated with the management of the trust; or

e. To a dealer in the normal course of portfolio purchases and sales, provided that the transfer is made on payment against delivery basis or payment against trust receipt.

3. Statements. If the qualified custodian agrees to these instructions and is authorized to pay the fees, the investment adviser will send to the grantor of the trust, the attorney of the trust if it is a testamentary trust, the co-trustee (other than the investment adviser, investment adviser representative or employee, director or owner of the investment adviser), or a defined beneficiary of the trust, at the same time that it sends

any statement to the qualified custodian, a statement showing the amount of the trustees' fees or investment management or advisory fee, the value of the assets on which the fees were based, and the specific manner in which the fees were calculated.

4. Notice of Safeguards. The investment adviser notifies the Office of Financial Regulation in writing that the investment adviser intends to use the safeguards provided above. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.

5. Waiver of Net Capital Requirements. An investment adviser having custody solely because it meets the definition of custody as defined in sub-subparagraph (1)(a)1.c. of this rule and who complies with the safekeeping requirements under paragraphs (2)(a)-(e) and (h) of this rule, will not be required to meet the financial requirements for custodial advisers as set forth in paragraph 69W-600.016(3)(a), F.A.C.

(3) Exceptions.

(a) Shares of mutual funds. With respect to shares of an "open-end company" as defined in Section 5(a)(1) of the Investment Company Act of 1940, 15 U.S.C. 80a-5(a)(1), ("mutual fund"), the investment adviser may use the mutual fund's transfer agent in lieu of a qualified custodian for purposes of complying with subsection (2) of this rule;

(b) Certain privately offered securities.

1. The investment adviser is not required to comply with subsection (2) of this rule with respect to securities that are:

a. Acquired from the issuer in a transaction or chain of transactions not involving any public offering;

b. Uncertificated, and ownership thereof is recorded only on books of the issuer or its transfer agent in the name of the client; and

c. Transferable only with prior consent of the issuer or holders of the outstanding securities of the issuer.

2. Notwithstanding subparagraph (b)1. of this subsection, the provisions of paragraph (b) of this subsection are available with respect to securities held for the account of a limited partnership (or limited liability company, or other type of pooled investment vehicle) only if the limited partnership is audited, the audited financial statements are distributed, as described in paragraph (c) of this subsection and the investment adviser notifies the Office of Financial Regulation in writing that the investment adviser intends to provide audited financial statements, as described above. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.

(c) Limited partnerships subject to annual audit. The investment adviser is not required to comply with paragraph (2)(d) of this rule with respect to the account of a limited partnership (or limited liability company, or another type of pooled investment vehicle) that is subject to audit at least

annually and distributes its audited financial statements prepared in accordance with generally accepted accounting principles to all limited partners (or members or other beneficial owners) within 120 days of the end of its fiscal year. The investment adviser must also notify the Office of Financial Regulation in writing that the investment adviser intends to employ the use of the audit safeguards described above. Such notification is required to be given on Form ADV, which is incorporated by reference in subsection 69W-301.002(7), F.A.C.

(d) Registered investment companies. The investment adviser is not required to comply with this rule with respect to the account of an investment company registered under the Investment Company Act of 1940 [15 U.S.C. 80a-1 to 80a-64].

(e) Beneficial Trusts. The investment adviser is not required to comply with safekeeping requirements of subsection (2) of this rule or the net capital requirements of paragraph 69W-600.016(3)(a), F.A.C., if the investment adviser has custody solely because the investment adviser, investment adviser representative or employee, director or owner of the investment adviser is the trustee for a beneficial trust, if all of the following conditions are met for each trust:

1. The beneficial owner of the trust is a parent, a grandparent, a spouse, a sibling, a child or a grandchild of the trustee. These relationships shall include "step" relationships.

2. For each account under subparagraph 1. the investment adviser complies with the following:

a. Provide a written statement to each beneficial owner of the account setting forth a description of the requirements of subsection (2) of this rule and the reasons why the investment adviser will not be complying with those requirements;

b. Obtain from each beneficial owner a signed and dated statement acknowledging the receipt of the written statement required under sub-subparagraph a. above;

c. Maintain a copy of both documents described in sub-subparagraphs a. and b. above until the account is closed or the investment adviser is no longer trustee.

(f) Any investment adviser who intends to have custody of client funds or securities, but does not utilize a qualified custodian as defined in subsection (1) of this rule must obtain approval from the Office of Financial Regulation before conducting business in this manner. Any investment adviser who seeks to conduct business in this manner must submit such request to the Office using OFR Form IA-CF-01, Application to Maintain Custody of Client Funds or Securities Without Utilizing a Qualified Custodian, effective _____, 2006, which is incorporated by reference. The Office will approve the request if the investment adviser agrees to comply with all of the applicable safekeeping provisions under subsection (2) of this rule, including taking responsibility for those provisions that are designated to be performed by a qualified custodian.

(4) All materials incorporated by reference in this rule may be obtained by mail from the Office of Financial Regulation, Bureau of Securities Regulation, 200 E. Gaines Street, Tallahassee, Florida 32399-0374.

Specific Authority 517.03(1), 517.1215 FS. Law Implemented 517.1215 FS. History—New

69W-600.014 Books and Records Requirements.

Except as otherwise provided herein, every dealer, investment adviser, branch office, and associated person conducting business in this state shall prepare and maintain on a current basis, and preserve for the periods of time specified, such records, prescribed herein, as are appropriate for said dealer's, investment adviser's, branch office's, or associated person's course of business, and are sufficient to provide an audit trail of all business transactions by said dealer, investment adviser, associated person, or branch office. Associated persons who conduct business from a registered branch office in this state shall be exempt from the provisions of this rule.

(1) All dealers are required to prepare and maintain appropriate books and records relating to their business as described in either SEC Rules 17a-3 or 17a-4, 17 C.F.R. §§ 240.17a-3, 240.17a-4 (2006), (17 CFR 240.17a-3) and 17a-4 (17 CFR 240.17a-4) or MSRB Rules G-7, G-8 and G-9; and G-8, as such rules existed on May 2, 2003; and records evidencing compliance with NASD Conduct rule 3000. SEC Rules 17a-3 and 17a-4 are incorporated by reference. MSRB Rules G-7, G-8, and G-9 are incorporated by reference in subparagraph 69W-600.013(1)(h)5., F.A.C. NASD Conduct Rule 3000 is incorporated by reference in subparagraph 69W-600.013(1)(h)1., F.A.C. as published in the NASD Manual as of July 2002, and any amendments as existed on May 2, 2003.

(2) All issuer/dealers are required to maintain at least the following records:

(a) Ledgers, journals (or other records) reflecting all assets, liabilities, income and expenses, and capital accounts properly maintained in accordance with generally accepted accounting principals;

(b) Copies of all promotional sales materials and correspondence used in connection with the sales of all securities as distributed;

(c) A record of all sales of securities made by, or on behalf of, ~~the issuer as described in and in compliance with SEC Rule 17a-3(a)(1), 17 C.F.R. § 17a-3(a)(1) (2006), which is incorporated by reference in subsection (1), said issuer, including but not necessarily limited to name and address of purchaser, date of transaction, money amount involved, and name of agent or principal executing such transaction;~~

(d) Securities certificate and securities holder records reflecting names and addresses of all holders of record, certificates issued to such holders, number of shares or bonds issued, and full details as to transfers or cancellations;

(e) In lieu of the issuer/dealer preparing and maintaining such records as detailed in paragraph (d) above, a qualified transfer agent/registrant may be appointed, provided such information is accessible to the issuer/dealer.

(3) All investment advisers, notwithstanding the fact that the investment adviser is not registered or required to be registered under the Investment Advisers Act of 1940, shall prepare and maintain true, accurate and current records relating to their business as described in SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006), which is incorporated by reference; (17 CFR 275.204-2) as it existed on July 1, 2003 and general rules and regulations promulgated by the Securities and Exchange Commission; and have available for the Department at least the following records:

(a) All trial balances, financial statements prepared in accordance with generally accepted accounting principles, and internal audit working papers relating to the investment adviser's business as an investment adviser. For purposes of this paragraph, "financial statements" means balance sheets, income statements, cash flow statements and net worth computations as required by Rule 69W-300.002, F.A.C.

(b) A list or other record of all accounts with respect to the funds, securities, or transactions of any client.

(c) A copy in writing of each agreement entered into by the investment adviser with any client.

(d) A file containing a copy of each record required by SEC Rule 204-2(11), 17 C.F.R. § 275.204-2(11) (2006), which is incorporated by reference in this subsection, (17 CFR 275.204-2(11)) as it existed on July 1, 2003 including any communication by electronic media that the investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.

(e) A copy of each written statement and each amendment or revision given or sent to any client or prospective client of the investment adviser in accordance with the provisions of SEC Rule 204-3, 17 C.F.R. § 275.204-3 (2006), which is incorporated by reference in paragraph 69W-600.0131(1)(a), F.A.C. (17 CFR 275.204-3) as it existed on July 1, 2003 and a record of the dates that each written statement, and each amendment or revision was given or offered to be given to any client or prospective client who subsequently becomes a client.

(f) For each client that was obtained by the adviser by means of a solicitor to whom a cash fee was paid by the adviser, records required by SEC Rule 206(4)-3, 17 C.F.R. § 275.206(4)-3 (2006), which is incorporated by reference in paragraph 69W-600.0131(1)(a), F.A.C. (17 CFR 275.206(4)-3) as it existed on July 1, 2003.

(g) All records required by SEC Rule 204-2(16), 17 C.F.R. § 275.204-2(16) (2006), which is incorporated by reference in this subsection, (17 CFR 275.204-2(16)) as it existed on July 1, 2003, including but not limited to electronic media that the

~~investment adviser circulates or distributes, directly or indirectly, to two or more persons, other than persons connected with the investment adviser.~~

(h) A file containing a copy of all communications received or sent regarding any litigation involving the investment adviser or any investment adviser representative or employee, and regarding any customer or client complaint.

(i) Written information about each investment advisory client that is the basis for making any recommendation or providing any investment advice to such client.

(j) Written procedures to supervise the activities of employees and investment adviser representatives that are reasonably designed to achieve compliance with applicable securities laws and regulations.

(k) A file containing a copy of each document, other than any notices of general dissemination, that was filed with or received from any state or federal agency or self regulatory organization and that pertains to the registrant or its investment adviser representatives. Such file should contain, but is not limited to, all applications, amendments, renewal filings, and correspondence.

(4) Notwithstanding other record preservation requirements of this Rule, the following records or copies shall be required to be maintained at the business location of the investment adviser from which the customer or client is being provided or has been provided with investment advisory services:

(a) Records required to be preserved under paragraphs (a)(3), (a)(7)-(11), (a)(14)-(15), (b) and (c) inclusive, of SEC Rule 204-2 of the Investment Advisers Act of 1940, 17 C.F.R. § 275.204-2 (2006), which is incorporated by reference in subsection (3); and

(b) Records or copies required under the provision of paragraphs (a)(11) and (a)(16) of SEC Rule 204-2 of the Investment Advisers Act of 1940, which records or related records identify the name of the investment adviser representative providing investment advice from that business location, or which identify the business locations' physical address, mailing address, electronic mailing address, or telephone number. SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006), is incorporated by reference in subsection (3).

~~(5)(4)~~ No provisions of this rule, unless specifically designated as a required form, shall be deemed to require the preparation, maintenance, or preservation of a dealer's or investment adviser's books and records in a particular form or system, provided that whatever form or system utilized by such dealer's or investment adviser's course of business is sufficient to provide an audit trail of all business transactions.

~~(6)(5)~~ Every investment adviser that has its principal place of business in a state other than this state shall be exempt from the requirements of this rule, provided the investment adviser is licensed in such state and is in compliance with that state's record keeping requirements.

~~(7)(6)~~ All books and records described in this rule shall be preserved in accordance with the following:

(a) Those records required under subsection (1) of this rule shall be preserved for such periods of time as specified in either SEC Rule 17a-4, 17 C.F.R. § 240.17a-4 (2006), which is incorporated by reference in subsection (1), ~~(17 CFR 240.17a-4)~~, or MSRB Rule G-9, which is incorporated by reference in paragraph 69W-600.13(1)(h), F.A.C. ~~as such rules existed on July 1, 2003.~~

(b) Those records required under subsections (2) of this rule shall be preserved for a period of not less than five (5) years while effectively registered with the Department, nor for less than five (5) years after withdrawal or expiration of registration in this State.

(c) Books and records required to be prepared under the provisions of subsection (3) shall be maintained and preserved in an easily accessible place for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record, the first two years in the principal office of the investment adviser.

(d) Books and records required to be made under the provisions of subsection (3), shall be maintained and preserved for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record or for the time period during which the investment adviser was registered or required to be registered in the state, if registered less than five years.

(e) Each investment adviser registered or required to be registered in this state and which has a business location in this state shall maintain at such business location:

1. The records or copies required under the provisions of paragraphs (a)(3), (a)(7)-(10), (a)(14)-(15), (b), and (c) of SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006), which is incorporated by reference in subsection (3); ~~(17 CFR 275.204-2)~~; and

2. The records or copies required under the provisions of paragraphs (3)(a)-(j) above related to customers or clients for whom the investment adviser representative provides or has provided investment advisory services; and,

3. The records or copies required under the provisions of paragraphs (a)(11) and (a)(16) of SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006), ~~(17 CFR 275.204-2)~~ which records or related records identify the name of the investment adviser representative or which identify the business locations' physical address, mailing address, electronic mailing address, or telephone number. The records will be maintained for the period described in subsections (d) and (e) of SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006) ~~(17 CFR 275.204-2)~~. The investment adviser shall be responsible for ensuring compliance with the provision of this subsection. SEC Rule 204-2, 17 C.F.R. § 275.204-2 (2006), is incorporated by reference in subsection (3).

~~(7) To the extent that the U.S. Securities and Exchange Commission promulgates changes to the above referenced rules of the Investment Advisers Act of 1940, investment advisers in compliance with such rules as amended shall not be subject to enforcement action by the Department for violation of this rule to the extent that the violation results solely from the investment adviser's compliance with the amended rule.~~

(8) All materials incorporated by reference in this rule may be obtained by mail from the Office of Financial Regulation, Bureau of Securities Regulation, 200 E. Gaines Street, Tallahassee, Florida 32399-0374.

Specific Authority 517.03(1), 517.121(1), 517.1215 FS. Law Implemented 517.121(1), 517.1215 FS. History--New 12-5-79, Amended 9-20-82, Formerly 3E-600.14, Amended 10-14-90, 8-1-91, 6-16-92, 1-11-93, 9-9-96, 6-22-98, 1-25-00, 10-30-03, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Andrea Moreland, Executive Senior Attorney, Office of Financial Regulation, 200 E. Gaines Street, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9662, andrea.moreland@fldfs.com.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 3, 2006, meeting on a petition for waiver received from Collier County Public Schools, on June 6, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 27, July 7, 2006. No public comment was received. Petitioner has petitioned for a waiver of subsection 11B-21.002(3), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that

the Department waive the requirement that an entity wishing to create an officer training school present the proposal to the proper Regional Training Council. Petitioner has petitioned that the CJSTC make the determination to grant or deny Petitioner's proposal. On August 3, 2006, the Criminal Justice Standards and Training Commission granted a waiver of this rule to Collier County Public Schools, in a final order, OGC File No.: VAR 06-8. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to it or would affect it differently than other similarly situated applicants and because they could successfully fulfilled the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 3, 2006, meeting on a petition for waiver received from Frederick Bulanda, on May 9, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 22, June 2, 2006. No public comment was received. Petitioner has petitioned for a waiver of subsection 11B-27.0021(1) and 11B-27.0021(2)(a), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a recruit possess a "standard" high school diploma prior to becoming certified. On August 3, 2006, the Criminal Justice Standards and Training Commission granted a waiver of this rule to Frederick Bulanda, in a final order, OGC File No.: VAR 06-5. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to him or would affect him differently than other similarly situated applicants and because he had successfully fulfilled the requirements of Section 943.13(3), F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 3, 2006, meeting on a petition for waiver received from Monroe County Sheriff's Office, on July 24, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 31, August 4, 2006. No public comment was received. Petitioner has petitioned for a waiver of subsection 11B-27.00212(15), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that officers make shots from the fifteen yard line. Petitioner has petitioned that the CJSTC make the determination to grant or deny Petitioner's proposal. On August 3, 2006, the Criminal Justice Standards and Training Commission denied a waiver of

this rule to Monroe County Sheriff's Office, in a final order, OGC File No.: VAR 06-10. This rule waiver was denied because the petitioner could not demonstrate that a strict application of the rule would result in undue hardship to them or would affect them differently than other similarly situated applicants and because they had not successfully fulfilled the requirements of Sections 943.13 or 943.135, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action at its August 3, 2006, meeting on a petition for waiver received from Washington-Holmes Technical Center, on June 2, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 26, June 30, 2006. No public comment was received. Petitioner has petitioned for a waiver of paragraph 11B-21.005(8)(c), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the staffing requirements for basic recruit training schools. On August 3, 2006, the Criminal Justice Standards and Training Commission denied a waiver of this rule to Washington-Holmes Technical Center, in a final order, OGC File No.: VAR 06-7. This rule waiver was denied because the petitioner could not demonstrate that a strict application of the rule would result in undue hardship to them or would affect them differently than other similarly situated applicants and because they had not successfully fulfilled the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on August 8, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2.1.1, ASME A18.1, 2000 edition, as adopted by Chapter 3001.2, Florida Building Code, requiring enclosures and gates be at least 42 inches high. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Flagler County Courthouse (Petition VW 2006-201).

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 August 18, 2006, South Florida Water Management District (District) received a petition for waiver from South Florida Stadium Corporation Application No. 06-0818-1, for utilization of Works or Lands of the District known as the C-9 Canal, requesting temporary use of the south right of way of C-9 between N. W. 27th Avenue and Florida's Turnpike to include the installation of a temporary fence, berm stabilization and overflow parking during the 2006 football season, Orange Bowl and Super Bowl games in 2007. Location: C-9, Miami-Dade County, Section 34, Township 51 South, Range 41 East. The petition seeks relief from subsections 40E-6.011(4), 40E-6.011(6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent/semi-permanent above ground structures within 40 feet of the top of the canal bank and generally prohibits parking within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (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.: Katie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 17, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Family Enterprises located in Kissimmee. The above referenced F.A.C. addresses 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 three Mobile Food Dispensing Vehicles.

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 July 10, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Le Soleil, Indian Shores (Petition VW 2006-189).

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 July 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Gasparilla Marina, Placida (Petition VW 2006-191).

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 July 21, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Parrish Port St. Johns, Port St. John (Petition VW 2006-192).

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 July 14, 2006, 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 Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from leLainya Koutebera of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: 400 Beach Drive Condominium, St. Petersburg (Petition 2006-193).

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 August 1, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.7.3 and 2.7.3.1, as adopted by Chapter 3001.2, 2004 Florida Building Code which require unobstructed access to machine spaces. The petition was received from Steve Jarvis of KONE Inc., requesting a variance to allow access through panels located within tenant space in the following location: Positano On The Gulf, in Long Boat Key (Petition VW 2006-199).

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 August 4, 2006, 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 Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from David Baskin of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Kleman Plaza, Tallahassee (Petition 2006-200).

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 August 8, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2.1.1, ASME A18.1, 2000 edition, as adopted by Chapter 3001.2, Florida Building Code, requiring enclosures and gates be at least 42 inches high. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Flagler County Courthouse (Petition VW 2006-201). 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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Grand Residences, Panama City (Petition VW 2006-202).

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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Southern Resorts, Destin (Petition VW 2006-203).

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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Boeing Building, Fort Walton Beach (Petition VW 2006-204).

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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Avacos, Santa Rosa Beach (Petition VW 2006-205).

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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: Harbor Lights, Destin (Petition VW 2006-206).

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 August 11, 2006, the Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. 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: One Water Place T-1, T-2, T-3, Destin (Petition VW 2006-207).

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 August 11, 2006, 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 Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from William O. Williams III of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Palm Coast Resort, Palm Coast (Petition 2006-208).

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.

The Construction Industry Licensing Board hereby gives notice that it has issued a Final Order in the Petition for Variance or Waiver of Rule 61G4-15.005, Florida Administrative Code, filed by Steven D. Sizemore. The Petition was published in Vol. 32, No. 16, of April 21, 2006, F.A.W. The Board reviewed the petition at its meeting held May 12, 2006, in Tampa, Florida. The Board's Final Order, filed in this cause on August 17, 2006, finds that the Petitioner's waiver is denied. The Petitioner had not

demonstrated that the purpose of the underlying statute will be or has been achieved by other means or creates a substantial hardship or would violate principles of fairness.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

NOTICE IS HEREBY GIVEN that on July 18, 2006, the Board of Professional Engineers has issued an order. The Board of Professional Engineers hereby gives notice that it has issued an Order on the Petition for Variance or Waiver, which was filed on May 2, 2006, by Quazi Bari. The Notice of Petition for Variance/Waiver was published in Vol. 32, No. 20, of the May 19, 2006, F.A.W. The Petitioner sought a Variance/Waiver of Rule 61G15-20.007, Florida Administrative Code, which is entitled "Foreign Degrees". The Variance/Waiver sought was the aspect of this rule requiring a completion of deficiencies in Humanities and Social Sciences before being allowed to take the Principles and Practice examination. The Board of Professional Engineers considered the Petition at its meeting held on June 15, 2006, in Tampa, Florida. The Board's Order, filed on July 18, 2006, denied the Petition for waiver of Rule 61G15-20.007, F.A.C., finding that Petitioner did not establish that he meets the requirements of Rule 61G15-20.007, F.A.C. Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

A copy of the Order may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

NOTICE IS HEREBY GIVEN that on February 7, 2006, the Board of Professional Engineers has issued an order. The Board of Professional Engineers hereby gives notice that it has issued an Order on the Petition for Variance or Waiver, which was filed on September 13, 2005, on behalf of the State of Florida, Department of Transportation (FDOT). The Notice of Petition for Variance/Waiver was published in Vol. 31, No. 41, of the October 14, 2005, F.A.W. The Petitioner sought a Variance/Waiver of the provisions of Rules 61G15-22.011 and 61G15-22.014, Florida Administrative Code. Petitioner withdrew its Petition for Variance/Waiver.

A copy of the Order may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

NOTICE IS HEREBY GIVEN that on September 19, 2005, the Board of Professional Engineers has issued an order. The Board of Professional Engineers hereby gives notice that it has issued an Order on the Petition for Variance or Waiver, which was filed on September 19, 2005, on behalf of D. Gregory Ruck. The Notice of Petition for Variance/Waiver was

published in Vol. 31, No. 41, of the October 14, 2005, F.A.W. The agency filing date for the Petition given in that publishing was September 19, 2005, although the Board now recognizes that there is evidence in the files that the Petition was filed on or about August 29, 2005. The Petitioner sought a Variance/Waiver of Rule 61G15-20.006, Florida Administrative Code, which is entitled "Educational Requirements," to the effect that his engineering degree, although not accredited by the Accreditation Board for Engineering and Technology (ABET), be accepted by the Board for reasons set forth in the petition. The Board of Professional Engineers first considered the Petition at its meeting held on December 8, 2005, in Tallahassee, Florida and issued an order, filed on January 31, 2006, denying the Petition, finding that Petitioner did not meet the requirements of Section 471.015(3)(a), Florida Statutes. Subsequently, Petitioner requested a hearing involving disputed issues of material fact specifically asserting that the Board failed to take action within the time limits set forth in Section 120.542, F.S. The Board, finding that Petitioner established that the action taken by the Board on December 8, 2005 was not timely, the Petition as a result was deemed granted by statute. A Final Order to this effect was issued by the Board and filed on July 18, 2006.

A copy of the Order may be obtained by contacting: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on August 3, 2006, the Department of Environmental Protection, Northwest District, received a petition for a variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-610.523(4), F.A.C. The petitioner, Jim Paul, Superintendent, Escambia County School District for Molino K-8 School wastewater treatment plant, seeks relief from the percolation pond drying requirements during the alternate dosing and resting cycles required by subsection 62-610.523(4), F.A.C. The petitioner is requesting the variance to allow the ponds to remain wet as opposed to the percolation pond drying out during the resting cycles and before further application of reclaimed water to comply with the rule. The petition has been assigned File No.: FLA303755-003-DWF/VO. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jonathan May, Department of Environmental Protection, Domestic Wastewater Section, Northwest District, 160 Governmental Center, Pensacola, Florida 32502, jonathan.may@dep.state.fl.us, (850)595-8380.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that on August 16, 2006, the Department of Environmental Protection granted a variance to Mosaic Fertilizer, LLC. The petition requested a reduction in permit fees for its many Class V underground injection control wells. Notice of receipt of this petition was published on July 28, 2006. No public comments were received, and the Department has issued an order.

The Order granted a variance from subparagraph 62-4.050(4)(m)11., and 62-4.050(4)(m)12., F.A.C., and allows reduced fees, the schedule of which is part of the order. Conditions are: the reduced fee schedule would apply only to a multiple well system using wells of the same design for each well. Each well system would be limited to those wells that are to be constructed during a single phase of the project and are to receive water solely from a ground water source (i.e., all wells on the same header or used to dewater the same part of the mine); or alternatively, a well could be considered as all adjacent wells to be constructed during the same phase of the project that propose using a particular well spacing. In this case, there could be from 13 to 20 separate systems based on the drawing submitted; and in addition, for the fee reduction to apply there must be no need for any other relief from permitting, setback, or water quality standards (as measured from piezometers prior to well construction). The water quality standards will be met in the injected water either naturally or with treatment, and ground water must be the only source (no water from mined or tailed areas).

A copy of the Order may be obtained by contacting: Judith Richtar, Department of Environmental Protection, Southwest District, 13051 N. Telecom Pkwy., Temple Terrace, FL 33637-0926, (813)632-7600, ext. 419.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on August 18, 2006, the Board of Orthotists and Prosthetists, received a petition for Variance or Waiver, which was filed on August 18, 2006 on behalf of Lewilliam Means. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of Rule 64B14-4.110, F.A.C., entitled "Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic." Specifically, the Petitioner requests a permanent waiver of Rule 64B14-4.110 with respect to the requirement that the education referred to in paragraph (1)(a) be completed prior to earning

the experience required by said Subsection. Petitioner makes this request on the basis and in light of the experience and training he has received which is found detailed in the Petition. A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN that on August 16, 2006, the Board of Podiatric Medicine, received a petition for Variance or Waiver filed on August 16, 2006, on behalf of Hernan Alamilla, D.P.M., a licensed Podiatrist in the State of New York. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of Rule 64B18-11.001, entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure." Specifically, the Petitioner requests a waiver of Rules 64B18-11.001, and 64B18-11.002 requiring that he take and pass all of Part One, Two and Three of the Board's approved licensure exam ("NBPM").

Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN that on August 16, 2006, the Board of Podiatric Medicine, received a petition for Variance or Waiver filed on August 16, 2006, on behalf of Leon Booker, D.P.M. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure." Specifically, the Petitioner requests a permanent waiver of Rule 64B18-11.002, F.A.C., with respect to the rule requiring that he take and pass Part Three of the Board's licensure exam.

Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

Notice is hereby given that on August 16, 2006, the Department of Health received a Petition for Variances from subparagraph 64E-13.004(6)(a)(1), Florida Administrative Code, from Christ Lutheran Church and School located at 2911 Del Prado Blvd. S., Cape Coral, Florida. This rule requires schools to have toilet facilities for preschool grades through grade three to be provided with toilet and handwashing facilities located within or adjoining classrooms. The Christ Lutheran Church and School is a private school located in Cape Coral, Florida.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition may be obtained from: Lucy Schneider, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, (850)245-4024.

NOTICE IS HEREBY GIVEN that the Department of Health received Petitions for Waiver of subsection 64E-3.004(2), F.A.C., from the following persons on the below date(s) who desire to obtain a temporary certificate to practice as a Basic X-Ray Machine Operator:

August 16, 2006:

Robertha L. Manger

Brooke D. Higgins

Petitioners request a waiver because the rule indicates that an applicant who has failed the radiologic technology certification examination for a Basic X-Ray Machine Operator may not qualify for a temporary certification to practice under the direct supervision of a licensed practitioner.

Comments on these Petitions should be filed with: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN THAT ON August 16, 2006, the Department of Health, filed an Order disposing of a Petition for Variance from the requirements of paragraph 64E-18.003(3)(a), F.A.C., addressing minimum educational requirements for certification as an environmental health professional. The Petition was filed by D. Andrew Byrne, Esquire, Attorney for Petitioner, Chris McAllister. The Petition was filed with the Department on May 19, 2006, and noticed in the F.A.W., on June 2, 2006, in Vol. 32, No. 22. The Department timely requested additional information from the Petitioner which was received on May 31, 2006. The Department determined that Petitioner did not put forth any reason showing how the granting of the variance would serve the underlying purposes of the statute nor did Petitioner put forth any facts that would demonstrate a substantial hardship or a violation of the principals of fairness. Therefore, the Petition for a permanent Variance was DENIED.

A copy of the Order may be obtained from: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, (850)245-4005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has received a Petition for Waiver of subsection 65C-22.002(3), F.A.C. The Petition was received by the Agency Clerk on June 16, 2006, by

Windermere Union Church, assigned Case Nos. 06-003W. Subsection 65C-22-002(3), F.A.C., relating to a minimum of 20 square feet of indoor space for each child.

On August 7, 2006, the Department of Children and Family Services issued a Final Order in Case No. 06-003W, Denying Petition for Waiver or Variance.

A copy of the Petition and Order Denying Petition for Waiver may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The Petition for Waiver of subsection 67-48.028(3), Florida Administrative Code, for McCurdy Center, Ltd., FHFC Case No. 2006-032VW, is hereby GRANTED as follows: extension of the deadline to submit required site control documentation to sixty (60) days from the date of this Order, and amendment of the Carryover Allocation Agreement to reflect this extension.

A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The relief requested in the "Amended Petition for Waiver of the Qualified Allocation Plan's requirement for Returning Housing Credit Allocation and for an Immediate Allocation of 2007 Housing Credits" for Pebble Hill Estates Limited Partnership, FHFC Case No. 2006-035VW, is hereby GRANTED, in the form of a variance from the requirements of the 2005 QAP, as follows: Petitioner shall be permitted to immediately return its 2005 Housing Credit allocation, and to immediately receive a binding commitment for an allocation of 2007 Housing Credits in an amount not to exceed its 2005 allocation.

A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The Petition for Waiver of subparagraph 67-48.004(4)(1)(a), subsection 67-48.004(14) and 67-48.004(15), Florida Administrative Code, and Part II.A.2.(a)(2) and Part II.B.1. of the Universal Application Instructions, for Oaks at Stone Fountain Limited Partnership, FHFC Case No. 2006-036VW, is hereby GRANTED to the extent necessary to allow Petitioner to a) modify the ownership interest of RLI Beneficial Holdings 2005, LLC by removing Lomas Holding

Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%); and b) change the structure of the Developer by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%). All other relief requested in the Petition, if any, is hereby denied.

A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The Petition for Waiver of Rule 67-48.004(4)(1)(a), 67-48.004(14) and (15), Florida Administrative Code, and Part II.A.2.(a)(2) and Part II.B.1. of the Universal Application Instructions, for Royal Palms Senior Apartments Limited Partnership, FHFC Case No. 2006-037VW, is hereby GRANTED to the extent necessary to allow Petitioner to a) modify the ownership interest of RLI Beneficial Holdings 2005, LLC by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%); and b) change the structure of the Developer by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%).

All other relief requested in the Petition, if any, is hereby denied.

A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The Petition for Waiver of subparagraph 67-48.004(4)(1)(a), subsection 67-48.004(14), and 67-48.004(15), Florida Administrative Code, and Part II.A.2.(a)(2) and Part II.B.1. of the Universal Application Instructions, for Pines at Warrington Limited Partnership, FHFC Case No. 2006-038VW, is hereby GRANTED to the extent necessary to allow Petitioner to a) modify the ownership interest of RLI Beneficial Holdings 2005, LLC by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%); and b) change the structure of the Developer by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%). All other relief requested in the Petition, if any, is hereby denied.

A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

NOTICE IS HEREBY GIVEN that on July 28, 2006, the Florida Housing Finance Corporation has issued an order.

The Petition for Waiver of subparagraph 67-48.004(4)(1)(a), subsection 67-48.004(14), and 67-48.004(15), Florida Administrative Code, and Part II.B.1. of the Universal Application Instructions, for Oaks at Shannon's Crossing Limited Partnership, FHFC Case No. 2006-039VW, is hereby GRANTED to the extent necessary to allow Petitioner to change the structure of the Developer by removing Lomas Holding Corp. (1%), and AHG, Inc. (46.5%), and replacing these entities with Hope Shiverick Lomas, LLC (47.5%). All other relief requested in the Petition, if any, is hereby denied. A copy of the Order may be obtained by contacting: Sherry Green, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197, sherry.green@floridahousing.org

Section VI Notices of Meetings, Workshops and Public Hearings

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

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

DATE AND TIME: September 19, 2006, 9:00 a.m.
PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

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

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

will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

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

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

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

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact

under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

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

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

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

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

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

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

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 11, 2006, 12:00 Noon
PLACE: Mission San Luis, Moore House, 2021 W. Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities, upcoming special events and other board business.

If you have questions or would like a copy of the agenda, please feel free to contact: Ms. Elyse Cornelison, (850)487-1666.

The **Department of State, Division of Elections** announces the following meeting dates for the Elections Canvassing Commission to convene. The public is invited to attend.

DATES AND TIMES: Friday, September 8, 2006, 5:00 p.m. (only if needed); Monday, September 11, 2006, 9:00 a.m. (only if needed); Wednesday, September 13, 2006, 5:00 p.m.

PLACE: Cabinet's Meeting Room, LL03 The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Machine and/or manual recounts (only if needed), and certification of official election results for the Primary Election.

ACTION TO BE TAKEN: 1) To order, pursuant to Section 102.141(6), F.S. (only if needed), a machine recount triggered for any race in which a federal, state, or multi-county candidate is defeated or eliminated by ½ of 1% or less of the total votes. 2) To order, pursuant to Section 102.166, F.S. (only if needed), a manual recount triggered for any race in which a federal, state, or multi-county candidate is defeated or eliminated by 1/4 of 1% or less of the total votes. 3) To certify the official results of the Primary Election pursuant to Section 102.121, Florida Statutes.

If you have questions, please call: Sarah Jane Bradshaw, Assistant Division Director, (850)245-6200, or by email sbradshaw@dos.state.fl.us. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 5th day of September 2006, if you need an accommodation.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** will hold its 3rd Quarterly Meeting to which all interested persons are invited.

DATES AND TIMES: Thursday, September 7, 2006, 1:00 p.m. – 5:00 p.m.; Friday, September 8, 2006, 9:00 a.m. – 1:00 p.m.

PLACE: University of South Florida, Gibbons Alumni Center, Traditions Hall, 4202 East Fowler Avenue, Tampa, Florida, 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on general issues.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need accommodation due to a disability, please notify the Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Agricultural Environmental Services** announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2006, 9:00 a.m.
PLACE: 3125 Conner Blvd., Building 6, Room 606, Tallahassee, FL 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the monthly public meeting of the Pesticide Registration Evaluation Committee. The Committee discusses and makes recommendations on pesticide registration issues impacting human health, safety and the environment.

A copy of the agenda may be obtained by contacting: Charlie Clark, Administrator, Bureau of Pesticides, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)487-2130 or from the PREC website at: http://www.flaes.org/pesticide/pesticide_registration.html

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Charlie Clark, Administrator, Bureau of Pesticides, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)487-2130. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Charlie Clark, Administrator, Bureau of Pesticides, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)487-2130.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council.

DATE AND TIME: Thursday, September 14, 2006, 10:00 a.m.
PLACE: Miami-Dade Extension Office, 18710 S. W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. To conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Louise King, (305)401-1502.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Saturday, September 16, 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 Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Elaine Ocuto, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084, ocutoe@fsdb.k12.fl.us, (904)827-2212.

The **Commission for Independent Education** announces a committee meeting and a Commission meeting to which all persons are invited.

ACCREDITATION REVIEW COMMITTEE MEETING

DATE AND TIME: September 19, 2006, 1:00 p.m.

COMMISSION MEETING

DATE AND TIME: September 19, 2006, 2:00 p.m.

COMMISSION MEETING

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

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general committee business of the Accreditation Review Committee on September 19, 2006. The Commission for Independent Education will consider Institutions New Applications for Licensure and Institutional Applications for Program Modifications and Additional Programs, as well as other Commission business on September 19, 2006. All other licensure applications and other general Commission business will be considered on September 20, 2006, to include

committee reports, Ordered to Appear Back before the Commission, Annual Licensure, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Licensure Extensions, Requests for Extension of Time and Extension to Comply with Contingencies, Substantive Change Applications, Name Change Applications, and Attorney and Executive Director reports, as well as Applications for Exemptions for Religious Colleges, Reports of School Closures, Agent License Reports and Applications.

A copy of the agenda may be obtained by writing: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State concern using the Florida Dual Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The State of Florida, **Commissioner of Education's Task Force on Holocaust Education**, announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2006, 8:30 a.m. – 4:00 p.m., (EST)

PLACE: Naples Beach Hotel and Golf Club, 851 Gulf Shore Boulevard North, Naples, Florida 34102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of matters of interest to the Task Force in the capacity as advisor to the Commissioner of Education, related to the implementation of Florida Statute 1003.4(2)(f), required instruction in the history of the Holocaust (1933-1945), to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions. The meeting provides an opportunity for planning, assessment, and evaluation of Holocaust education related activities throughout the year.

For additional information, please contact: Alice Edson Grady, Executive Director, Holocaust Museum of Southwest Florida, (239)263-9200.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in the meeting are required to notify: Micheline Previlon, Naples Beach Hotel and Golf Club, (239)659-4996.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs**, Century Commission for a Sustainable Florida (Century Commission) announces the following meeting to which all interested persons are invited.

DATES AND TIMES: Sunday, September 10, 2006, 5:00 p.m. through Monday, September 11, 2006, 4:00 p.m.

PLACE: Embassy Suites Hotel, Miami Airport, 3974 N. W. South River Drive, Miami, Florida 33142, (305)779-5001

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the sixth meeting of the Century Commission. The members will continue to discuss the Commission's statutory role, including how to address the impacts of population growth during the next 25-50 years.

A copy of the agenda and other information regarding the meeting and the Century Commission may be obtained at the Internet address: www.centurycommission.org or by contacting Steve Seibert, (850)321-9051 steve@seibertlaw.com or Rachel Roberts, (850)488-8466, Rachel.Roberts@dca.state.fl.us.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact the above mentioned: Rachel Roberts, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or at her contact number or email address listed above.

If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

The **Florida Building Commission** announces the following meetings to which all persons are invited.

DATE AND TIME: September 14, 2006, 9:00 a.m.

PLACE: RACCA Inc., 1920 East Sligh Avenue, Tampa, Florida 33610, (813)870-2607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Garage Door and Shutter Labeling Work Group.

A copy of the work group meeting agenda and other documents may be obtained by sending a request in writing: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the website www.floridabuilding.org

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they 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.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Barbara Bryant, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF REVENUE

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

DATE AND TIME: September 19, 2006, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, the Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the adoption of amendments to Rule 12E-1.012, Florida Administrative Code. Notice of this proposed adoption was published in the F.A.W. on June 23, 2006 (Vol. 32, No. 25, pp. 2819-2821). On August 25, 2006 a Notice of Change was published in the F.A.W., in response to written comments received from the Joint Administrative Procedures Committee. A copy of the agenda may be obtained by contacting: MaryAnn Murphy, Florida Department of Revenue, Room 104, Carlton Building, 501 S. Calhoun Street, Tallahassee, FL 32399-0100, (850)487-1876.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green, Florida Department of Revenue, Room 104, Carlton Building, 501 S. Calhoun Street, Tallahassee, FL 32399-0100, (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Larry Green, Florida Department of Revenue, Room 104, Carlton Building, 501 S. Calhoun Street, Tallahassee, FL 32399-0100, (850)922-4830.

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12-18, F.A.C. (Compensation for Tax Information). A Notice of Proposed Rulemaking for the proposed rule changes

was published in the F.A.W., on January 13, 2006 (Vol. 32, No. 2, pp. 78-80). A Notice of Change was published in the F.A.W. on August 4, 2006 (Vol. 32, No. 31, pp. 3636).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12C-3, F.A.C. (Estate Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the F.A.W. on January 13, 2006 (Vol. 32, No. 2, pp. 123-124). A Notice of Change was published in the F.A.W., on September 1, 2006.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12C-2, F.A.C. (Intangible Personal Property Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the F.A.W. on January 13, 2006 (Vol. 32, No. 2, pp. 122-123). Notices of Change were published in the F.A.W. on February 3, 2006 (Vol. 32, No. 5, p. 479), and on August 4, 2006 (Vol. 32, No. 32, p. 3636).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The **Department of Highway Safety and Motor Vehicles** announces a public hearing to which all interested persons are invited.

DATE AND TIME: Tuesday, October 3, 2006, 9:00 a.m.

PLACE: The Capitol, Lower Level, The Cabinet Meeting Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to Chapter 15B-13 Operation of Soundmaking Devices in Motor Vehicles will be considered by the Governor and Cabinet. A notice of Proposed Rule Making regarding the above rule was published in the July 7, 2006, issue of the F.A.W., Vol. 32, No. 27. A notice of correction was published in the August 25, 2006, issue of the F.A.W., Vol. 32, No. 34.

A copy of the proposed rule can be obtained by contacting: Lt. James D. Wells, Jr., Bureau of Special Operations Command, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2303.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public hearing, please contact Angela Starbuck, (850)539-2815 or email starbuck.angela@hsmv.state.fl.us at least 48 hours before the hearing.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The **Department of Environmental Protection/Office of Coastal and Aquatic Managed Areas** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2006, 6:00 p.m.

PLACE: Apalachicola Community Center, 1 Bay Avenue, Apalachicola, Florida 32320

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this public forum is to seek public input regarding hunting on Little St. George Island.

A copy of the agenda may be obtained by contacting: Seth Blitch, Apalachicola National Estuarine Research Reserve, 261 Seventh Street, Apalachicola, FL 32320, (850)653-8063.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Seth Blitch, (850)653-8063. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of three public meetings to which all persons are invited.

DATE AND TIME: Tuesday, September 12, 2006, 2:00 p.m. (EST) – until conclusion of meeting

PLACE: Room 116, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and evaluate responses to the Public Employee Optional Retirement System's Invitation to Negotiate for a consultant to review the MyFRS.com website.

DATES AND TIMES: Friday, September 22, 2006, 9:00 a.m. (EST) – until conclusion of meeting; Wednesday, September 27, 2006, 3:00 p.m. (EST) – until conclusion of meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: If the State Board of Administration determines that oral presentations by any of those responding to the Public Employee Optional Retirement System's Invitation to Negotiate are necessary, such presentations will take place on September 22, 2006, and if not completed on that date, on September 27, 2006. In addition, on September 27, 2006, the final rankings of the respondents will be determined.

Anyone wishing to receive additional information on any of the meetings noticed above should refer to: State Board of Administration's website, www.sbafla.com or contact Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation, to participate in any of these meetings is requested to call: Cindy Morea, (850)413-1491, five days prior to the meeting so that appropriate arrangements can be made.

The **Florida Prepaid College Program Board** announces a public workshop to which all interested parties are invited to attend.

DATE AND TIME: Monday, September 18, 2006, 1:00 p.m., or soon thereafter

PLACE: Florida International University, University Park Campus, 11200 S.W., 8th Street, Miami, FL 33199

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop with the Board's Investment Consultant concerning the investment policies and the Board's Actuary concerning the 2006 actuarial reports.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the meeting.

The Investment Committee of the **Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, September 19, 2006, 8:30 a.m., or soon thereafter

PLACE: Florida International University, University Park Campus, 11200 S. W. 8th Street, Miami, FL 33199

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m. – conclusion of the meeting

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To seek permission to file a Notice of Change with respect to Rule 19-15.001, Insurance Capital Build-Up Incentive Program. A rule hearing was held on July 24, 2006. The Notice of Change incorporates comments and suggestions made by members of the public. In addition, other general business of the Board will be addressed.

Anyone seeking a copy of the Agenda should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, or by telephone (850)413-1341.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, September 19, 2006 10:30 a.m., or soon thereafter

PLACE: Florida International University, University Park Campus, 11200 S. W. 8th Street, Miami, FL 33199

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Foundation Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, September 19, 2006, 12:30 p.m., or soon thereafter

PLACE: Florida International University, University Park Campus, 11200 S. W. 8th Street, Miami, FL 33199

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Florida Commission on Hurricane Loss Projection Methodology to which all persons are invited.

DATE AND TIME: Tuesday, September 26, 2006, 1:00 p.m. (ET) – until conclusion of the meeting

PLACE: The meeting will be a teleconference meeting. The conference call number is (850)921-2583 or Suncom 291-2583

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss comments received from the public regarding Proposed Rule 19-16.001, Florida Commission on Hurricane Loss Projection Methodology and to determine if a Notice of Change is needed or whether the rule can be filed for adoption. In addition, other general business of the Commission may be addressed.

Anyone wishing a copy of the agenda for this meeting, should contact: Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to participate is requested to contact Donna Sirmons five days prior to the meeting so that appropriate arrangements can be made. Ms. Sirmons may be reached by mail at the address above, by e-mail: donna.sirmons@sbafla.com, or by telephone (850)413-1349.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Gift Fruit Advisory Council to which all persons are invited.

DATE AND TIME: Wednesday, September 6, 2006, 4:00 p.m.

PLACE: Sanibel Harbour Resort and Spa, 17260 Harbour Pointe Drive, Ft. Myers, FL 33908

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to review and discuss proposed Gift Fruit Marketing Plans for 2006/07. The Council will also discuss any other issues that may properly come before the Council.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Bill Jones, (863)499-2499.

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, September 12, 2006, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review research programs, budgets, and recommendations for research and to discuss any other matters which might relate to this committee.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2499.

The **Department of Citrus** announces a public workshop for the purposes of rule development to which all interested persons are invited.

DATE AND TIME: September 18, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area to be addressed is discussion of the new rule implementing Section 601.992, F.S., regarding trade association dues collection.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Teresa Czerny, P. O. Box 148, Lakeland, Florida 33802-0148.

In accordance with the American Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Bill Jones at the above address or by telephone, (863)499-2500.

FLORIDA PAROLE COMMISSION

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

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

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, 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 as well as other Commission business.

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

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). 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.

PUBLIC SERVICE COMMISSION

The Florida **Public Services Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *September 18, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: September 19, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Division of the Commission Clerk and Administrative Services, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Film and Entertainment and the Florida Film and Entertainment Advisory, Council Hurricane Task Force Committee will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 8, 2006, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, Suite 2002, Tallahassee, FL 32399-0001, Call In # (888)808-6959

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss hurricane issues effecting Florida's entertainment industry.

A copy of the agenda may be obtained by writing: Sharon Jacobs, Executive Assistant, Governor's Office of Film and Entertainment, The Capitol, Suite 2002, Tallahassee, Florida 32399-0001 or by calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

The **Council on State Agency Inspectors General** announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: The Capitol, 21st Floor, Media Conference Room 2103, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary objectives of this second meeting of the Council will be as follows: Review of the National Association of Inspectors General standards for Inspectors General offices and functions; Review of Section 14.325, F.S., including a review of the various components of the law and the methodology, approach and process for completing the Council's primary responsibility of preparing a report to the designated parties by January 2007; and continued discussion of the Council's legislative mandate.

A copy of the agenda may be obtained by contacting: Fred Wollet at (850)922-4637. For more information, you may contact: Derry Harper, Chief Inspector General, The Capitol, Room 2103, Tallahassee, FL 32399, (850)922-4637.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: September 18, 2006, 4:00 p.m.

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

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board meeting of the Regional Planning Council.

All Council Subcommittee meetings will meet either immediately prior or following the Council meeting unless otherwise advertised.

A copy of the proposed agenda may be obtained by either contacting: SWFRPC, (239)338-2550 or on their website www.swfrpc.org

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.

Any person requiring special accommodation due to disability or physical impairment should contact: Mr. David Burr, (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 **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2006, 9:30 a.m.

PLACE: Wolf High – Technology Center, Indian River Community College Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public hearing to which all interested persons are invited.

DATE AND TIME: Thursday, September 14, 2006, 5:05 p.m. (CDT)

PLACE: DeFuniak Springs City Hall, 71 U.S. Highway 90, West (Intersection of U.S. Highway 90 West and U.S. Highway 331), DeFuniak Springs, FL 32435

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Adoption of Proposed Millage Rate for FY 2006-2007 and Consideration of Adoption of the District's FY 2006-2007 Tentative Proposed Budget.

A copy of this agenda can be obtained by contacting: Dorothy Cotton, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 or on the Internet at www.nwfwmd.state.fl.us.

Appeal from any NFWFMD Board decision requires a record of the proceedings. Although Governing Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: September 12, 2006, 3:00 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. Public hearing is being held to offer interested persons the opportunity to provide comments concerning the annual revision and changes to the District's Florida Forever Work Plan.

DATE AND TIME: September 13, 2005, following the Board Meeting

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Public Hearing on FY 2006-2007 budget and proposed millage rate.

A copy of the agenda(s) may be obtained by writing: Lisa M. Cheshire, Adm./Board Coordinator, SRWMD, 9225 CR 49, Live Oak, Florida 32060. A copy of the 2005 Florida Forever Work Plan may be obtained by writing: Gwendolyn Lord, Administrative Assistant.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact: Lisa M. Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Northern Recreational public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 19, 2006, 9:00 a.m. – 4:00 p.m.

MEETING: Northern Recreational Public Meeting, 1:30 p.m.-4:00 p.m.

TOUR: Management Review Team Tour, Lochloosa Conservation Area, 9:00 a.m. – 1:00 p.m.

PLACE: Hawthorne Public Library, 7225 S. E. 221st Street, Hawthorne, FL 32640

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Northern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise: Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD) at least five work days before the date of the meeting.

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

JOINT ADVISORY COMMITTEE STRATEGIC PLAN MEETING

DATE AND TIME: Tuesday, September 12, 2006, 2:00 p.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 writing: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41, South), Brooksville, Florida 34604 or by calling the Southwest Florida Water Management District, (352)796-7211, extension 4402 or 1(800)423-1476, extension 4402, or Suncom 628-4150.

If you are hearing or speech impaired, please contact the District by calling TDD ONLY 1(800)231-6103.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advised the agency at least 48 hours before the meeting by calling (352)796-7211, extension 4402, 1(800)423-1476, extension 4402 or Suncom 628-4150. If you are hearing or speech impaired, please contact the District by calling TDD ONLY 1(800)231-6103.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting to which all interested persons are invited:

GOVERNING BOARD TENTATIVE BUDGET HEARING

DATE AND TIME: Tuesday, September 12, 2006, 5:01 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board adoption of tentative millage rate and budget for Fiscal Year 2007.

This is a public meeting; an agenda is available by contacting: Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4606, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: September 13, 2006, 9:30 a.m. – 4:00 p.m.

PLACE: Osceola Public Library, Buenaventura Lakes Branch, 405 Buenaventura Blvd., Kissimmee, Florida 34743

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to demonstrate the screening-level modeling tool that will be used to evaluate proposed changes to operating schedules, introduce the concept of an alternative plan scoring and ranking system, and provide an update on performance measure development. The process to collect and incorporate public input into the planning study will also be presented.

Persons with disabilities who need assistance may contact: Bridgett Tolley, 1(800)250-4250, ext. 3806, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Bridgett Tolley, (407)908-4896 or 1(800)250-4250, ext. 3806, btolley@sfwmd.gov, or Chris Carlson, (561)682-6143, 1(800)432-2045, ext. 6143, ccarlso@sfwmd.gov

The **South Florida Water Management District** announces a joint public meeting with the Collier County Board of County Commissioners, to which all interested persons are invited.

DATE AND TIME: September 19, 2006, 1:30 p.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida (This address shall be the designated access point for public attendance of the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct meeting pursuant to Section 164.1055, F.S., to resolve disputes regarding certain provisions contained in an agreement between The Board of Trustees of the Internal Improvement Trust Fund, The South Florida Water Management District and Collier County, Florida which will provide for and govern the transfer of certain property owned by Collier County located in an area know as Southern Golden Gate Estates.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.htm> 1 or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Commission Member Orientation to which all persons are invited.

DATE AND TIME: Thursday, September 14, 2006, 9:00 a.m. – until completion

PLACE: Hilton Garden Inn, 1330 South Blair Stone Road, Tallahassee, Florida 32301, (850)893-8300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide new Commission members with an orientation of the Transportation Disadvantaged Program.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact: Niki Branch, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Commission Business Meeting to which all persons are invited.

DATE AND TIME: Friday, September 15, 2006, 9:00 a.m. – until completion

PLACE: Hilton Garden Inn, 1330 South Blair Stone Road, Tallahassee, Florida 32301, (850)893-8300, Conference Call Number (850)487-8587, Suncom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact: Niki Branch,

Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

The meeting is subject to change upon chairperson's request.

LAND AND WATER ADJUDICATORY COMMISSION

The **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of proposed rule Chapter 42FFF-1, F.A.C., Rivers Edge Community Development District. Proposed rule Chapter 42FFF-1, F.A.C., which addresses the establishment, boundaries, and board of supervisors of the Rivers Edge Community Development District, was published in the F.A.W., on June 23, 2006 (Vol. 32, No. 25).

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will

consider adoption of proposed rule Chapter 42EEE-1, Sarasota National Community Development District. Proposed Rule Chapter 42EEE-1, which addresses the establishment, boundaries, and board of supervisors of the Sarasota National Community Development District, was published in the F.A.W., on June 23, 2006 (Vol. 32, No. 25).

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of Proposed Rule 42CC-1.002, Boundary. Proposed Rule 42CC-1.002, which addresses the boundaries of the Capital Region Community Development District, was published in the F.A.W., on July 7, 2006 (Vol. 32, No. 27).

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of proposed Rule Chapter 42DDD-1, Twin Creeks Community Development District. Proposed Rule Chapter 42DDD-1, which addresses the establishment, boundaries, and board of supervisors of the Twin Creeks Community Development District, was published in the F.A.W., on June 23, 2006 (Vol. 32, No. 25).

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** is very interested in getting your input in preparation for its development of the state's plan for addressing the needs and well-being of Florida's 4 million elders age 60 and older. In order to affect this purpose, we are hosting several regional workshops around the state and are extending an invitation for you to participate. Based on your thoughts, we will prepare the State Plan on Aging, 2008 – 2010, which is the basis for allocation of funding for elder service providers throughout Florida.

Each regional workshop will also include a visioning process for existing Communities For a Lifetime (CFAL) participants and those interested in establishing the CFAL designation. The process will stimulate ideas on how Florida's cities, towns and counties can plan for and implement smart growth to accommodate the future needs of their community, both youth and elders.

Information for the first meeting is as follows:

DATE AND TIME: Thursday, September 14, 2006, 8:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32301

Note: Pursuant to the provisions of the Americans 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: Sherilyn Toro, (850)414-2000. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8771.

The **Department of Elder Affairs**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 27, 2006, 9:30 a.m. – 2:00 p.m.

PLACE: Country Inn and Suites Orlando, Meeting Room, 5440 Forbes Place, Orlando, FL 32812-9009, (407)856-8896

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Department of Elder Affairs Advisory Council to discuss the department and initiatives the council wants to undertake.

A copy of the agenda may be obtained by contacting: Darrick McGhee, (850)414-2085, Suncom 994-2085, or by email McGheeD@elderaffairs.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Darrick McGhee, (850)414-2085, Suncom 994-2085, or by email McgheeD@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Solutions Working Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Monday, September 11, 2006, 11:00 a.m.

PLACE: USF Downtown Center, 1101 Channelside Drive, Tampa, Florida 33602. Anyone interested in participating may telephone (641)793-7500/Pass Code: 9701442#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Pia Neustadter, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at http://ahca.myflorida.com/dhit/Privacy_ss.shtml seven (7) days prior to the meeting.

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

DATE AND TIME: Tuesday, September 19, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, Medicaid Field Office, 6800 North Dale Mabry Highway, Suite 220, Tampa, Florida 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long Term Care will review a number of applications eligible for the Gold Seal Award. Other matters before the Panel may also be discussed.

For additional information contact: Agency for Health Care Administration, 2727 Mahan Drive, MS 51, Tallahassee, Florida 32308, or call Barbara Dombrowski, (850)922-0048 or email: dombrowb@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Agency for Health Care Administration, 2727 Mahan Drive, MS 51, Tallahassee, Florida 32308, or call Barbara Dombrowski, (850)922-0048 or email: dombrowb@ahca.myflorida.com.

ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Agency for Health Care Administration, 2727 Mahan Drive, MS 51, Tallahassee, Florida 32308, or call Barbara Dombrowski, (850)922-0048 or email: dombrowb@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Tuesday, September 19, 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, 1(888)862-7010.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: September 13, 2006, 8:00 a.m. (Eastern Time)

PLACE: Access Phone: 1(888)808-6959, conference code #9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she 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 Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: October 2, 2006, 10:00 a.m. (Eastern Time)

PLACE: Access Phone: 1(888)808-6959; conference code #9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting including Invitation to Negotiate vendor contract recommendation.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Board of Architecture and Interior Design, 1940 N. Monroe St. Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she 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 Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: September 28, 2006, 1:00 p.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting and Rules Committee Meeting immediately followed by Probable Cause Panel meeting, which portions may be closed to the public.

DATE AND TIME: September 29, 2006, 9:00 a.m. (CDT)

PLACE: Hilton Garden Inn, 12 Via De Luna Drive, Pensacola Beach, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she 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 Board office, (850)922-6096, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited.

DATE AND TIME: Wednesday, November 15, 2006, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Board of Professional Engineers** announces a Probable Cause Panel meeting.

DATE AND TIME: Thursday, November 16, 2006, 8:30 a.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 1, 2006, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303.
CONFERENCE CALL NUMBER: 1(866)895-8146/ Passcode 5210500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business to which all persons are invited.

DATE AND TIME: Wednesday, December 6, 2006, 8:30 a.m.

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

DATE AND TIME: Thursday, December 7, 2006, 8:30 a.m., if business of the Board is not concluded

PLACE: Thursday, December 7, 2006, Ramada Inn and Conference Center, 2900 North Monroe Street, Tallahassee, Florida

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Engineers Management Corporation** announces a public meeting, to which all persons are invited.

DATE AND TIME: Tuesday, December 5, 2006, 1:00 p.m. – until conclusion of meeting

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal a decision made by the Corporation with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

The **Florida Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business to which all persons are invited.

DATE AND TIME: Wednesday, October 25, 2006, 8:30 a.m.; Thursday, October 26, 2006, 8:30 a.m. if the business of the Board is not concluded

PLACE: Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, Florida

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

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Paul J. Martin, (850)521-0500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2006, 7:00 p.m. (CT)

PLACE: Gulf Coast Community College, Language and Literature Lecture Hall (Sarzin Lecture Hall), 5230 West U.S. Highway 98, Panama City, FL 32401-1058

GENERAL SUBJECT MATTER TO BE CONSIDERED: This forum is to seek input from the public regarding public use of Shell Island. The meeting will be hosted by the Florida Department of Environmental Protection.

A copy of the agenda may be obtained by contacting: Mr. Carl Keen, Park Manager, Florida Park Service, St. Andrews State Park, 4607 State Park Lane, Panama City, Florida 32408, (850)233-5141, Carl.Keen@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: St. Andrews State Park, 4607 State Park Lane, Panama City, Florida 32408, (850)233-5141. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Shelley Yancy, Asst. Park Manager, St. Andrews State Park, (850)233-5141.

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

DATE AND TIME: September 15, 2006, 9:30 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Orlando Service Center, Shingle Creek Conference Room, 1707 Orlando Central Parkway, Suite 200, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Conserve Florida business, including discussion of the second year contract for hosting and operation of the Conserve Florida Water Conservation Clearinghouse.

A copy of the agenda may be obtained by contacting: Antonette Tucker, Department of Environmental Protection, 2600 Blair Stone Road, Mail Stop 46, Tallahassee, FL 32399-2400, (850)245-8677.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Antonette Tucker, Department of Environmental Protection, 2600 Blair Stone Road, Mail Stop 46, Tallahassee, FL 32399-2400, (850)245-8677. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Antonette Tucker, Department of Environmental Protection, 2600 Blair Stone Road, Mail Stop 46, Tallahassee, FL 32399-2400, (850)245-8677.

The **Department of Environmental Protection**, Designated Uses and Classification Refinement Policy Advisory Committee (PAC) announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2006, 10:00 a.m.

PLACE: Brokaw-McDougall House, 329 North Meridian Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The PAC was formed to aid the Department in determining whether revisions to Florida's designated uses and current associated surface water body classification system contained in Chapter 62-302, Florida Administrative Code, are needed. This will be the sixth meeting of the PAC.

A copy of the agenda may be obtained by contacting: Stacey Feken, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 3560, Tallahassee, Florida 32399-2400, e-mail: Stacey.feken@dep.state.fl.us, (850)245-8421, or by going to the Department's website at http://www.dep.state.fl.us/water/wqssp/d_use.htm

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Stacey Feken, (850)245-8421. If you are hearing or

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

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

DATE AND TIME: September 7, 2006, 9:30 a.m.

PLACE: Gainesville Regional Utilities, 1st Floor, Conference Room, 301 S. E. 4th Avenue, Gainesville, Florida 32601

DATE AND TIME: September 7, 2006, 1:30 p.m.

PLACE: Alachua County Administration Building, Grace King Conference Room, 2nd Floor, 12 S. E. Frist Street, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Orange Creek Basin (OCB) TMDL Working Group was formed to provide a forum for stakeholders to discuss issues related to the OCB TMDLs, including development, allocation, and implementation of the TMDLs. The topic for this meeting is the development of a Basin Management Action Plan, including strategies to address nutrient and coliform TMDLs.

A copy of the agenda may be obtained by contacting: Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mary Paulic, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**, announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: September 22, 2006, 9:00 a.m. – 10:00 a.m.

PLACE: Telephone Number: (850)245-4474, to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

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

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

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay system, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Nursing**, North Probable Cause Panel will hold a duly noticed teleconference call meeting, to which all persons are invited to attend.

DATE AND TIME: September 11, 2006, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Nursing, (850)245-4125, at least 48 hours prior to the meeting.

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

If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda item may be obtained by writing: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Board of Nursing**, Central Probable Cause Panel will hold a duly noticed teleconference call meeting, to which all persons are invited to attend.

DATE AND TIME: September 20, 2006, 12:30 p.m. – 3:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number, (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Nursing, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Orthotists and Prosthetists** will hold a duly notices meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, September 22, 2006, 9:00 a.m. or shortly thereafter

PLACE: Embassy Suites, 1100 Southeast 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda item by be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/Orth&Pros/index.html

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

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact: the Board of Orthotists and Prosthetists, (850)245-4355, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Board of Pharmacy**, Application Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2006, 10:00 a.m.

PLACE: 4052 Bald Cypress Way, Room 340 N. Meeting is available via conference call, 1(888)808-6959, Conference Code 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications regarding internship experience.

Agenda not needed for this meeting.

For more information, you may contact: Board of Pharmacy, (850)245-4292.

The **Department of Health** announces a meeting of the Research Review and Advisory Committee of the Bureau of Onsite Sewage Programs to which all persons are invited.

DATE AND TIME: September 18, 2006, 9:30 a.m.

PLACE: Longwood Community Building, 200 West Warren Ave., Longwood, FL 32750

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and guide current, proposed and potential future onsite sewage research projects, in particular related to the Wekiva Study Area, and rank research contract proposals for the Wekiva Onsite Nitrogen Contribution Study and the Florida Alternative Disposal Systems Assessment.

A copy of the agenda may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070, or by e-mail Susan_Polangin@doh.state.fl.us.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Susan Polangin at the address above at least one week prior to the meeting.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited.

DATE AND TIME: Friday, September 8, 2006, 3:00 p.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District, with the First Public Hearing at 5:01 p.m. on the proposed budget for FY 2006/2007.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FLORIDA HOUSING FINANCE CORPORATION

The **Affordable Housing Study Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 19, 2006 1:00 p.m. – 6:00 p.m.; September 20, 2006, 8:30 a.m. – 12:00 p.m. (Times subject to change)

PLACE: Marriott Tampa Westshore, 1001 N. Westshore Blvd., Tampa, FL 33607, (813)287-2555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will begin discussing the scope of its review of the State Housing Initiatives Partnership Program.

A copy of the agenda may be obtained by contacting: For questions, please contact: Odetta MacLeish-White, Florida Housing Finance Corporation, (850)488-4197. For agendas and updates, please visit our website at www.floridahousing.org/ahsc.

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

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

For more information, you may contact: Odetta MacLeish-White, Florida Housing Finance Corporation, (850)488-4197. For agendas and updates, please visit our website at www.floridahousing.org/ahsc.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWC) will hold a public hearing on the Proposed Public Access Plan for the Aucilla Wildlife Management Area (WMA) in Jefferson and Taylor Counties, Florida, to which all interested persons are invited.

DATE AND TIME: Tuesday, September 12, 2006, 7:00 p.m.

PLACE: Jefferson County Courthouse, One North Jefferson Street, Monticello, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide information and to receive public comments on the FWC's Proposed Public Access Plan for the Aucilla WMA. This plan provides public access to the Aucilla WMA; assists conservation, preservation and protection of cultural and natural resources of the Aucilla WMA; and assists enforcement of area rules and regulations. The Proposed Public Access Plan is to be part of the overall Conceptual Management Plan for the Aucilla WMA.

This public hearing is only for the purposes of obtaining public comment on the Proposed Public Access Plan. The hearing is not for comment on other rules and regulations for the Aucilla WMA, which is done in other public hearings as part of another process.

A copy of the Proposed Public Access Plan is available upon request from: Florida Fish and Wildlife Conservation Commission, Conservation Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, extension 17330 or 17334.

NOTICE OF CHANGE – The **Fish and Wildlife Conservation Commission** (FWC), Division of Law Enforcement, Boating Advisory Council, announces a date

change for the Non-Motorized Vessels' Subcommittee public meeting that was scheduled and advertised for September 15, 2006.

DATE AND TIME: September 14, 2006, 9:00 a.m.

PLACE: Dolphin Beach Resort, 4900 Gulf Boulevard, St. Petersburg Beach, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Non-Motorized Vessels' Subcommittee.

An agenda of the meeting may be obtained by contacting: Ms. Shelly Gurr, FWC, Division of Law Enforcement, Boating Advisory Council, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399-1600, (850)488-5600.

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 five calendar days before the meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

DEPARTMENT OF FINANCIAL SERVICES

The **Citizens Property Insurance Corporation** announces a Board of Governors meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 14, 2006, 9:00 a.m. – 12:00 Noon (EDT)

PLACE: The Renaissance Fort Lauderdale Hotel

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the Actuarial and Underwriting Committee Report and Market Accountability Advisory Committee Report.

For additional information, please call: Barbara Walker, 1(800)807-7647, extension 3744.

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Barbara Walker, at least five days prior to the meeting.

The **Citizens Property Insurance Corporation** announces a Code of Ethics (Conflict of Interest) Workshop to be held:

DATE AND TIME: Thursday, September 14, 2006, 8:00 a.m. – 8:50 a.m. (EDT)

PLACE: The Renaissance Fort Lauderdale Hotel

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Barbara Walker, at least five days prior to the meeting.

For additional information, please call: Barbara Walker, 1(800)807-7647, extension 3744.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Friday, September 8, 2006, 10:00 a.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact Name and Number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Companion Property and Casualty Insurance Company has requested a 41.1% average statewide rate increase for its condominium homeowners insurance. The requested rate increase is not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing.

If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@fldfs.com; the subject line of your e-mail should read "Companion."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone: Sam Coskey, (850)413-2616 or e-mail sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Friday, September 8, 2006, 1:00 p.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact Name and Number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Vanguard Fire and Casualty Company has requested the following average statewide rate increases: 80.7% for its Sword program homeowners insurance; 84.1% for its Excalibur program homeowners insurance; and 111.8% for its dwelling fire insurance. The requested rate increases are not uniform and some areas are subject to higher rate increases. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@fldfs.com; the subject line of your e-mail should read "Vanguard."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone: Sam Coskey, (850)413-2616 or e-mail sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 14, 2006, 10:00 a.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact Name and Number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Omega Insurance Company has requested a 18.7% average statewide rate increase for its homeowners insurance and a 29.5% average statewide rate increase for its mobile homeowners insurance. The requested rate increases are not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@fldfs.com; the subject line of your e-mail should read "Omega."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone: Sam Coskey, (850)413-2616 or e-mail sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 14, 2006, 1:00 p.m.

PLACE: 401 Senate Office Building (adjacent to The Capitol), Tallahassee, Florida. Contact Name and Number: Lori Fitzsimmons, Esquire, (850)413-4158 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tower Hill affiliate insurance companies have requested the following average statewide rate increases: Tower Hill Preferred Insurance Company – 27.2% for homeowners insurance and 32.9% for dwelling fire insurance; Tower Hill Prime Insurance Company – 21.5% for homeowners insurance; and Tower Hill Select Insurance Company – 18.0% for homeowners insurance. The requested rate increases are not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the

Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing.

If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@fldfs.com; the subject line of your e-mail should read "Tower Hill."

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone: Sam Coskey, (850)413-2616 or e-mail sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 69O-154.203, 69O-154.204, Florida Administrative Code, published on June 23, 2006 in Vol. 32, No. 25, of the F.A.W. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Kerry Krantz at E-mail: kerry.krantz@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-154.203 Categories of Reserves.

Adequacy of an insurer's health insurance reserves shall be determined on the basis of all three categories combined. However, these standards emphasize the importance of determining appropriate reserves for each of the three categories separately.

(1) Claim Reserves.

(a) No change.

(b) Minimum Standards for Claim Reserves.

1. Disability Income.

a. No change.

b. No change.

(I) For claims incurred on or before December 31, 2006, with a duration from date of disablement of less than two years, reserves may at the option of the insurer be based on the insurer's experience, if such experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

(II) For individual disability income claims incurred on or after January 1, 2007, assumptions regarding claim termination rates for the period less than two years from the date of

disablement may, at the option of the insurer, be based on the insurer's experience, if such experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

(III) Alternatively, for group disability income claims incurred on or before December 31, 2006, with a duration from date of disablement of more than two (2) years but less than five (5) years, reserves may at the option of the insurer, be based on the insurer's experience for which the insurer maintains underwriting and claim administration control, and in accordance with commonly accepted actuarial practice.

(IV) For group disability income claims incurred on or after January 1, 2007.

(A) Assumptions regarding claim termination rates for the period less than two years from the date of disablement may, at the option of the insurer, be based on the insurer's experience, if such experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

(B) Assumptions regarding claim termination rates for the period two or more years but less than five years from the date of disablement may, with the approval of the Office, be based on the insurer's experience, if such experience is considered credible, and for which the insurer maintains underwriting and claim administration control.

(V) With respect to (III) and (IV)(B) above, for experience to be considered credible, the company should be able to provide claim termination patterns over no more than six (6) years reflecting at least 5,000 claims terminations during the third through fifth claims durations on reasonably similar applicable policy forms.

(A) The request for approval of a plan of modification to the reserve basis shall include:

(i) through (iv) No change.

(v) ~~For a company not domiciled in this state, a~~ copy of the approval of the proposed plan of modification by the commissioner of the state of domicile.

(vi) No change.

~~(B) For experience to be considered credible for purposes of (II), the company shall be able to provide claim termination patterns over no more than six (6) years reflecting at least 5,000 claims termination during the third through fifth claims durations on reasonably similar applicable policy forms.~~

~~(B)(C)~~ For claim reserves to reflect "sound values;" and/or reasonable margins, reserve tables based on credible experience shall be adjusted regularly to maintain reasonable margins.

~~c.(III)~~ Duration of Disablement. For contracts with an elimination period, the duration of disablement shall be measured as dating from the time that benefits would have begun to accrue had there been no elimination period.

2. No change.

(2) Premium Reserves.

(a) General.

1. Except as noted in 2., unearned premium reserves shall be required for all contracts for the period of coverage for which premiums, other than premiums paid in advance, have been paid beyond the date of valuation.

2. Single premium credit disability insurance individual policies and group certificates, which are subject to the requirements of Section 625.121(13), F.S., are excluded from unearned premium reserve requirements of (a), (b), and (c).

3.2.a. If premiums due and unpaid are carried as an asset, the premiums shall be treated as premiums in force, subject to unearned premium reserve determination.

b. No change.

4.3. The gross premiums paid in advance for a period of coverage beginning after the next premium due date following the date of valuation may at the option of the insurer be discounted to the valuation date, and shall be held either as a separate liability or as an addition to the unearned premium reserve which would otherwise be required as a minimum.

(b) through (c) No change.

(3) Contract Reserves.

(a) No change.

(b) Minimum Standards for Contract Reserves.

1. Basis.

a. Morbidity or other Contingency.

(I) No change.

(II) Expect as provided in (a)1b, if for a policy form there is no gross premium variation by age, the valuation net premiums will nonetheless vary based on age at issue for each such contract since at issue the present value of valuation net premiums for a contract must equal the present value of tabular claim costs.

(III) Contracts for which tabular morbidity standards are not specified in subsection 690-154.204(1), F.A.C., shall be valued using tables established for reserve purposes by a qualified actuary. The morbidity tables shall contain a pattern of incurred claims cost that reflects the underlying morbidity, and shall not be constructed for the primary purpose of minimizing reserves.

(A) through (C) No change.

b. No change.

c. Termination Rates. Termination rates used in the computation of reserves shall be on the basis of a mortality table specified in rule subsection 690-154.204(3), F.A.C., except as follows:

(I) Under contracts issued on or after January 1, 1999, for which premium rates are not guaranteed, and where the effects of insurer underwriting are specifically used by policy duration in the valuation morbidity standard or for return of premium or other deferred cash benefits, total termination rates may at the

option of the insurer be used at ages and durations where these exceed specified mortality table rates, but not in excess of the lesser of:

(a) through (b) No change.

(II) through (IV) No change.

d. through f. No change.

(c) through (d) No change.

Specific Authority 624.308(1), 625.121(14), 625.081 FS. Law Implemented 624.307(1), 625.081, 625.121 FS. History—New 4-14-99, Formerly 4-154.203, Amended 3-1-04, 4-7-05,_____.

690-154.204 Specific Minimum Standards for Morbidity, Mortality and Interest.

Specific minimum standards for morbidity, mortality and interest which apply to claim reserves according to year of incurral and to contract reserves according to year of issue:

(1) through (2) No change.

(3) Mortality.

(a) through (d) No change.

(e) For single premium credit insurance using the adjusted 85 CIDA table, no separate mortality shall be assumed.

Specific Authority 624.308(1), 625.121(14), 625.081 FS. Law Implemented 624.307(1), 625.081, 625.121 FS. History—New 4-14-99, Formerly 4-154.204, Amended 3-1-04, 4-7-05,_____.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: September 19, 2006, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the repeal of Rule 690-141.021, Florida Administrative Code, published on June 23, 2006 in Vol. 32, No. 25, of the F.A.W. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting: Claude Mueller, at e-mail: claudemueller@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-141.021 Procedures Implementing the Moratorium Phaseout in Section 627.7013, Florida Statutes.

Specific Authority 624.308(1), 627.7013(2)(b) FS. Law Implemented 624.307(1), (2), (3), (4), 624.315, 624.408, 624.424(6), 626.9541(1)(x), 627.062(2)(d), 627.4133, 627.7013 FS. History—New 6-7-95, Formerly 4-141.021, Repealed_____.

FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION

The **Florida Substance Abuse and Mental Health Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 6, 2006, 9:30 a.m. – 5:00 p.m.; September 7, 2006, 9:00 a.m. – 3:30 p.m.

PLACE: The Amelia Island Plantation Hotel, 6800 First Coast Hwy., Amelia Island, FL 32034

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be to review and discuss the following:

1. There will be a roundtable discussion regarding a coordinated plan for substance abuse and mental health diversion and aftercare services for juveniles and adults involved in the criminal justice system. The Secretary of Corrections, James McDonough, Secretary of Children and Family Services, Lucy Hadi and Secretary of Juvenile Justice, Anthony Schembri will present on a joint legislative budget and will participate in the roundtable discussion.
2. The Corporation will hear presentation on budget priorities from the Florida Association of Alcohol and Drug Abuse and the Florida Council of Behavioral Health Care.
3. The Agency for Health Care Administration will update the board on Medicaid activity relating to behavioral health, including, but not limited to Pre-paid plans, HMO plans and the revision to the State Medicaid Plan.
4. There will be a public hearing on the morning of September 7, 2006.
5. The Board will hear reports from the Corporation's Children and Family Services Committee and the Select Committee on Criminal Justice.

You may print a copy from the Corporation's website at www.samhcorp.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Amanda Sanford, (850)410-1575. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amanda Sanfor, (850)410-1575.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, FWCJUA announces a Board of Governors meeting to which all interested parties are invited to attend.

DATE AND TIME: September 12, 2006, 8:30 a.m.

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238. Please enter through Suite 203

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of minutes; election of officers; SunTrust credit card resolution; market conduct exam; sixth-amended bylaws; legislative report; appointment of financial auditor; Audit Committee charter checklist; 2007 business plan and forecast preliminary outline; anti-fraud plan; disaster recovery plan; document management system update; producer agreement and authorization process; 2006 loss ratio and emergence; 2007 rate indication; confirmation of actuary; interchange of labor rule; Operations Manual revisions; reinsurance intermediary confirmation; 2007 reinsurance program goals and market strategy; Workers Compensation NBCR Terrorism Facility; report on operations; and a financial report.

A copy of the agenda may be obtained: FWCJUA's website: www.fwcjua.com or by contacting Kathleen Coyne, (941)378-7408.

ENTERPRISE FLORIDA

Enterprise Florida, Inc., announces a public meeting to which all persons are invited.

Meeting: Rural Economic Development Catalyst Project within Florida's South Central Rural Area of Critical Economic Concern

DATE AND TIME: Wednesday, September 13, 2006, 9:00 a.m. – 12:30 p.m.

PLACE: LaBelle Civic Center, 481 West Hickpoochee Ave., LaBelle, FL 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting within the South Central Rural Area of Critical Economic Concern for Enterprise Florida's new marketing opportunity that will be conducted within Florida's three Rural Areas of Critical Economic Concern. This catalyst project will lead to the identification of top industry clusters within each of the three rural regions, the identification of regional sites, the development of a template for dispersing increased revenue, and a targeted marketing campaign.

If an accommodation is needed for a disability or physical impairment, please contact: April Money, (850)488-9366, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The **Florida Developmental Disabilities Council, Inc.** announces it's regularly scheduled business meeting.

DATES AND TIMES: Thursday, September 14, 2006, 8:30 a.m. – 5:30 p.m.; Friday, September 15, 2006, 8:30 a.m. – 2:30 p.m.

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida 33607-2355

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday, September 14, 2006, Committee Meetings. Friday, September 15, 2006, Full Council Meeting.

Please Note: Meeting times are subject to change.

To receive a copy of the agenda, or request special accommodations for participation in the meeting, please contact: Debra Dows, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, or call toll free 1(800)580-7801, local (850)488-4180, or TDD toll free 1(888)488-8633.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following public meetings, where all interested parties are invited.

DATE AND TIME: Friday, September 15, 2006, 11:00 a.m.

PLACE: Commission Chambers, City Hall, City of Sarasota, 1565 First Street, Sarasota, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923, (850)878-1874.

SUNSHINE STATE ONE-CALL OF FLORIDA

The **Sunshine State One-Call of Florida, Inc.** announces a meeting to which all interested persons are invited.

One of the amendments to Chapter 556, the Underground Facility Damage Prevention and Safety Act, F.S., approved during the 2006 Florida Legislative session provides that: 556.105 Procedures—

- (1)(d)(1) The system shall study the feasibility of the establishment or recognition of zones for the purpose of allowing excavation within such zones to be undertaken without notice to the system as now required by this chapter when such zones are:
 - a. In areas within which no underground facilities are located.
 - b. Where permanent markings, permit and mapping systems and structural protection for underwater crossing are required or in place.
 - c. For previously marked utilities on construction of one or two family dwellings where the contractor remains in custody and control of the building site for the duration of the building permit.
- (2) The system shall report the results of the study to the Legislature on or before February 1, 2007, along with recommendations for further legislative action.”

Pursuant thereto, Sunshine State One Call of Florida, Inc. announces three (3) “No-Notification Zone” Feasibility Workshops at the following date, time and locations to which

all interested persons are invited to participate and provide comment for inclusion in the study and publication in the report to the Florida Legislature.

Orlando Workshop

DATE AND TIME: September 20, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Maitland Civic Center, 641 South Maitland Ave., Maitland FL 32794

West Palm Beach Workshop

DATE AND TIME: September 26, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Palm Beach County Water Utilities Central Regional Operations, Okeehchee Park South, 8100 Forrest Hill Blvd., West Palm Beach, FL 33416

Tallahassee Workshop

DATE AND TIME: September 28, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Raymond C. Sittig Hall, 301 S. Bronough Street, Tallahassee, FL 32301

Dress is business casual.

Attention: Please deliver this to the primary contact for Sunshine State One-Call of Florida and/or someone who plays an active role in underground facility damage prevention.

Note: Any person who is hearing or speech impaired should contact the one-call notification center through the Florida Relay Center, 1(800)955-8771.

The **Sunshine State One Call of Florida, Inc.** (SSOCOF) announces its Board and Committee meetings to which all interested persons are invited. All meetings will be held at:

PLACE: SSOCOF Call Center, 11 Plantation Road, DeBary, FL 32713. Dress is business casual.

DATE AND TIMES: September 21, 2006, Committee Meetings, 8:00 a.m.

8:00 a.m. Operations Committee – Harry Glenn

- Call Center Statistics
- Attrition Report
- 811 Implementation Status
- Irth Net Implementation Status
- IT Future for SSOCOF
- Staff Succession Planning Recommendations
- Ticket Dig Site Creation/Geo Coding/GPS Coordinates to Review
- Definition of a Member
- Develop guidelines for members continued used of extraordinary circumstances
- Irth Net Ticket Reporting Capabilities & Member Information Policy Discussion
- Emergency Ticket Review

10:00 a.m. Break

10:15 a.m. Damage Prevention Committee – Chris Calvert

- Noncompliance Statistics

- Enforcement Statistics
 - Customer Satisfaction Survey Responses
 - DIRT Presentation
 - Review suggestions submitted on the Online Excavation Training Program
 - Review Local Government to Promote Utility Corridors
 - Review Locating on Private Property
- 12:00 p.m. Lunch – provided at call center for meeting participants and SSOCOF employees
- 1:00 p.m. Finance Committee – Mickey Gauldin
- FY 2006/07 Financial Reports
 - Delinquent Accounts Report
 - Contracts Approved Report
 - FY 2005/06 Audit Report
 - Review Ticket Price Reduction
 - Review Delinquent Payment Policy
- 2:30 p.m. Break
- 2:45 p.m. Legislative Ad Hoc Committee – Jeff Rodger
- Chapter 556 Feasibility Study
- 4:00 p.m. Excavation Guide Ad Hoc Committee – Lynn Irvin
- 4:15 p.m. Storm Planning Ad Hoc Committee – Mike Borg
- 5:00 p.m. Adjourn
- Note: All committees should be prepared to commence if the previous committee finishes before allotted time. If a committee needs additional time, that time will be allotted after the last scheduled committee has met.
- DATE AND TIMES: September 22, 2006, Board Meeting beginning 8:00 a.m.
- 8:00 a.m. Secretary’s Report – Froilan Baez
- 8:15 a.m. Consent Agenda – Larry Batchelor
- 8:45 a.m. Executive Director’s Report – Mark Sweet, Executive Director
- 9:00 a.m. Trip Reports
- 9:15 a.m. Legal Report – Dave Erwin, General Counsel
- 9:45 a.m. Break
- 10:00 a.m. Committee Reports
- Operations Committee – Harry Glenn
 - Damage Prevention Committee – Chris Calvert
 - Finance Committee – Mickey Gauldin
 - Legislative Ad Hoc Committee - Jeff Rodger
 - Excavation Guide Ad Hoc Committee – Lynn Irvin
 - Storm Planning Ad Hoc – Mike Borg
- 12:00 p.m. Lunch – provided at call center for meeting participants and SSOCOF employees
- 1:00 p.m. Resume Committee Reports
- 3:00 p.m. Break
- 3:15 p.m. Open Discussion
- 4:00 p.m. Problem Resolution
- 5:00 p.m. Adjourn

Attention: Please deliver this to the primary contact for Sunshine State One-Call of Florida and/or someone who plays an active role in underground facility damage prevention. Persons requiring some accommodation at this meeting because of a physical impairment should call the One-call Notification Center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the One-call Notification Center through the Florida Relay Center at 1(800)955-8771.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors’ announces four meetings to which all interested parties are invited.

EXECUTIVE COMMITTEE

DATES AND TIME: Wednesday, September 20, 2006; Thursday, September 21, 2006, 10:00 a.m.

PLACE: VIA Conference Call, Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2007 Budget.

BOARD OF GOVERNORS

DATES AND TIMES: Thursday, September 21, 2006, 2:00 p.m.; Monday, September 25, 2006, 10:00 a.m.

PLACE: VIA Conference Call, Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Ste. 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2007 Budget.

A copy of the agenda may be obtained by sending a faxed request to: Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, ext. 301.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, September 12, 2006, 1:00 p.m.

PLACE: University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introduction of Park Director, transfer of development rights, lease updates, committee reports, and such other business as the Authority may deem appropriate.

Those who desire a copy of the agenda or more information should contact: Linda W. Cox, Chairman, (772)595-9999.

Anyone with a disability requiring accommodation to attend this meeting should contact: Velma Spencer, IRREC Office Manager, (772)468-3922, ext. 113, at least forty-eight (48) hours prior to the meeting.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The **Florida Workers' Compensation Insurance Guaranty Association** announces an Audit Committee meeting to which all interested parties are invited to attend.

DATES AND TIMES: September 26, 2006, 8:30 a.m. – 9:30 a.m. (Eastern Time) or as soon as business has been concluded

PLACE: J. W. Marriott Grande Lakes, Orlando, Florida 32837

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee of the Florida Workers' Compensation Insurance Guaranty Association will meet regarding the regular business of the Committee.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting: Cathy Irvin, (850)386-9200, at least 48 hours before the session if the person wishes to participate. A person who is hearing or speech impaired may also contact the TDD at 1(800)955-1339.

Whether Falling Waters Beach Resort Master Association, Inc. is a condominium association as defined by Section 718.103(2), Fla. Stat.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from James M. Tavss, Petitioner, Ro-Mont South Executive Council, Inc.; Docket No. 2006044670. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(l), Florida Statutes (2006), as it applies to the petitioner.

Whether a condominium association may opt out of installing a fire alarm system under Section 718.112(2)(l), Florida Statutes (2006), that was mandated to be installed under Miami-Dade County code by the fire department.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed by My Medical CD, Ltd., on July 21, 2006. The Petitioner seeks the Board's interpretation of Section 456.054, Florida Statutes, with regard to payment of a fee to a physician if the physician's office staff fills out an on-line application for a patient of the physician. The Board will consider this petition at its meeting scheduled for October 7, 2006, in Tampa, Florida.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Falling Waters Beach Resort Master Association, Inc.; Docket No. 2006041116. The petition seeks the agency's opinion as to the applicability of Section 718.103(2), Fla. Stat., as it applies to the petitioner.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services received on August 18, 2006, a Petition for Declaratory Statement pursuant to Section 120.565, Florida Statutes, requesting the Department opine as to the application of Section 397.311(18), Florida Statutes, and Rule 65D-30.0061, Florida Administrative Code, to the operation of the petitioner, a licensed substance abuse treatment provider.

A copy of the Petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT Division of State Fire Marshal has received the petition for declaratory statement from Stephen M. Hodges, Petitioner, filed August 2, 2006. The petition seeks the agency's opinion as to the applicability of paragraph 69A-58.008(1)(a), F.A.C., as it applies to the petitioner.

The Petition requests an interpretation of paragraph 69A-58.008(1)(a), Florida Administrative Code, and specifically asks the Division of State Fire Marshal: 1. Is it the intent of this rule to preclude pre-kindergarten through first grade students from using media centers that are located on the second floor? 2. Is the local authority having jurisdiction (Fire Department) allowed to require correction of deficiencies utilizing the local code enforcement board? 3. May the local authority having jurisdiction (Fire Department) require financial compensation for state mandated inspections of the local school board?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Request for Proposal (RFP)

The Florida State University Facilities Purchasing shall receive Proposals until the date and time shown for the following project. Proposals may be mailed or delivered to:

Florida State University
Facilities Maintenance, Purchasing
ATTN: B. J. Lewis, Purchasing Agent
114F Mendenhall, Building A
Tallahassee, Florida 32306

Prior Receipt of Proposals, responder must reference RFP number, receipt date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are not acceptable. For information relating to the RFP, contact

Proposal Number FAC94-06
 Purchasing Agent: B. J. Lewis, Facilities (850) 644-7639
 Receipt of Proposal: On or before September 28, 2006,
 at 2:00 p.m.
 FSU-Facilities Maintenance
 114 Mendenhall, Building A
 Tallahassee, Florida 32306-4150
 Facilities Maintenance Purchasing

Bid Documents: Request for Proposal for Facility Condition Analysis Services, Florida State University Facilities Management.

Contact Person: Tom Shewan, Director, Facilities Maintenance, (850)645-6466.

CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following:

Combs Commons Campus Renovation Project – Phase Two
 A Mandatory Pre-Solicitation Conference will be held on September 12, 2006, 9:00 a.m. (CDT) in Bldg. 2, Room 2001, Combs Commons Campus, The University of West Florida, 720 H. W. Lovejoy Rd., Ft. Walton Beach, FL.

All bidders are required to attend the pre-solicitation conference. Potential subcontractors are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may bid the project.

Sealed bids will be received until October 3, 2006, 2:00 p.m. (CDT), at the Department of Procurement Services, Bldg. 8, Room 102, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number 06/ITB-07/ES must be marked on outside of bid package. The University will not be responsible for unopened bid packages at the bid opening when the package is not properly identified. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Invitation to Bid.

View this solicitation and related information on the Department of Procurement Services' website at <http://uwf.edu/procurement>.

A CD containing plans and specifications may be obtained from The Department of Procurement Services at The University of West Florida. Contact Elaine Smith at etsmith@uwf.edu or (850)474-2627 to arrange pick up.

NOTICE TO

ARCHITECTS AND CONSTRUCTION MANAGERS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture and construction management will be required for the project listed below:

Project No. UCF-522 Medical School Library
 UCF-530 Medical School Instructional Building
 Project and Location: Medical School Library and Medical School Instructional Building, University of Central Florida, Lake Nona Campus, Orlando, Florida.

The projects consist of the design and construction of a new facility. The space categories and square footage will be determined during program verification.

The projects cost will be determined during program verification depending on approval of funding for planning, construction and furnishings/equipment. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM). The University may elect to separate these projects.

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of architecture and construction management to submit proposals separately one for architect and one for construction manager. Proposal reviews, selection and interviews will be conducted separately.

This facility will be the in the early planning phase in the fiscal year 2006-07. The selected architect and construction manager will provide program verification, design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the Architect/Engineer will be required for this project in the amount of \$1,500,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. (local time), on October 16, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The committee members have elected not to meet with proposed firms.

INSTRUCTIONS FOR ARCHITECT AND CONSTRUCTION MANAGEMENT

Architects and Construction Management firms desiring to apply for consideration must include a letter of application and should have attached:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.

2. A copy of the firms current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. The most recent version of the Florida Board of Education "Revised Construction Manager Qualifications Supplement" (CMQS) dated 02/02. Do not alter the CMQS form.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist for interviews will be made on the basis of architect/engineer and construction manager qualifications separately, including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation. Finalists will be provided with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect/Engineer, Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

INSTRUCTIONS FOR CONSTRUCTION MANAGERS

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CONSTRUCTION MANAGEMENT CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Documents. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University Board of Trustees, announces that Professional Services in the discipline of engineering will be required for the project listed below:

Project No. BR-1055

Project and Location: Central Energy Plant for South Student Housing
Fort Myers, Florida

Description of Project

This new Central Energy Plant will be utilized to provide chilled water for the new residence halls and related buildings to be built at the south area of the FGCU campus. The initial phase of construction will include two (2) 750 ton water cooled chillers which will serve residence halls for approximately 500 students and a central dining facility. Eventually, this area of the campus will be built out in future phases to accommodate housing for approximately 3,000 students.

The selected engineering firm will provide master planning, conceptual design, construction documents, and construction administration services for the referenced project. The estimated cost of the first phase of construction for the CEP is approximately \$3,000,000. The anticipated date for the completion of the first phase of the south housing is August, 2008.

The project will be contracted through the construction management method.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached the following:

1. A completed Board of Regents "Professional Qualifications Supplement," dated September 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontract, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Mr. Jack Fenwick, Director of Facility Planning, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, (239)590-1500.

Submittals must be received in the Facilities Planning Office, located in Academic Building 5, Room 217, by 3:00 p.m. (local time), on October 2, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

EXECUTIVE OFFICE OF THE GOVERNOR

Volunteer Florida, The Governor's Commission on Volunteerism and Community Service is please to announce a Request for Proposal for the 2007-2009 AmeriCorps Disaster Response Grants for Response and Mitigation Activities in

Florida. Proposal guidance and application forms will be available at www.volunteerflorida.org beginning August 28, 2006. Proposals should be submitted by September 21, 2006.

REGIONAL PLANNING COUNCILS

**** FIRST NOTICE ****

REQUEST FOR PROJECT PROPOSALS

RESEARCH AND RESTORATION PARTNERS GRANT PROGRAM, FISCAL YEAR 2007, CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

"Research and Restoration Partners Grant" project proposals must be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, Florida 33901, by 5:00 p.m. (local time), Friday, October 27, 2006. "Research and Restoration Partners Grant" project proposals are required to demonstrate a minimum of 50% matching funds from the applicant. The Charlotte Harbor National Estuary Program reserves the right to reject any or all proposals.

OBJECTIVE: The Charlotte Harbor National Estuary Program is considering innovative research and restoration project proposals for fiscal year 2007 (October 1, 2006 – September 30, 2007). Projects must have long-term applicability, transferability and serve as models for addressing NEP priority actions, such as water quality, hydrologic and habitat restoration. The following are examples of projects that the program will consider:

- Restoration of the hydrologic and natural habitat conditions of the study area by such methods as the backfilling of ditches, removal of spoil piles, exotic species removal, planting of native vegetation, mangrove restoration, etc.;
- Reduce contaminants from marina and dock operations;
- Reduce non-point source pollutants associated with storm-water runoff; and
- Identify and map oyster bars to improve fish/ shellfish resource protection.

Projects must advance program objectives and address program priority problems as described in the proposal instructions. All restoration projects must develop and implement a post restoration management plan. All data collection efforts may have to obtain a federally-approved Quality Assurance Project Plan.

INVITATION TO PROPOSE: The program hereby solicits proposals for "Research and Restoration Partners Grant" projects. These grants are for proposal requests for the management conference's guideline of \$20,000 per financially supporting partner. "Research and Restoration Partners Grant" project proposals are required to demonstrate a minimum of 50% in-kind or cash match from the applicant. Any organization or individual can submit a proposal. You or your organization may submit more than one preliminary proposal, but each proposal must be submitted separately and must follow the proposal instructions and requirements. The project

must be located within the program’s study area. The program strongly recommends applicants to attend a “Question-and-Answer” session on December 8, 2006.

REQUESTS FOR INFORMATION AND INSTRUCTION: All requests for information, instructions, and applications for submitting an application must be directed to: Ms. Catherine Corbett, (239)338-2556, ext 241, email: ccorbett@swfrpc.org

HOW TO APPLY: The document “Requests for Research and Restoration Partners Proposals” may be obtained by contacting: Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, (239)338-2556, ext 241, email: ccorbett@swfrpc.org or from the program website at www.chnep.org. The Charlotte Harbor National Estuary Program will receive project proposals for “Research and Restoration Partners” grants until 5:00 p.m. (local time), Friday, October 27, 2006.

DEPARTMENT OF CORRECTIONS

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR PROFESSIONAL ENGINEERING SERVICES**

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of: Julyn Hussey, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm’s specific abilities respective to the particular project’s requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections’ current “Professional Qualifications Supplement” (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form.
2. A reproduction of the firm’s current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.
3. Attach a current copy of the SF330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>.
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.

5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each sub-consultant.
6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm’s project manager and specific services provided in each case.
8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references (none from current or former Department of Corrections personnel) and any other supporting information.

Submit one original letter of interest and four (4) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, (“Consultants’ Competitive Negotiation Act”).

The awarded firm shall not knowingly engage in this project, on a full time, part time or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting, after approval by the Secretary, through the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form. It is the firm’s responsibility to check the website for updated information.

Response Date: October 2, 2006, by 4:00 p.m. Eastern Daylight Time (EDT).

Late submittals will not be opened or considered.

PROJECT: Provide Professional Engineering Services for upgrading and expansion to the Wastewater Treatment Plant and Effluent Disposal/Reuse System at Mayo Correctional

Institution. Scope of work includes Design, Permitting, Bid Phase Services and Construction Administration of the recommended improvements.

PROJECT LOCATION: Mayo Correctional Institution, 8784 U.S. Highway 27, West, Mayo, Florida 32066 is the project site for purposes of the selection process.

PROJECT NUMBER: To Be Determined

ESTIMATED CONSTRUCTION COST: \$2,800,000.

PROJECT ADMINISTRATOR: Terry Knepper, P.E., Professional Engineer Administrator, (850)410-4095.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Florida Workers' Compensation Insurance Guaranty Association is seeking proposals from accounting firms to provide audit and accounting services to the Association. A copy of the Proposal document may be obtained from the Association by writing: Cathy Irvin, FWCIGA, P. O. Box 15159, Tallahassee, FL 32317 or by email crvin@fwciga.org. Requests must be in writing via regular mail, facsimile (850)386-1313 or email. Proposals are due by 4:00 p.m., September 15, 2006.

PETER R. BROWN CONSTRUCTION

Notice of Request for Proposals
 East Lake Tarpon Special Fire Control District
 New Fire Station 57
 Pinellas County
 Palm Harbor, FL

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the East Lake Tarpon Special Fire Control District.

New Fire Station 57 hereby solicits proposals for the following trades for the referenced project in accordance with the proposal documents to include but not limited to the following:

02A	Site Work	07A	Metal Roofing & Soffit	09E	Carpet
02B	Demolition	07B	Insulation	09F	Paint & Concrete Sealer
02C	Fencing (Chain Link)	07C	Waterproofing & Joint Sealants		
02D	Landscape and Irrigation	08A	Doors, Frames, Hardware & Installation	10A	Specialties
03A	Cast-in-Place Concrete Masonry	08B	Coiling Doors	11A	Projection Screens
04A		08D	Aluminum Storefront	11B	Residential Appliances
05A	Miscellaneous Steel Rough	09A	Stucco	15A	Fire Sprinklers
06A	Carpentry Cabinets	09B	Drywall	15B	Plumbing
06B		09C	Ceramic Tile	15C	HVAC
		09D	Acoustical Treatment	16A	Electrical

A pre-proposal meeting will be held at 3:00 p.m., local time; Tuesday September 12, 2006 at the following location:

Eastlake Tarpon Fire Control District
 Fire Station 57
 3375 Tarpon Lake Blvd
 Palm Harbor, FL 34685

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on Thursday September 28, 2006. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All trade contractors must be pre-qualified prior to submitting a proposal. A copy of the pre-qualification form can be received by contacting: Peter R. Brown Construction, Inc., Estimating Department, (727)535-6407, or faxing a letter of interest to (727)539-8485.

Eastlake Tarpon Fire Control District and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available August 28, 2006. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

Eastlake Tarpon Fire Control District and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing by September 14, 2006. The Owner and Architect will not accept calls regarding this project.

BAY COUNTY

Bay County, Florida is seeking Requests for Qualifications from firms and individuals for the development, application, and use of detailed, integrated surface water and ground water computer models to assess a variety of existing and potential conditions in the Deer Point Reservoir and Sand Hills Lakes Watersheds in order to establish scientifically defensible development standards within the subject watersheds. This project will include not only detailed computer modeling, but also the acquisition and assessment of a variety of hydrogeologic, water quality, rainfall, land use and other data for use in the modeling, as well as the development of recommended development standards.

For more information or to request a copy of the Request for Qualifications, please contact: Mr. James Clawson, Bay County Purchasing Department, (850)784-4048, in regard to RFQ 06-52, "Hydrologic Analysis". The deadline to submit a response to this RFQ is October 6, 2006.

FABRE ENGINEERING AND SURVEYING

Separate sealed BIDS for the construction of: Midway Water System, Inc. Radio Read Meter Improvements will be received by Midway Water System, Inc. at the office of Midway Water System, Inc., until 2:00 p.m. (Local Time), on September 14, 2006, then at said office publicly opened and read aloud.

The CONTRACT DOCUMENTS may be examined at the following location:

Fabre Engineering and Surveying
Consulting Engineers
119 Gregory Square
Pensacola, Florida 32502

Questions should be directed to: William V. (Phil) Phillips, II, P.E. or Steven D. White, P.E. at Fabre Engineering and Surveying, (850)433-6438.

Copies of the CONTRACT DOCUMENTS may be obtained at the office of: Fabre Engineering Inc., 119 Gregory Square, Pensacola, Florida 32502, upon payment of \$25.00 for each set. Any unsuccessful BIDDER, and any non-bidder, upon returning the Contract Documents in good condition within 15 days after the bid date, will be refunded \$25.00.

Section XII Miscellaneous

DEPARTMENT OF STATE

The Division of Historical Resources announces that it is soliciting applications for Historic Preservation grants-in-aid assistance for historic preservation projects.

The deadline for filing applications is December 15, 2006 and applications must be delivered to the Bureau of Historic Preservation office by 5:00 p.m. that day, or be clearly postmarked or show evidence of submission to an express mail service on or before that date.

Applications will be reviewed in a public meeting of a Review Board, approved by the Secretary of State and Chaired by a member of the Florida Historical Commission, on March 26-27, 2007, from 9:00 a.m. – 5:00 p.m., in the R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida.

Further information may be accessed online at: <http://www.flheritage.com/grants/preservation/>, by writing Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, 4th Floor, Tallahassee, Florida 32399-0250 or calling 1(800)847-7278.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Precision Concepts, Inc., d/b/a Precision Cycle Works, intends to allow the establishment of Citrus Motorsports, Inc., as a dealership for the sale of Precision motorcycles, at 7800 West Gulf to Lake Highway, Crystal River (Citrus County), Florida 34429, on or after August 25, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Citrus Motorsports, Inc., are dealer operator(s): Allan Pope, 7800 West Gulf to Lake Highway,

Crystal River, Florida 34429; principal investor(s): Allan Pope, 7800 West Gulf to Lake Highway, Crystal River, Florida 34429.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Len Ferry, Controller, Precision Concepts, Inc., d/b/a Precision Cycle Works, 1342 Prospect Drive, Caro, Michigan 48723.

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 (2005), JMSTAR Powersports, Inc., intends to allow the establishment of The Platinum Company of Hollywood, Inc., as a dealership for the sale of JMSTAR and Kaitong motorcycles at 2423 South State Road 7, Hollywood (Broward County), Florida 33023, on or after August 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of The Platinum Company of Hollywood, Inc., are dealer operator(s): Keith Stewart, 2423 South State Road 7, Hollywood, Florida 33023; principal investor(s): Keith Stewart, 2423 South State Road 7, Hollywood, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yenong Xie, President, JMSTAR Powersports, Inc., 400 Northwest 141st Avenue, #207, Pembroke Pines, Florida 33028.

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 (2005), Mod Cycles Corporation intends to allow the establishment of Mad Dog Motorsports as a dealership for the sale of Zhejiang (ZHEJ) and Zongshen (ZONG) motorcycles at 4400 10th Avenue North, Lake Worth (Palm Beach County), Florida 33461, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Mad Dog Motorsports are dealer operator(s): Sal Napoli, 4400 10th Avenue North, Lake Worth, Florida 33461; principal investor(s): Sal Napoli, 4400 10th Avenue North, Lake Worth, Florida 33461.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Patricia Torres, Mod Cycles Corporation, 7547 Northwest 52nd Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), JMSTAR Powersports, Inc., intends to allow the establishment of R. M. Scooters, Inc., as a dealership for the sale of Kaitong motorcycles at 510 North Dixie Highway, Hollywood (Broward County), Florida 33020, on or after August 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of R. M. Scooters, Inc., are dealer operator(s): Reynaldo Muniz, 510 North Dixie Highway, Hollywood, Florida 33020; principal investor(s): Reynaldo Muniz, 510 North Dixie Highway, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, License Section,

Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yenong Xie, President, JMSTAR Powersports, Inc., 400 Northwest 141st Avenue, #207, Pembroke Pines, Florida 33028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

NOTICE IS HEREBY GIVEN that the Central Florida Regional Planning Council is providing public review and comment on the Economic Development Comprehensive Economic Development Strategy (CEDS). The CEDS covers the counties of Desoto Hardee, Highlands Okeechobee and Polk. This economic development plan is funded by the U.S. Department of Commerce, Economic Development Administration. The CEDS may be viewed in it's entirety at: http://cfrpc.org/pdf/cfrpc_ceds2006.pdf

Comments may be directed in writing to: Patricia M. Steed, Executive Director, Central Florida Regional Planning Council, P. O. Box 2089, Bartow, FL 33830 or to Ms. Steed, (863)534-7130, ext. 130.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY
FLORIDA FINDING OF NO SIGNIFICANT IMPACT
NOTIFICATION, CITY OF INVERNESS, FLORIDA

The Department of Environmental Protection has determined that the proposed City of Inverness' wastewater facilities will not have a significant adverse affect on the environment. The proposed project consists of upgrading the Inverness Wastewater Treatment Plant and constructing transmission mains to convey reclaimed water to the Inverness Golf and Country Club and the Holden Community Park. The proposed project cost is estimated at \$12,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. A full copy of the Florida Finding of No Significant Impact Notification can be obtained by writing to: James W. Plexico, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

NOTICE OF PUBLIC OPPORTUNITY
TO COMMENT ON GEOLOGICAL / GEOPHYSICAL
PERMIT APPLICATION FOR FEDERAL WATERS
OFFSHORE FLORIDA'S WEST COAST

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by Global Geo Services, to collect data in federal waters offshore Florida, was received by the State of Florida. Proposed activities include collecting seismic, magnetic and gravity data in deep water areas of the eastern Gulf of Mexico.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000; phone (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program are being solicited and should be submitted to FDEP, at the address listed above, by September 22, 2006. Contact: Shana Kinsey or Debby Tucker, (850)245-2163; email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

NOTICE OF INTENT TO ISSUE VARIANCE

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0144913-007) to PCS Phosphate – White Springs (PCS), Post Office Box 300, White Springs, Florida 32096 under Section 378.212, Florida Statutes (F.S.), from the provisions of

Section 378.209(1), F.S., and paragraph 62C-16.0051(12)(b), Florida Administrative Code (F.A.C.) on 38 acres of mined, contouring not completed lands within the Hamilton County Mine. The variance is from the time period for reclamation following the completion of mining operations.

Section 378.209(1), F.S. requires that reclamation and restoration be completed within two years of the actual completion of mining operations. As PCS plans to resume mining in the mined, contouring not completed areas, and any reclamation performed on the mined, contouring not completed areas would be re-disturbed by future mining operations, PCS sought approval of a variance under Section 378.212, F.S., to the time period for reclamation required by Section 378.209(1), F.S., and paragraph 62C-16.0051(12)(b), F.A.C.

The Department has determined that since immediate reclamation performed on the subject areas would likely be redisturbed by future mining operations, there exists sufficient justification for allowing a temporary delay in the time period for reclamation of the 38 acres of mined, contouring not completed lands within reclamation programs SR-82(3)(A), SR*8816(A), and SR*8715(A). The term of the variance will be until January 1, 2013, unless a later date is approved in writing by the Department.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the: Florida Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines

noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 378.212, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative

hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569, and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under paragraphs 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68 F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a

copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted a revision to an existing policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html (note new Website location).

Central Communications Center (department-wide policy type B) – The Central Communications Center (CCC) shall provide a service to DJJ, Provider, and Grant facilities, programs and sites in maintaining a safe environment for the treatment, care, and provision of services to youths juveniles. These procedures establish guidelines to assure that accurate information is disseminated to and from the Central Communications Center and to track and document action related to incidents telephoned to the CCC. The CCC activities will be conducted 24 hours a day, 7 days a week, in a user friendly manner, with an emphasis on assisting DJJ, Provider, and Grant staff in the relay of information related to the care, safety, and humane treatment of all youths juveniles served by DJJ, Providers, or Grantees.

This policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on this policy of September 29, 2006. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On August 14, 2006, 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 Sherry Ann Evans, L.P.N. license number PN 5150049. 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.

On August 14, 2006, 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 Robert Jack Bennett, R.N. license number PN 1516432. 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.

On August 18, 2006, 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 Siobhan F. Linder, C.N.A. license number CNA 92926. 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

AVAILABILITY OF GRANT FUNDS FOR LOCAL GOVERNMENTS

The Florida Fish and Wildlife Conservation Commission is accepting applications for grant funding through the Boating Infrastructure Grant Program for fiscal year 2006-07. The deadline for receiving applications is 5:00 p.m., October 10. Applications received after the deadline will be ineligible for consideration. A copy of the application and procedure guide

may be downloaded from the web site: <http://myfwc.com/boating/grants/bigp.htm>. For more information, send email to bigp@fwc.state.fl.us, or phone (850)488-5600.

FINANCIAL SERVICE COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following applications. 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, Division of Financial Institutions, 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., September 22, 2006):

**APPLICATION TO ORGANIZE A SUCCESSOR
INSTITUTION AND BANK MERGER**

Constituent Institutions: Cornerstone Interim Company (In Organization), and Cornerstone Community Bank, St. Petersburg, Florida

Resulting Bank: Cornerstone Interim Company (In Organization)

With Title: Cornerstone Community Bank

Received: August 15, 2006

APPLICATION TO MERGE

Constituent Institutions: Cornerstone Community Bank, St. Petersburg, Florida and Cornerstone Interim Company (In Organization), St. Petersburg, Florida

Resulting Institution: Cornerstone Community Bank

Received: August 15, 2006

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN August 14, 2006
 and August 18, 2006**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

Florida Institute of Phosphate Research

6J-1.001	8/16/06	9/5/06	32/26	
6J-1.002	8/16/06	9/5/06	32/26	
6J-1.004	8/16/06	9/5/06	32/26	
6J-1.005	8/16/06	9/5/06	32/26	
6J-1.006	8/16/06	9/5/06	32/26	
6J-1.007	8/16/06	9/5/06	32/26	

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19-8.013	8/16/06	9/5/06	32/26	

DEPARTMENT OF CORRECTIONS

33-208.504	8/16/06	9/5/06	32/20	32/28
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Cosmetology

61G5-20.002	8/17/06	9/6/06	32/26	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	8/17/06	9/6/06	32/21	32/29
62-204.800	8/15/06	9/4/06	32/21	32/29

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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62-210.200	8/15/06	9/4/06	32/21	
62-210.200	8/17/06	9/6/06	32/21	
62-296.470	8/15/06	9/4/06	32/21	32/29
62-296.480	8/17/06	9/6/06	32/21	32/29

DEPARTMENT OF HEALTH

Board of Acupuncture

64B1-3.001	8/17/06	9/6/06	32/18	32/27
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Board of Nursing

64B9-6.004	8/15/06	9/4/06	32/28	
64B9-7.001	8/15/06	9/4/06	32/28	

Board of Nursing Home Administrators

64B10-16.007	8/15/06	9/4/06	32/24	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

69B-220.001	8/14/06	9/3/06	32/25	
69B-220.051	8/14/06	9/3/06	32/25	
69B-220.201	8/14/06	9/3/06	32/25	

Division of Finance

69V-560.303	8/15/06	9/4/06	32/20	
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