

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.717 RULE TITLE: Visiting Denial

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide that permission to visit shall be denied where an individual's criminal record demonstrates the a release from incarceration for a felony conviction within the last two years, a release from incarceration for felony conviction within the last five years if the individual was incarcerated in the facility in which visitation is requested, or a release from incarceration for a misdemeanor conviction within the last one year.

SUBJECT AREA TO BE ADDRESSED: Visitation.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.717 Visiting Denial.

(1) through (4) No change.

(5) Any person shall be denied permission to visit based upon the following criteria:

(a) through (b) No change.

(c) The nature and extent of the individual's criminal record, consideration of which includes:

1. Release from incarceration in any jurisdiction for a felony conviction within the last two years if the prospective visitor was not incarcerated at any time in the facility in which visitation is requested. Felony convictions for drug offenses within the last 5 years, convictions for violent felony offenses within the last 3 years' convictions for non-violent offenses

~~within the last 2 years, withholds of adjudication, adjudications of delinquency, active warrant, and criminal history dispositions in any jurisdiction.~~

2. Release from incarceration for a felony conviction within the last five years if the prospective visitor was incarcerated at any time in the facility in which visitation is requested. If an inmate transfer results in visitation in a facility in which an approved visitor was previously incarcerated and released within the last five years, the warden shall, on a case by case basis, determine if the approved visitor shall be allowed to visit, if the visitor was released from incarceration within the last five years. Factors to be considered shall include, but are not limited to, the visitor's adjustment during incarceration, the relationship of the inmate to the visitor, institutional security, and public safety.

3. Release from incarceration in any jurisdiction for a misdemeanor conviction within the last one year;

4. Termination from community supervision in any jurisdiction within the past one year.

5. If the disposition of an arrest is not reflected, the disposition shall be ascertained prior to approval of the application. If additional documentation of the charge is necessary, the prospective visitor shall be responsible for providing official documentation of the disposition or circumstances of the offense in question;

~~2. Community supervision and prior incarceration in any jurisdiction.~~

(d) through (l) No change.

(6) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706, 33-601.707, Amended 5-27-02, 9-29-03, 6-15-06,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.205 RULE TITLE: Inmate Telephone Use

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC6-223, Inmate Telephone Agreement and Number List, to clarify the use of the form to make additions/changes to the inmate telephone number list.

SUBJECT AREA TO BE ADDRESSED: Inmate telephone use.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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:

33-602.205 Inmate Telephone Use.

(1) No change.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is 11-25-04.

(c) through (l) No change.

(3) through (15) No change.

Specific Authority 944.09 FS. Law Implemented ~~20-315~~, 944.09 FS. History--New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, 6-18-02, 2-4-03, 12-30-03, 11-25-04,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40D-1 Procedural

RULE NO.: RULE TITLE:

40D-1.607 Permit Processing Fee

PURPOSE AND EFFECT: The proposed amendments to Rule 40D-1.607, F.A.C., address two issues. First, Part IV, Chapter 373, F.S., requires that impacts to other surface waters be considered with impacts to wetlands in evaluating the effect of a proposed activity. Subsection 40D-1.607(1), F.A.C., currently references the consideration of impacts to wetlands, but not other surface waters, in determining an appropriate permit application fee. The proposed amendments will correct this oversight. Second, the amendments will waive the application fee for formal wetland determinations when an application that has been denied or withdrawn is resubmitted within 12 months, and the application is substantially similar to the denied or withdrawn petition. A similar fee waiver is currently authorized for Environmental Resource Permit and Water Use Permit applicants.

SUBJECT AREA TO BE ADDRESSED: The amendment of Rule 40D-1.607, F.A.C., revises the permit application processing fee thresholds for Environmental Resource Permits to more accurately reflect statutory requirements and creates a fee waiver for certain petitions for formal wetland determinations filed pursuant to District rules.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.421(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651. The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.607 Permit Processing Fee.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. These fees are assessed in order to defray the cost of evaluating, processing, advertising, mailing, compliance monitoring and inspection, required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure to pay the application fees established herein is grounds for the denial of an application or revocation of a permit. The District's permit application processing fees are as follows:

(1) Environmental Resource or Management and Storage of Surface Waters Permit Applications.

(a) The fee for a permit application for activities reviewed pursuant to Chapters 40D-4, 40D-40, and 40D-400, F.A.C., are as follows:

- 1. through 9. No change.
- 10. Application for General Permit for an activity which has less than 10 acres of project area and impacts 5,000 square feet or less of wetlands or other surface waters \$800.00
- 11. Application for permit modification for an activity which has less than 10 acres of project area and impacts 5,000 square feet or less of wetlands or other surface waters \$400.00
- 12. through 14. No change.
- (b) through (c) No change.
- (2) through (5) No change.

(6) Petition for Formal Determination of Wetlands and other Surface Waters ~~for~~.

(a) The fees for Petitions for Formal Determination of Wetlands and Other Surface Waters are as follows, for:

- 1. property less than or equal to 1 acre\$250.00
- ~~(b)~~2. Property greater than 1 acre but less than or equal to 10 acres\$550.00
- ~~(c)~~3. Property greater than 10 acres but less than or equal to 40 acres\$750.00
- ~~(d)~~4. Property greater than 40 acres but less than or equal to 120 acres\$1500.00
- ~~(e)~~1-5. Property greater than 120 acres\$1500.00
- 2-(i.) For each additional 100 acres or portion thereof\$200.00
- ~~(f)~~6. Renewal of formal wetland determinations\$250.00

(b) For the validation of informal, non-binding wetland determinations pursuant to Section 373.421(6), F.S., the fees shall be the same as formal determinations listed above.

(c) Any resubmittal of a petition for formal determination of wetlands and other surface waters that was denied or withdrawn within the preceding twelve months, provided it is substantially similar to the denied or withdrawn petition, is exempt from the fees identified in paragraph (a).

(7) through (11) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.109, 373.421(2) FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 7-21-77, Formerly 16J-0.111, Amended 10-1-88, 1-22-90, 12-27-90, 11-16-92, 1-11-93, 3-23-94, Formerly 40D-0.201, Amended 12-22-94, 10-19-95, 3-31-96, 7-23-96, 10-16-96, 10-26-00 3-15-01, 9-26-02, 8-7-03, 6-5-05,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
40D-4 Individual Environmental Resource Permits

RULE NO.: RULE TITLE:
40D-4.021 Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the definitions of General and Individual Environmental Resource Permits. Subsection 373.118(1), Florida Statutes (F.S.), authorizes the District to adopt rules establishing a general permit system for those projects or categories of projects that either singly or cumulatively have a minimal adverse impact on the water resources of the District. Subsection 373.811(4), F.S., authorizes delegation of the powers and duties relative to such general permits to designated staff. However, the statute further requires that when delegating authority to take final action on applications for general permits under Parts II or IV of Chapter 373, F.S., the Governing Board must provide a

process for referring any denial of such an application to the Governing Board for final action. District staff is no longer delegated the authority to deny applications for general permits and all such denials must go to the Governing Board for final approval. The proposed amendments will reflect this change in the District’s rules.

SUBJECT AREA TO BE ADDRESSED: The definitions of General and Individual Environmental Resource Permits to remove references to the authority of District staff to deny applications for such permits.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.403, 373.413 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651. The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.021 Definitions.

When used in this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) through (8) No change.

(9) “General Permit” means a ~~an~~ General Environmental Resource Permit, as described in Chapters 40D-4 and 40D-40, F.A.C that may be issued or denied by District staff.

(10) “Individual Permit” means an Individual Environmental Resource Permit, as described in Chapter 40D-4, F.A.C., issued by the District Governing Board.

(11) No change.

(12) “Noticed General Permit” means a ~~an~~ Noticed General Environmental Resource Permit, as described in Chapters 40D-4 and 40D-400, F.A.C that may be issued or denied by District staff.

(13) through (22) No change.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171, F.S. Law Implemented 373.403, 373.413, F.S. History—Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: 40D-4
 RULE CHAPTER TITLE: Individual Environmental Resource Permits
 RULE NO.: 40D-4.091
 RULE TITLE: Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of the proposed revisions is to incorporate into the District’s rules a revised and updated operating agreement between the District and the Department of Environmental Protection (DEP) regarding the division of responsibility for evaluating activities that require a permit under Part IV, Chapter 373, Florida Statutes (F.S.).

SUBJECT AREA TO BE ADDRESSED: Incorporation into Chapter 4 of the District’s rules the revised and updated operating agreement between the District and DEP regarding the division of responsibility for evaluating activities that require a permit under Part IV, Chapter 373, Florida Statutes.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 272.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651. The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

- (1) No change.
- (2) Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., ~~and Aquaculture General Permits Under Section 403.814, F.S., Between Southwest Florida Water Management District and Department of Environmental Protection, dated _____ October 27, 1998.~~ This document is available from the District upon request.

(3) through (5) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 272.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 FS. History–New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06_____.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Six Mile Creek Community Development District

RULE CHAPTER NO.: 42GGG-1
 RULE CHAPTER TITLE: Six Mile Creek Community Development District
 RULE NOS.: 42GGG-1.001, 42GGG-1.002, 42GGG-1.003
 RULE TITLES: Establishment, Boundary, Supervisors

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (“CDD”), the Six Mile Creek Community Development District (“District”), pursuant to Chapter 190, F.S. The petition filed by Six Mile Creek Venture, LLC, requests the Commission establish a community development district located entirely within the unincorporated limits of St. Johns County, Florida. A Notice of Receipt of Petition for the Six Mile Creek Community Development District was published in the June 30, 2006, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District comprises approximately 1,282.15 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. The proposed land area is east of Joe Ashton Road, north of County Road 208, west of Pacetti Road and south of the intersection of Pacetti Road and State Road 16. There is one excluded parcel within the boundary of the proposed District at 5405 S.R. 16, St. Augustine, Florida. No adverse impacts on the excluded parcel are anticipated. The Petitioner either owns or has written consent to establish the District from the owners of 100% of the real property located within the proposed District. The development plan for the District includes construction of approximately 2,278 units of single family detached, single family attached units and multi-family housing. The District contemplates providing certain master infrastructure improvements within the boundaries to include roadway improvements to Pacetti Road and Loop Road, utility infrastructure improvements including water main and force main on Pacetti Road and a water main interconnection, recreation and security improvements including entry feature, landscaping and a guard house, and neighborhood infrastructure including lift stations and force mains, drainage, neighborhood roadways, street lighting and neighborhood parks.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Six Mile Creek Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY, 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: Monday, November 6, 2006, 10:00 a.m.

PLACE: Room 2107, The Capitol, Tallahassee, Florida 32399-0001

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, Telephone (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE CHAPTER NO.: RULE CHAPTER TITLE:

58C-1 Community Care for the Elderly

RULE NO.: RULE TITLE:

58C-1.006 Standards for Lead Agency Exemption from the Competitive Bid Process

PURPOSE AND EFFECT: The purpose of the proposed rule is to develop minimum standards to exempt Community Care for the Elderly (CCE) lead agencies from the required competitive bidding process.

SUBJECT AREA TO BE ADDRESSED: The establishment of minimum standards for the exemption of CCE lead agency contracted providers from the competitive bid process.

SPECIFIC AUTHORITY: 430.08, 430.203(9)(b) FS.

LAW IMPLEMENTED: 430.203(9)(b) FS.

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

DATE AND TIME: October 25, 2006, 9:30 a.m. – 12:00 Noon

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399, Telephone number (850)414-2000

Pursuant to the provisions of 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 crocethj@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 crocethj@elderaffairs.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58C-1.006 Standards for Lead Agency Exemption from the Competitive Bid Process.

In order to achieve the maximum amount of services delivered to the greatest number of elders, achieve the highest quality of care provided, and achieve both results most cost-effectively, the competitive bid process is the preferred method for the selection of CCE lead agencies. However, an area agency on aging may exempt a CCE lead agency (hereafter referred to as "lead agency") from the competitive bid process for a subsequent contract cycle (a cycle consists of 3 years) if the AAA is able to demonstrate by written, verified documentation that the lead agency has met the conditions listed in the following subsections during its last two contract cycles. As part of its monitoring process, the department shall include review of the verified documentation that led the AAA to make the determination to exempt a lead agency from the competitive bid process.

(1) SUBSTANTIAL COMPLIANCE.

The lead agency shall have demonstrated substantial compliance with all state, federal, and contractual requirements. Substantial compliance is defined as having no deficiencies, or deficiencies identified that result in no actual harm, or deficiencies identified with potential for only minimal harm to the health, safety, and welfare of clients or to the operations of the aging service programs.

(2) CONSUMER OUTCOME MEASURES.

The lead agency shall have developed written procedures to successfully implement measurable consumer outcomes directed at:

- (a) Maintaining clients in the least restrictive settings;
- (b) Targeting high-risk clients;
- (c) Improving quality of life;
- (d) Improving or maintaining functional status;

(e) Helping elders to live in a safe home environment;

(f) Improving nutritional status of elders; and

(g) Assisting caregivers to continue providing care.

(3) COST-EFFICIENCY. The lead agency shall have demonstrated:

(a) Maximum efficiency in minimizing administrative costs and effectively budgeting case management costs, increasing funds available for core services, and actively seeking all community resources available;

(b) Capability of utilizing other funding sources available before utilizing CCE funds;

(c) Sound fiscal and management practices. An independent, certified accounting firm may provide this documentation in writing; and

(d) Development and effective implementation of detailed written fiscal policies and procedures.

(4) PROVISION OF SERVICES. The lead agency shall have:

(a) Developed detailed written procedures and demonstrated the capability to accept referrals, provide case management, and coordinate or provide core services throughout the entire designated community care services area;

(b) Developed detailed written procedures and demonstrated the capability for intake, initial screening, eligibility determination, prioritization, and referral;

(c) Demonstrated the ability to provide optional service component(s) in addition to core services.

(d) Developed detailed written procedures and performed monitoring activities to ensure that all lead agency employees, volunteers, and service providers adhere to standards of confidentiality and disclosure of client information as required by federal and state laws and regulations.

(e) Developed detailed written procedures for and have demonstrated the ability to complete comprehensive client assessments through determination of risk level, functional status, and establishing service needs.

(f) Developed detailed written procedures for:

1. Emergency and disaster preparedness; and

2. Providing services during and after emergency and disaster situations and demonstration of the capability to provide these services (if applicable).

(g) Developed detailed written grievance and complaint procedures for clients and service providers, and demonstrated compliance with these procedures.

(h) Developed and implemented written procedures for voter registration and have demonstrated the ability to encourage elders to register to vote.

(5) TRAINING REQUIREMENTS.

In addition to any other training requirements, at a minimum, the lead agency shall have:

(a) Developed procedures for and ensured that all direct care staff and volunteers received pre-service, in-service, and annual continuing education training; and

(b) Ensured that in-service and continuing education training included topics related to Alzheimer's disease and related disorders and at least two other topics related to the care of the elderly and the aging process that is appropriate to the service provided.

(6) PROVIDER SANCTIONS. The lead agency shall have:

(a) Developed procedures for the implementation of provider sanctions for failure to comply with state, federal, or contractual requirements; and

(b) Demonstrated uniform and consistent application of its sanctioning procedures.

(7) CASE MANAGEMENT. The lead agency shall have developed:

(a) Detailed written procedures for and have monitored case management activities to ensure that case managers:

1. Complete comprehensive client assessments that determine risk level, functional status, and establish service need;

2. Develop care plans to meet individual client needs;

3. Serve as client advocates by seeking services from all community resources in addition to traditional service providers; and

4. Monitor the quality, timeliness, appropriateness, and cost of client services.

(b) Detailed written procedures for monitoring the quality of service delivery and have demonstrated its case managers' ability to manage client care plans.

(c) Detailed written procedures outlining the method for credentialing and re-credentialing case managers pursuant to subparagraph (10)(c)10. of this rule.

(8) ACCESSIBILITY. The lead agency shall have demonstrated accessibility by:

(a) Ensuring on-call case management services are available on evenings, weekends, holidays, and emergencies;

(b) Responding within 72 hours to Adult Protective Services referrals classified as high risk and in need of services to prevent further harm;

(c) Responding to referrals for persons at imminent risk of institutional placement; and

(d) Serving targeted groups as established in the AAA's area plan.

(9) CONTINUOUS QUALITY IMPROVEMENT. The lead agency shall have demonstrated the ability for continuous quality improvement by effectively and efficiently:

(a) Practicing innovative approaches to program management, staff training, and service delivery that promote cost-avoidance, cost-effectiveness, and program efficiency;

(b) Providing access to a continuum of care encompassing a full range of preventive, maintenance, and restorative services for functionally impaired elderly persons; and

(c) Utilizing feed back from persons served, stakeholders, and its quality assurance measures referenced in subsection (10) of this rule.

(10) QUALITY ASSURANCE PROGRAM: The AAA or a recognized entity specializing in the development of quality assurance programs shall document in writing that the current lead agency meets the provisions of this subsection.

(a) The lead agency shall have developed and demonstrated the operations of a quality assurance program that:

1. Enhances clients' quality of life and care based on outcomes of the care plan and client satisfaction;

2. Emphasizes quality client outcomes, including preventing or delaying placement in an institutional setting;

3. Focuses on clients' abilities to attain or maintain their highest practicable mental, physical, and psychosocial well being; and

4. Promotes coordinated services that best suit clients' needs.

(b) The program shall have included a system to identify and prioritize problem areas for resolution and a process to design and implement strategies to resolve identified problems. At a minimum, the system shall have a:

1. Process for changing the current quality assurance program as needed;

2. Protocol that requires the active involvement of the lead agency director, a designated quality assurance director, and staff;

3. Protocol that requires its subcontractors to participate in joint quality assurance program efforts; and

4. Description of the mechanism for measuring the success of quality assurance strategies, implementations, and for providing feedback to all involved in the program.

(c) The program shall have included at least the following elements:

1. An appointed quality assurance director;

2. An active quality assurance committee;

3. A written description of the program;

4. A continuity of care and services plan, including remedies for instances where the lead agency or subcontractor is unable to carry out its duties and responsibilities for client care and service provisions;

5. Written responsibilities for monitoring, evaluating, and improving care;

6. Written procedures for quality assurance program supervision;

7. Documentation of adequate resources to carry out the program's specified activities effectively;

8. Written procedures for staff participation in the program;

9. Written procedures for delegation of quality assurance responsibilities to designated personnel;

10. Written procedures for credentialing and re-credentialing case managers that must include required training;

11. Written procedures for informing clients about their rights and responsibilities;

12. Written procedures to ensure the availability of and the accessibility to services and care throughout the community care service area;

13. Written procedures to ensure the accessibility and availability of records, as well as proper record keeping, and a process for record review;

14. Written procedures for utilization review;

15. Written procedures for quality assurance program documentation; and

16. Written procedures for coordination of quality assurance activities with other lead agency management activities.

(d) The lead agency shall have demonstrated an active quality assurance committee. The committee shall be responsible for at least the following tasks:

1. Overseeing the quality of life and care indicators such as the degree of personal autonomy, provision of services and support systems to assist clients in exercising medical and social choices, self-direction of care, and maximum use of natural support networks;

2. Reviewing grievances identified through formal and informal complaint procedures and through external oversight;

3. Reviewing case records and documentation of all internal complaint/grievance steps;

4. Reviewing quality assurance policies, standards, and written procedures to ensure that they adequately address the needs of clients;

5. Reviewing client utilization of services with adverse or unexpected outcomes;

6. Developing and periodically reviewing written policies and procedures on areas of concern;

7. Reviewing ethical issues and questions such as end-of-life decisions and advance directives; and

8. Developing a system of peer review.

(e) The lead agency shall have conducted quality of care reviews to monitor the quality, appropriateness, and effectiveness of client care at least quarterly. The reviews shall have included clients who received services in the previous quarter.

1. At a minimum, the reviews shall include:

a. Targeted specific conditions and health service delivery issues appropriate to clients for a focused monitoring and evaluation;

b. Generally accepted practice guidelines to objectively evaluate health services delivery issues and the care the case manager delivered or failed to deliver;

c. Quality indicators derived from the practice guidelines to screen and monitor care and services delivered; and

d. Selection of conditions and issues to study on client profile data.

2. The elements for review shall include the following:

a. Management of the client’s diagnosis as noted in the client assessment section of Form 701B;

b. Appropriateness and timeliness of care;

c. Comprehensiveness of and compliance with the plan of care; and

d. Evidence of special screening for, and monitoring of, high-risk persons and conditions.

Specific Authority 430.203(b) FS. Law Implemented 430.203(b) FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.260
RULE TITLE: Prescribed Pediatric Extended Care Services

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Prescribed Pediatric Extended Care Services Coverage and Limitations Handbook, February 2007. The handbook revisions include the revised service authorization policies and fee increases. The effect will be to incorporate by reference in the rule the Florida Medicaid Prescribed Pediatric Extended Care Services Coverage and Limitations Handbook, February 2007.

SUBJECT AREA TO BE ADDRESSED: Prescribed Pediatric Extended Care Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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, October 31, 2006, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Core, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7310

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.260 Prescribed Pediatric Extended Care Services.

(1) No change.

(2) All Medicaid enrolled prescribed pediatric extended care service providers must be in compliance with the Florida Medicaid Prescribed Pediatric Extended Care Services Coverage and Limitations Handbook, February 2007 ~~October 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent’s website at <http://floridamedicaid.acs-inc.com> ~~agent~~. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History–New 8-27-91, Amended 4-21-92, 3-9-93, Formerly 10C-7.0471, Amended 2-11-96, 2-22-00, 5-11-04, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-5.020
RULE TITLE: Provider Requirements

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Provider General Handbook, January 2007. The major handbook revisions include updated information on Medicaid’s managed care plans, enrollment policy changes as a result of the National Provider Identifier (NPI), and the revised newborn enrollment policy for HMOs. In addition, the revised handbook includes policy clarifications and updated statutory references, definitions, and addresses and phone numbers.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON 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: Monday, October 30, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg 3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Girard, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)488-9711

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

(1) All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, ~~January 2007~~ ~~October 2003~~, ~~updated January 2004~~, which is incorporated by reference and available from the fiscal agent's website at <http://floridamedicaid.acs-inc.com> agent. ~~Click on Provider Support, and then on Handbooks agent.~~ Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

(2) The following forms that are included in the Florida Medicaid Provider General Handbook are incorporated by reference: ~~IRO5-07/2001, State of Florida, Provider Inquiry Form, Florida Medicaid Program~~; Temporary Emergency Medicaid Identification Form, January ~~2007~~ ~~2004~~; CF-ES 2681, Feb 2003, Notice and Proof of Presumptive Eligibility for Medicaid for Pregnant Women; CF-ES Form 1014, Feb 2003, Authorization for Medicaid/Medikids Eligibility; Unborn Activation Form, January ~~2007~~ ~~2004~~; CF-ES 2039, Sep 2002, Medical Assistance Referral; CTEC-07, Revised 03/2003, Crossover with TPL Claim and/or Adjustment Form; and ACS Florida Medicaid Claims Order Form, January ~~2007~~ ~~2004~~. The CF-ES forms are available from the Department of Children and Family Services. The other forms are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> agent. ~~Click on Provider Support, and then on Handbooks agent.~~ Paper copies of the forms may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History--New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, 1-19-05,_____.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: 59G-13.081
RULE TITLE: Developmental Disabilities Waiver Provider Rate Table

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007. The effect will be to incorporate the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007, into rule. The draft rate table is available from Pam Kyllonen at kyllonep@ahca.myflorida.com.

SUBJECT AREA TO BE ADDRESSED: Developmental Disabilities Waiver Provider Rate Table.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON 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: Monday, October 30, 2006, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT IS: Pam Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.081 Developmental Disabilities Waiver Provider Rate Table.

(1) No change.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Provider Rate Table, ~~January 1, 2007~~ ~~November 2003~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. ~~Click on Provider Support, and then on Fees agent and.~~ Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History--New 5-29-06, Amended_____.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE CHAPTER NO.: 60BB-2
RULE CHAPTER TITLE: Forms and Employing Unit Records

PURPOSE AND EFFECT: These rule amendments prescribe a new form by which employers may designate a power of attorney in unemployment tax matters, replacing the current power of attorney form.

SUBJECT AREA TO BE ADDRESSED: Unemployment Compensation Tax.

SPECIFIC AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.071(2), (3), 443.141(2), 443.171 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, IF AVAILABLE, IS: John R. Perry, Senior Attorney, Agency for Workforce

Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE CHAPTER NO.: RULE CHAPTER TITLE:
60BB-3 Unemployment Compensation
Claims and Benefits

PURPOSE AND EFFECT: The rule amendments set forth in this Notice of Proposed Rule Development clarify the procedures and policy relating to filing initial and additional claims for benefits, reopening previously filed claims for benefits, continued claims for benefits, monetary and nonmonetary determinations, and short time compensation.

SUBJECT AREA TO BE ADDRESSED: Unemployment Compensation Claims and Benefits.

SPECIFIC AUTHORITY: 443.1317(1)(b) FS.

LAWS IMPLEMENTED: 443.091, 443.101, 443.111, 443.1116, 443.151, 443.171, 443.221 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, IF AVAILABLE, IS: John R. Perry, Senior Attorney, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NO.: RULE TITLE:
61B-17.001 Developer, Filing

PURPOSE AND EFFECT: This rule amendment will require that all developers file proposed purchaser documents electronically with the Division of Florida Land Sales, Condominiums and Mobile Homes for review, subject to exceptions for technological unavailability, expense, and other factors. An electronic format will facilitate and expedite the division's review process and will provide benefits including cost reduction in document retention and retrieval in response to Chapter 119, F.S., requests. An electronic format will also

provide cost reductions to developers in that CD's are considerably less expensive than printed documents and will facilitate ease of storage.

SUBJECT AREA TO BE ADDRESSED: This rule amendment will require the electronic filing of proposed condominium documents with the division for review purposes.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.502(1)(c) FS.

LAW IMPLEMENTED: 718.103(14), 718.104, 718.403, 718.502, 718.504(20) 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.

DATE AND TIME: October 30, 2006, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:
61G14-19.001 Percentage of Gross Pilotage
Assessed

PURPOSE AND EFFECT: The Board proposes to review the existing language in the rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage to be assessed.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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, Board of Pilot Commissioners, 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.: 61G19-6.016 RULE TITLE: Voluntary Certification Categories
PURPOSE AND EFFECT: The proposed rule amendment updates and provides modifications relating to voluntary certification categories.
SUBJECT AREA TO BE ADDRESSED: Voluntary Certification Categories.
SPECIFIC AUTHORITY: 468.606, 468.609(10) FS.
LAW IMPLEMENTED: 468.609(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, 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

Board of Accountancy

RULE NO.: 61H1-29.003 RULE TITLE: Experience for Licensure by Endorsement
PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.
SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.
SPECIFIC AUTHORITY: 473.304, 473.308 FS.
LAW IMPLEMENTED: 473.308 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: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.006 RULE TITLE: Inactive Florida Certified Public Accountants Who Desire to Become Active Licensees
PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.
SUBJECT AREA TO BE ADDRESSED: Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.
SPECIFIC AUTHORITY: 455.271, 473.304, 473.311, 473.312, 473.313 FS.
LAW IMPLEMENTED: 455.271, 473.311, 473.312, 473.313, 473.323(l)(i) 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: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.:	RULE TITLE:
64B4-31.007	Definition of a "Licensed Mental Health Counselor, or the Equivalent, Who is a Qualified Supervisor."

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the meaning of "accredited" and to expand who can serve as a qualified supervisor.

SUBJECT AREA TO BE ADDRESSED: Definition of a licensed mental health counselor or the equivalent, and who is a qualified supervisor.

SPECIFIC AUTHORITY: 491.004(5), 491.005(4)(c) FS.

LAW IMPLEMENTED: 491.005(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 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-2.014	Licensure Requirements for Applicants from Accredited Schools or Colleges
64B5-2.0146	Licensure Requirements for Applicants from Non-Accredited Schools or Colleges
64B5-2.0148	Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records are Unavailable

PURPOSE AND EFFECT: The purpose and effect for Rule 64B5-2.014, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses. The purpose and effect for Rule 64B5-2.0146, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic

violence. The purpose and effect for Rule 64B5-2.0148, F.A.C., is to change the rule language to comply with examination requirement in Section 466.006, F.S.

SUBJECT AREA TO BE ADDRESSED: Licensure Requirements for Applicants from Accredited Schools or Colleges; Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges; Licensure Requirements for Applicants from Non-Accredited Schools or Colleges; Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records Are Unavailable.

SPECIFIC AUTHORITY: 466.004, 466.007 FS.

LAW IMPLEMENTED: 456.033, 456.006, 466.007, 466.0075, 466.028 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges.

Any person who has graduated, or expects to graduate prior to the examination, or is in their final year of a dental program and has completed all the coursework necessary to prepare the student to perform the clinical and diagnostic procedures required to pass the examinations, from a school or college accredited by the Commission on Accreditation of the American Dental Association or its successor agency or a school or college approved by the board may seek licensure as a dentist or dental hygienist by applying in the following manner:

(1) through (3) No change.

~~(4) Prior to issuance of a license, the applicant shall submit proof of having successfully completed a Board approved course on human immunodeficiency virus and acquired immune deficiency syndrome. However, a license may be issued without proof of completion if the applicant submits an affidavit which establishes good cause for having failed to meet this pre licensure requirement. The Chairman of the Board is delegated the authority to determine whether or not good cause has been established. Upon a determination of good cause, the applicant shall be given 6 months from issuance of licensure to complete this requirement.~~

~~(4)(5)~~ No change.

Specific Authority 466.004 FS. Law Implemented 456.033, 466.006, 466.007, 466.0075, 466.028 FS. History—New 10-8-79, Amended 4-1-80, 4-20-81, 3-16-82, 5-2-84, 9-4-84, Formerly 21G-2.14, Amended 12-31-86, 10-8-87, 11-16-89, 10-18-90, Formerly 21G-2.014, 61F5-2.014, Amended 9-24-96, Formerly 59Q-2.014, Amended 8-20-97, 3-16-06,_____.

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

(1) No change.

(2) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(b), F.S., will be required to:

(a) through (b) No change.

(c) Present to the Board the following documents:

1. to 2. No change.

~~3. A letter addressed to the Board from the dean of the sponsoring institution's dental school stating that the applicant successfully completed the sponsored supplemental general dental education program and attained the educational equivalency of a graduating senior at the sponsoring institution's dental school and completed the requirements of two academic years in a general dental program providing educational remediation to the level of a D.D.S. or D.M.D. recipient.~~

~~(3) Prior to issuance of a license, the applicant shall submit proof of having successfully completed a Board approved course on human immuno-deficiency virus and acquired immune deficiency syndrome, as set forth in Rule 64B5-12.019, F.A.C. However, a license shall be issued without proof of completion if the applicant submits an affidavit which establishes good cause for having failed to meet this pre-licensure requirement. Upon the Board's determination that good cause has been established, the applicant shall be given 6 months from issuance of licensure to complete this requirement.~~

(4) No change.

Specific Authority 466.004 FS. Law Implemented 456.033(6), 466.006, 466.0075 FS. History—New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05,_____.

64B5-2.0148 Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records are Unavailable.

Any person who seeks licensure as a dentist but is unable to supply proper educational credentials due to the political conditions of the country in which the education was received shall submit any and all documents which would tend to support the applicant's claim of proper credentials and shall submit at least 60 days prior to the examination:

(1) Proof received directly from the American Dental Association, that the National Board of Dental Examiners Written Examination has been successfully completed within

~~10 years and in no more than three attempts to successfully complete it, prior to application; dental applicants who successfully completed the examination more than 10 years prior to application shall submit proof of having successfully completed Part II of the examination within 10 years and in no more than three attempts to successfully complete it, prior to application;~~

(2) through (5) No change.

Specific Authority 466.004 FS. Law Implemented 466.006 FS. History—New 11-16-89, Amended 10-18-90, Formerly 21G-2.0148, 61F5-2.0148, 59Q-2.0148, Amended 7-29-97,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:

RULE TITLES:

64B5-7.0035

Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities

64B5-7.006

Non-Profit Corporation Permits

PURPOSE AND EFFECT: The purpose and effect for Rule 64B5-7.0035, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses. The purpose and effect for Rule 64B5-7.006, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses.

SUBJECT AREA TO BE ADDRESSED: Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities; Non-Profit Corporation Permits.

SPECIFIC AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 456.032, 466.017(4), 466.025 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-7.0035 Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities.

(1) through (2) No change.

(3) Prior to issuance of a temporary certificate, the unlicensed dentist shall submit ~~proof of having successfully completed a Board approved course on human immunodeficiency virus and acquired immune deficiency syndrome~~ and proof of current CPR certification. The facility at which the unlicensed dentist intends to practice shall provide

to the board office the name(s) and license number(s) of the licensed dentist(s) under whose supervision the certificate holder shall work.

(4) No change.

(5) A temporary certificate shall be renewed each biennium. At the time of renewal the certificate holder shall sign a statement that he or she has complied with all continuing education requirements of active licensees. Additionally, each certificate holder shall complete, no later than upon first renewal, a Board-approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pertinent to the practice of dentistry and dental hygiene. A temporary certificate shall be canceled by the Board upon the unlicensed dentist being terminated from employment by a state or county government facility or upon a finding by the Board that the temporary certificate holder has violated any provision of Section 466.027 or 466.028, F.S., or has failed the Florida dental licensure examination.

Specific Authority 466.004(4) FS. Law Implemented 456.032, 466.017(4), 466.025 FS. History—New 8-12-93, Formerly 61F5-7.0035, 59Q-7.0035, Amended 11-10-98, 3-25-99, 12-25-01, 1-12-04,_____.

64B5-7.006 Non-Profit Corporation Permits.

(1) Any non-profit corporation which is chartered for the purposes specified in Section 466.025(3), F.S., seeking a permit to employ a non-Florida licensed dentist who is a graduate of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association shall file an application with the Board which contains the following information:

(a) through (e) No change.

(f) As to each non-Florida licensed dentist employed or sought to be employed:

1. through 4. No change.

5. Proof of having successfully completed Board approved courses on human immunodeficiency virus and acquired immune deficiency syndrome, a ~~one-hour~~ course in domestic violence, and proof of current CPR certification.

(2) through (4) No change.

Specific Authority 466.004(4) FS. Law Implemented 466.025(3) FS. History—New 11-16-89, Formerly 21G-7.006, 61F5-7.006, 59Q-7.006, Amended 3-25-99, 6-12-00,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-12.013	Continuing Education Requirements
64B5-12.016	Subject Area Requirements
64B5-12.019	Courses Required for Initial Licensure, Renewal, or Reactivation

PURPOSE AND EFFECT: The purpose and effect for Rule 64B5-12.013, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses. The purpose and effect for Rule 64B5-12.016, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses. The purpose and effect for Rule 64B5-12.019, F.A.C., is to change the rule language to comply with new legislation regarding HIV Aids and domestic violence courses.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements; Subject Area Requirements; Courses Required for Initial Licensure, Renewal, or Reactivation.

SPECIFIC AUTHORITY: 456.013(8), 456.031, 456.033, 466.004(4), 466.0135, 466.014, 466.017(3), (4) FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 466.0135, 466.014, 466.017(3), (5), 466.028(1)(i), (bb) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-12.013 Continuing Education Requirements.

(1) Dentists shall complete 30 hours of continuing professional education during each license renewal biennium as a condition of license renewal. ~~No more and no less than one hour shall consist of training in domestic violence as required by Section 456.031, F.S., and described in subsection 64B5-12.019(8), F.A.C. Dentists shall also complete a Board approved two (2) hour continuing education course on domestic violence as defined in Section 741.28 of the Florida Statutes and described in Rule 64B5-12.019, F.A.C., as part of every third biennial licensure renewal.~~ In addition to the 30 hours required herein, each licensed dentist shall complete the training in cardiopulmonary resuscitation (CPR) required in subsection 64B5-12.020(1), F.A.C. Furthermore, each person is required to complete no later than upon first licensure renewal a Board approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) as required by Section 456.033 of the Florida Statutes and described in Rule 64B5-12.019, F.A.C.

(2) Dental hygienists shall complete 24 hours of continuing professional education as a condition of license renewal. Dental hygienists shall also complete a Board

~~approved two (2) hour continuing education course on domestic violence as defined in section 741.28 of the Florida Statutes and described in Rule 64B5-12.019, F.A.C., as part of every third biennial licensure renewal, which shall include no more or no less than one hour of training in domestic violence every other biennium as required by Section 456.031, F.S., and as described in subsection 64B5-12.019(8), F.A.C., as a condition of license renewal.~~ In addition, during each license renewal biennium licensed dental hygienists shall complete training in cardiopulmonary resuscitation (CPR) at the basic support level, which results in certification or recertification in CPR by the American Heart Association, the American Red Cross or an entity with equivalent requirements. Furthermore, each person is required to complete no later than upon first licensure renewal a Board approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) as required by Section 456.033 of the Florida Statutes and described in Rule 64B5-12.019, F.A.C.

(3) Continuing education credit shall be awarded only for educational experiences that are specifically appropriate for, and contain useful information directly pertinent to, dentistry and only if received through the following methods:

(a) through (d) No change.

(e) By participating in programs approved by the Board pursuant to Rule 64B5-12.0185, F.A.C., that provide substantial pro bono dental and dental hygiene services to the indigent, to dentally underserved populations or to persons who reside in areas of critical need within Florida. Dentists and dental hygienists may obtain a maximum of 7 ~~5~~ hours per biennium of required continuing education credit for participating in such programs. Continuing education credit shall be calculated at a ratio of 1 continuing education credit for each 1 ~~3~~ hours of patient services provided to approved programs.

(f) through (h) No change.

(4) through (6) No change.

Specific Authority 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3), (4) FS. Law Implemented 456.013(8), 456.031, 466.0135, 466.014, 466.017(3), (5), 466.028(1)(i), (bb) FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99, 11-9-00, 5-20-01, 8-25-03, 5-31-04, 7-13-05, 2-14-06, _____.

64B5-12.016 Subject Area Requirements.

(1) Regardless of the manner by which a licensee obtains continuing education, no credit will be awarded unless the subject matter falls within the following subject matter categories:

(a) through (d) No change.

~~(e) One hour of credit will be awarded for completion of a course on domestic violence as required by Section 456.031, F.S.~~

~~(e)(f) Formal group discussions concerning case presentations sponsored by approved providers.~~

(2) through (4) No change.

Specific Authority 466.004(4), 466.0135, 466.014 FS. Law Implemented 456.031, 466.0135, 466.014 FS. History—New 4-2-86, Amended 1-18-89, 7-9-90, 2-1-93, Formerly 21G-12.016, 61F5-12.016, Amended 9-27-95, Formerly 59Q-12.016, Amended 10-29-00, 5-20-01, 5-31-04, 7-6-06, _____.

64B5-12.019 Courses Required for Initial Licensure, Renewal, or Reactivation.

(1) No license shall be granted and no license shall be renewed or reactivated unless the applicant or licensee submits confirmation to the Board that he or she has successfully completed, no later than upon first renewal, within 24 months prior to seeking initial licensure, renewal or reactivation, a Board-approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), and other infectious diseases pertinent to the practice of dentistry and dental hygiene, ~~a Board approved course on domestic violence,~~ and a Board-approved course on prevention of medical errors. All licensees must complete a Board approved two (2) hour continuing education course on domestic violence as defined in Section 741.28 of the Florida Statutes as part of every third biennial licensure renewal.

(2) through (4) No change.

(5) Each applicant or licensee may submit confirmation of having completed a course which complies with subsections 64B5-12.019(1), (2) and (3), F.A.C., on the form prepared by the Department of Health and provided by the Board. Each licensee shall submit confirmation of having completed a Board approved domestic violence continuing education course, on a form provided by the Board, when submitting fees for every third biennial renewal.

(6) through (7) No change.

(8) To receive Board approval, courses on domestic violence must be a minimum of 2 ~~4~~ hours long, must cover the substantive areas set forth in Section 456.031, F.S., and must be approved by any state or federal government agency or professional association or offered by a Board approved continuing education provider.

~~(9) In lieu of completing a Board approved HIV/AIDS course, a licensee who has completed such approved course in the immediately preceding biennium may complete a course in end of life care and palliative health care, or any other course approved under the provisions of this rule chapter, as substitute for the course so completed in the immediately preceding biennium. A Board approved HIV course must be taken no less than every other biennium for license renewal.~~

(10) ~~In lieu of completing a Board approved domestic violence course, a licensee who has completed such approved course in the immediately preceding biennium may complete a course in end-of-life care and palliative health care, or any other course approved under the provisions of this rule chapter, as substitute for the course so completed in the immediately preceding biennium. A Board approved domestic violence course must be taken no less than every other biennium for license renewal.~~

(9)(11) To receive Board approval, courses on prevention of medical errors shall include a study of root cause analysis, error reduction and prevention, and patient safety. Every such course shall have a minimum of two (2) hours dedicated to the subject areas set forth.

Specific Authority 456.031, 456.033 FS. Law Implemented 456.013, 456.031, 456.033 FS. History--New 1-18-89, Amended 10-28-91, 2-1-93, Formerly 21G-12.019, Amended 6-14-94, Formerly 61F5-12.019, Amended 11-15-95, 2-10-97, Formerly 59Q-12.019, Amended 10-29-00, 8-2-01, 9-27-01, 12-23-02, 1-12-04,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-13.005 Disciplinary Guidelines
PURPOSE AND EFFECT: The purpose and effect is to update disciplinary guidelines for violations of final orders.
SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.
SPECIFIC AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.072(2), 456.079(1), 466.028 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-13.005 Disciplinary Guidelines.

- (1) No change.
- (a) through (z) No change.

(aa) The violation of a lawful order of the board, or failure to comply with subpoena of the board or department.

(466.028(1)(aa), 456.072(1)(q))

First Offense	\$5,000 \$1,000 fine	No change
Second Offense	\$10,000 Probation with conditions and \$2,500 fine	No change
Third Offense	Revocation and \$10,000 fine Suspension until compliant with order or subpoena, followed by probation and \$5,000 fine	No change

(bb) through (zz) No change.

(aaa) through (ccc) No change.

(2) through (5) No change.

Specific Authority 456.079(1) FS. Law Implemented 456.072(2), 456.079(1), 466.028 FS. History--New 12-31-86, Amended 2-21-88, 1-18-89, 12-24-91, Formerly 21G-13.005, 61F5-13.005, 59Q-13.005, Amended 4-2-02, 8-25-03, 2-27-06,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.: RULE TITLES:
64B5-14.002 Prohibitions
64B5-14.006 Reporting Adverse Occurrences
PURPOSE AND EFFECT: The purpose and effect for Rule 64B5-14.002, F.A.C., is to update and revise requirements for anesthesia permits. The purpose and effect for Rule 64B5-14.006, F.A.C., is to update requirements for reporting adverse incidents.
SUBJECT AREA TO BE ADDRESSED: Prohibitions; Reporting Adverse Occurrences.
SPECIFIC AUTHORITY: 466.004(4), 466.017(3) FS.
LAW IMPLEMENTED: 466.017(3) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-14.002 Prohibitions.

(1) General anesthesia or deep sedation. ~~Beginning November 1, 1986, No~~ dentists licensed in this State; ~~including those authorized to administer general anesthesia or deep sedation subsequent to January 31, 1982,~~ shall administer general anesthesia or deep sedation in the practice of dentistry until they have obtained a permit as required by the provisions of this rule chapter.

(2) Conscious sedation. ~~Beginning November 1, 1986, No dentists licensed in this State, including those authorized to administer conscious sedation subsequent to January 31, 1982,~~ shall administer conscious sedation in the practice of dentistry until they have obtained a permit as required by the provisions of this rule chapter.

(3) ~~Beginning with the effective date of this rule, No~~ dentist licensed in this state shall administer Pediatric Conscious Sedation in the practice of dentistry until such dentist has obtained a permit as required by the provisions of this rule chapter.

(4) Nitrous-oxide inhalation analgesia. ~~Beginning November 1, 1986, No dentists licensed in this State, including those authorized to administer nitrous oxide inhalation analgesia subsequent to January 31, 1982,~~ shall administer nitrous-oxide inhalation analgesia in the practice of dentistry until they have complied with the provisions of this rule chapter.

(5) through (8) No change.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History–New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.02, 21G-14.002, Amended 12-20-93, Formerly 61F5-14.002, Amended 8-8-96, Formerly 59Q-14.002, Amended 3-9-03, 11-4-03, 6-15-06,_____.

64B5-14.006 Reporting Adverse Occurrences.

(1) Any dentist practicing in the State of Florida must notify the Board in writing by registered mail, postmarked within 48 hours of any mortality or other incident occurring in the dentist’s outpatient facilities. A complete written report shall be filed with the Board within 30 days of the mortality or other incident. Incidents which shall be reported are those which result in temporary or permanent physical or mental injury requiring hospital emergency room treatment and/or hospitalization of a patient during, or as a direct result of the use of general anesthesia, deep sedation, conscious sedation, pediatric conscious sedation, oral sedation, nitrous oxide, or local anesthesia during or related to a dental procedure. The report shall include at minimum, responses to the following:

- (a) through (f) No change.
 - (g) Provide the name and address of the patient.
 - (h) Provide the names and addresses of all witnesses.
- (2) No change.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History–New 2-12-86, Amended 3-27-90, Formerly 21G-14.006, Amended 12-20-93, Formerly 61F5-14.006, Amended 8-8-96, Formerly 59Q-14.006, Amended 11-4-03,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-16.002	Required Training
64B5-16.0075	Dental Charting by Dental Hygienists

PURPOSE AND EFFECT: The purpose and effect for Rule 64B5-16.002, F.A.C., is to revise requirements for expanded duty course or programs. The purpose and effect for Rule 64B5-16.0075, F.A.C., is to implement new legislation relating to dental charting.

SUBJECT AREA TO BE ADDRESSED: Required Training; Dental Charting by Dental Hygienists.

SPECIFIC AUTHORITY: 466.004, 466.0235, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.0235, 466.024 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-16.002 Required Training.

(1) Formal training which is required for the performance of certain remediable tasks consists of a dental hygienist’s or dental assistant’s successful completion of an expanded duty course or program which meets one of the following requirements:

- (a) No change.
- (b) The course or program has been approved by the Board for the purpose of providing expanded-duties training for dental hygienists and dental assistants; ~~or-~~
- (c) A dental assistant that currently possesses the certified dental assistant (CDA) credential awarded by the Dental Assisting National Board, Inc. (DANB).

(2) through (4) No change.

Specific Authority 466.004, 466.024 FS. Law Implemented 466.023, 466.024 FS. History–New 4-30-80, Amended 8-20-80, 1-28-81, 3-4-81, 4-20-81, Formerly 21G-16.02, Amended 6-30-86, 12-31-86, 7-5-87, 2-21-88, 7-12-88, 1-18-89, 11-16-89, Formerly 21G-16.002, 61F5-16.002, Amended 6-12-97, Formerly 59Q-16.002, Amended _____.

64B5-16.0075 Dental Charting by Dental Hygienists.

(1) Pursuant to Section 466.0235, F.S., a dental hygienist is permitted to, without supervision and within the lawful scope of his or her duties as authorized by law, perform dental charting of hard and soft tissues in public and private educational institutions of the state and Federal Government, nursing homes, assisted living and long-term care facilities, community health centers, county health departments, mobile

dental or health units, and epidemiological surveys for public health. A dental hygienist is permitted to perform dental charting on a volunteer basis at health fairs.

(2) Each person who receives a dental charting, or the parent or legal guardian of the person receiving dental charting, by a dental hygienist pursuant to Section 466.0235, F.S. and this rule shall receive a dental charting form that contains the following information and the patient shall acknowledge by signature the following information before receiving the dental charting procedure:

(a) The patient's name and the names of the patient's parent or legal guardian if the patient is a minor.

(b) The patient's address or the address of the patient's parent or legal guardian if the patient is a minor.

(c) The date of the dental charting.

(d) The name, license number, and place of employment of the dental hygienist performing the dental charting.

(e) The location where the dental charting is being performed.

(f) A statement that the purpose of dental charting is to collect data for use by a dentist at a prompt subsequent examination.

(g) A statement that the dental charting performed is not a substitute for a comprehensive dental examination.

(h) A statement emphasizing that diagnosis of caries, soft tissue disease, oral cancer, temporo-mandibular joint disease (TMJ), and dentofacial malocclusions can only be completed by a dentist in the context of delivering a comprehensive dental examination.

(i) A statement emphasizing the inherent limitations of dental charting and encourage the patient to receive a complete examination by a dentist in rendering a professional diagnosis of the patient's overall health needs.

(j) If the dental hygienist will be performing a periodontal probe, then the dental hygienist shall include a written statement on the dental charting form that he or she has received medical clearance from a physician or dentist before performing the periodontal probe as part of the dental charting.

(3) Dental hygienists are not permitted to receive direct reimbursement for dental charting performed under Section 466.0235, F.S. and this rule by Medicaid, health insurers, health maintenance organizations, prepaid dental plans, or other third-party payors beyond what is otherwise allowable by law.

(4) All referrals made in conjunction with the provision of dental charting services under Section 466.0235, F.S. and this rule shall be in strict conformance with federal and state patient referral, anti-kickback, and patient brokering laws.

(5) A dental hygienist performing dental charting without supervision shall not be deemed to have created either a patient of record or a medical record.

Specific Authority 466.004(4), 466.0235 FS. Law Implemented 466.0235 FS. History–New _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NOS.: RULE TITLES:
64B13-5.001 Hours Requirement
64B13-5.002 Criteria for Approval

PURPOSE AND EFFECT: To clarify the continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Hours Requirement; Criteria for Approval.

SPECIFIC AUTHORITY: 456.013(7), 463.005(1), 463.007(3), (4) FS.

LAW IMPLEMENTED: 456.013(7), 463.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.001 Hours Requirement.

(1) As a condition to the renewal of a biennial license, each licensed practitioner shall be required to maintain professional competency by completing 30 clock hours of continuing education in subjects relating to optometry that have been approved by the Board. Licensed practitioners shall not be required to complete the continuing education requirements during the biennium in which they are initially licensed but must complete one hour of approved continuing education in acquired immune deficiency syndrome that complies with the requirements of Section 456.033, F.S. receive initial licensure. Credit for continuing education will be allowed on the basis of an hour for hour. To receive one hour credit, a licensed practitioner must attend not less than 50 minutes. There will be no fractional hour credits.

(a) For licensed practitioners who are certified optometrists, at least 6 of the required ~~those~~ 30 hours must be of "transcript quality." For purposes of this rule, the phrase "transcript quality" refers to coursework in ocular and systemic pharmacology and the diagnosis, treatment and management of ocular and systemic conditions and diseases. Transcript quality CE must be sponsored by a school or college of optometry or equivalent educational entity as approved by the Board and must ~~which~~ requires a test and passing grade.

(b) Attendance at a continuing education program must be certified by the lecturer or someone in charge of the program. An instructor of a course may credit the hours taught towards completion of the instructor's required continuing education; ~~provided, however, that an instructor may only credit a course once, regardless of the number of times the course is taught. However~~ In addition, the instructor of a course may not credit the hours taught towards completion of the "transcript quality" portion of the continuing education requirement. ~~For the biennium ending at the end of February 2003, each licensed practitioner may count hours of continuing education obtained between January of 2001 and the end of February 2001, so long as the licensed practitioner did not count those hours for the March 1, 1999 – February 28, 2001, biennium. However, effective March 1, 2003,~~ Continuing education hours must be obtained during the biennium preceding license renewal.

(a) ~~The Board shall audit an appropriate number of randomly selected licensed practitioners and certified optometrists to assure that the reports of completion of continuing education are valid.~~

(b) ~~The Board office has the authority to audit any licensed practitioner or certified optometrist for purposes of determining the validity of that individual's report of completion of continuing education.~~

(c) ~~At the time of audit, each designated licensed practitioner or certified optometrist must provide to the Board office appropriate documentation of completion of the required continuing education.~~

(d) ~~All licensees are responsible for maintaining appropriate records of completed continuing education for the past two bienniums.~~

(c)(2) ~~Licensed practitioners shall be permitted to earn two of the 30 clock hours of continuing education credit per biennium upon demonstrating successful completion of approved training in cardiopulmonary resuscitation given by the American Heart Association or the American Red Cross.~~

(3) ~~Licensed practitioners shall be required to complete one hour of approved continuing education in acquired immune deficiency syndrome education as part of the requirement of subsection 64B13-5.001(1), F.A.C. Such continuing education shall comply with the requirements of Section 456.033, F.S.~~

(d)(4) ~~Licensed practitioners shall be permitted to earn two Four (4) hours of the thirty (30) clock hours may be in the area of practice management. In order for a licensed practitioner to receive education credit in the area of practice management stated herein, at least two (2) of the four (4) hours must be in the area of Florida jurisprudence.~~

(e)(5) ~~As part of the 30 clock hours, licensed practitioners shall be required to obtain may earn two clock hours in the area of Florida jurisprudence. A licensed practitioner may earn two hours in Florida jurisprudence as allowed by subsection (6) by attending a meeting of the Board~~

for no less than four (4) continuous hours. Licensed practitioners will be required to sign-in and sign-out with board staff. Those licensed practitioners present for disciplinary purposes are not eligible to earn the two clock hours for the Board meeting. Out of state licensed practitioners who do not practice in Florida at any time during the biennium, shall be permitted to satisfy the requirement of two hours in Florida jurisprudence by certifying that they have obtained and read a copy of the current provisions of Chapters 456 and 463, F.S., and Rule Chapter 64B13, F.A.C.

(f) As part of the 30 clock hours, licensed practitioners are required to complete a 2-hour course relating to prevention of medical errors, as part of the licensure and renewal process. The course shall be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety. If the course is being offered by a facility licensed pursuant to Chapter 395, F.S., for its employees, the Board approves 1 hour of the 2-hour course to be specifically related to error reduction and prevention methods used in that facility.

(2) The Board shall audit an appropriate number of randomly selected licensed practitioners to assure that the reports of completion of continuing education are valid. At the time of audit, each designated licensed practitioner must provide to the Board office appropriate documentation of completion of the required continuing education. All licensed practitioners are responsible for maintaining appropriate records of completed continuing education for the past two bienniums.

(6) ~~Licensed practitioners who at any time during the biennium practiced in Florida shall be required to obtain two (2) hours of education in the area of Florida jurisprudence.~~

(7) ~~Out of state licensees may satisfy the requirements for jurisprudence by certifying that they have obtained and read a copy of Chapters 456 and 463, F.S., and Rule Chapter 64B13, F.A.C.~~

(8) ~~Licensees are required to complete a 2 hour course relating to prevention of medical errors as part of the licensure and renewal process. The course shall be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety. The 2-hour course shall count towards the total number of continuing education hours required for licensure renewal. If the course is being offered by a facility licensed pursuant to Chapter 395, F.S., for its employees, the Board approves 1 hour of the 2-hour course to be specifically related to error reduction and prevention methods used in that facility.~~

Specific Authority 456.013(7), 463.005(1), 463.007(3), (4) FS. Law Implemented 456.013(7), 463.007 FS. History—New 11-13-79, Amended 5-28-80, 9-16-80, 1-13-81, 2-14-82, Formerly 21Q-5.01, Amended 12-16-86, 12-11-88, 4-19-89, 12-20-89, 9-22-92, 10-28-92, Formerly 21Q-5.001, Amended 8-31-93, Formerly 61F8-5.001, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.001, Amended 3-21-00, 10-2-01, 1-8-02, 5-8-02, 3-20-03, _____.

64B13-5.002 Criteria for Approval.

(1) In determining whether to approve a program of continuing professional education ~~required by subsection 64B13-5.001(1) or (2), F.A.C.~~, the Board shall consider whether the program contributes to the improvement, advancement, and extension of one's professional skill and knowledge to the benefit of the patient he serves. Continuing education courses in ~~practice management and~~ Florida jurisprudence as stated in subsection 64B13-5.001(1)(5)(e) and (f), F.A.C., shall be provided by an individual or organization with demonstrated competence in Florida Law pertaining to optometric practice as evidenced by the individual or organization's credentials, education and experience.

(2) Approval of non-transcript quality continuing education programs. ~~A non-transcript quality continuing education program that satisfies the following criteria or course content shall be approved upon presentation of the information specified in subsection (4) below:~~

(a) ~~A non-transcript quality continuing education program must satisfy the following criteria or course content: The course must be an organized program of learning that will contribute to the advancement and enhancement of professional competency and scientific knowledge in the practice of optometry, and must be designed to reflect the educational needs of Florida optometrists.~~

1. The course must be an organized program of learning that will contribute to the advancement and enhancement of professional competency and scientific knowledge in the practice of optometry, and must be designed to reflect the educational needs of Florida optometrists.

2.~~(b)~~ The course must have scientific and educational integrity and must contain customary and generally accepted optometric and medical practices.

3.~~(c)~~ The course must have an outline which demonstrates consistency with the course description and reflects the course content.

4.~~(d)~~ A course handout/outline must be provided to all participants.

5.~~(e)~~ The course must be taught in a manner appropriate to the educational content, objectives, and purpose of the program, and must allow suitable time to be effectively presented to the audience.

6.~~(f)~~ The minimum credit for any qualified course is one hour. One hour of continuing education credit equals fifty (50) minutes of instructional time.

7.~~(g)~~ Instructors must have the necessary qualifications, training and experience to present the course. Principal instructors must hold a minimum of a doctorate-level degree (O.D., M.D., Ph.D., D.O., J.D., D.D.S., D.C., Pharm.D., L.L.D., D.Ed., D.Sc., etc.) or its international equivalent. Faculties at accredited schools or colleges of optometry are exempt from this requirement. Individuals who do not hold at least a doctorate-level degree, or are not on faculty at an

accredited school or college of optometry shall only be listed as adjunct instructors for the course and only when the principal instructor holds a doctorate-level degree.

(b) A non-transcript quality continuing education program shall be approved upon presentation of the following information by the program or course provider or by a licensed practitioner who attended the course:

1. Compliance with the criteria or course content specified in subparagraphs (2)(a)1.-7., above;

2. Date(s) and time(s) of each course.

3. Complete outline of course, including a breakdown of hours for each subject.

4. Evidence that the fee specified in subsections 64B13-6.001(15) and (16), F.A.C., has been paid; provided however, should the provider not seek approval of the course, the licensed practitioner seeking approval of the course shall pay the fee.

5. Notwithstanding subparagraphs (2)(b)1.-3., if the program is non-transcript quality and has been previously approved by the Council on Optometric Practitioner Education (COPE), or by any other recognized organization that sponsors optometric education, utilizing the criteria set forth in subsection (2)(a), the Board shall approve the program upon submission of the approved course number issued by COPE or other recognized organization and compliance with subparagraph (2)(b)4.

(3) Approval of transcript quality continuing education programs. ~~A transcript quality course that satisfies the following requirements, in addition to the criteria or course content in subsection (2) above, shall be approved upon presentation of the information specified below as well as the information specified in subsection (4) below:~~

(a) A transcript quality continuing education program must satisfy the following criteria or course content: The course must be in consultation with or sponsored by a school or college of optometry or equivalent entity.

1. Compliance with the criteria or course content specified in subparagraphs (2)(a)1.-6.

2. The course must be in consultation with or sponsored by a school or college of optometry or equivalent entity.

3.~~(b)~~ The course must be in at least two (2) hour blocks.

4.~~(c)~~ The course must be taught by instructors approved by the Board. Faculty members that instruct regular courses for the sponsoring school or equivalent educational entity will automatically be approved. Instructors not fitting into this category must be approved by the Board.

5.~~(d)~~ The course must require a Board approved examination with a passing grade. Grading and certification of examinations can be delegated by the provider to an equivalent educational entity.

6.~~(e)~~ The examination must be monitored or mailed to the licensee after the course.

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

1. Compliance with the criteria or course content specified in subparagraphs (3)(a)1.-6.
2. Date(s) and time(s) of each course.
3. Complete outline of course, including a breakdown of hours for each subject.
4. A letter from the dean of the sponsoring school or college of optometry or equivalent educational entity certifying transcript quality credit.
5. A copy of the examination to be given, with the answer key.
6. Identification of the entity responsible for grading and certifying the examination(s).
7. Evidence that the fee specified in subsections 64B13-6.001(15) and (16), F.A.C., has been paid.

(c) In order for a course to be considered transcript quality, it must be approved by the Board as transcript quality prior to the time it is taken.

(4) A course needs to be approved only once during the biennium in which it is presented so long as the presenter and the course outline do not change. To obtain Board approval, the following information must be provided by the program or course provider or by a licensed practitioner who attended the course:

(a) Information sufficient to demonstrate compliance with the criteria set forth in subsection (2) above.

(b) Date(s) and time(s) of each course.

(c) Complete outline of course, including a breakdown of hours for each subject.

(d) In the case of a transcript quality course a letter from the dean of the sponsoring school or college of optometry or equivalent educational entity certifying transcript quality credit.

(e) In the case of a transcript quality course, a copy of the examination to be given.

(f) In the case of a transcript quality course, identification of the entity responsible for grading and certifying the examination(s).

(g) Evidence that the fee specified in subsections 64B13-6.001(15) and (16), F.A.C., has been paid; provided however, should the provider not seek approval of the course, the licensed practitioner seeking approval of the course shall pay the fee.

(h) Notwithstanding paragraphs (a)-(e) above, if the program is non-transcript quality and has been previously approved by the Council on Optometric Practitioner Education (COPE), or by any other recognized organization that sponsors optometric education utilizing the criteria set forth in subsection (2) above, the Board shall approve the program

~~upon submission of the approved course number issued by COPE or other recognized organization and compliance with paragraph (g) above.~~

~~(5) In order for a course to be considered transcript quality, it must be approved by the Board as transcript quality prior to the time it is taken.~~

~~(6) A course needs to be approved only once during the biennium in which it is presented so long as the presenter and the course outline do not change.~~

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-2.032
 RULE TITLE: Certificate of Public Convenience and Necessity

PURPOSE AND EFFECT: Announce workshop to open discussion with the EMS community regarding COPCN language.

SUBJECT AREA TO BE ADDRESSED: Certificate of Public Convenience and Necessity.

SPECIFIC AUTHORITY: 381.0011, 395.405, 401.121, 401.25, 401.251, 401.265, 401.27, 401.2715, 401.31, 401.35 F.S.

LAW IMPLEMENTED: 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.251, 401.252, 401.26, 401.265, 401.27, 401.2715, 401.281, 401.30, 401.31, 401.321, 401.33, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 F.S.

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

DATE AND TIME: November 13, 2006, 1:00 p.m. – 4:30 p.m.

PLACE: Florida Department of Health, Division of Emergency Medical Services, 4025 Esplanade Way, Room 301, Tallahassee, FL 32311-7829

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850)488-9408. If you are 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: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850) 488-9408
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NOS.:	RULE TITLES:
65A-1.708	Family-Related Medicaid Budgeting Criteria
65A-1.713	SSI-Related Medicaid Income Eligibility Criteria

PURPOSE AND EFFECT: This rule amendment will revise the number of weeks used to average income budgeting in determining eligibility for Medicaid.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for changing income averaging from the past eight weeks to the past four weeks to determine Medicaid eligibility. A longer period of past time may be used if necessary to provide a more accurate indication of anticipated fluctuations in future income.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 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: October 30, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Pat Whitford, Economic Self-Sufficiency Services, Telephone (850)410-3479

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NO.:	RULE TITLE:
65A-4.210	Budgeting

PURPOSE AND EFFECT: This rule amendment will revise the number of weeks used to average income budgeting in determining eligibility for Temporary Cash Assistance (TCA).

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for changing income averaging from the past eight weeks to the past four weeks to determine TCA eligibility. A longer period of past time may be used if necessary to provide a more accurate indication of anticipated fluctuations in future income.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.14, 414.085, 414.095(11), (12), (13), (14) 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: October 30, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lonna Cichon, Government Operations Consultant II, TANF/Food Stamp Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700, Telephone (850)488-8004

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NO.:	RULE TITLE:
69C-6.003	The Plan; Prescribed Forms

PURPOSE AND EFFECT: The rule adopts revisions to the State of Florida Employees Deferred Compensation Plan as follows: A provision is added to allow loans to participants from their deferred compensation accounts under conditions permitted by federal law. Hardship withdrawal standards are changed as follows: Foreclosure is narrowed as a basis for a hardship withdrawal by requiring that the foreclosure be upon the participant's primary residence rather than any real property. Eviction from a primary residence is added as a basis for hardship withdrawal to conform to a federal regulation on that point. "Dental or periodontal treatment that is necessary due to a sudden injury" is added as a basis for a hardship withdrawal. "Dental or periodontal treatment which is cosmetic or is necessary due to a chronic or degenerative condition such as periodontitis, decay, bruxism, or malocclusion not due a sudden injury" is added to the list of events for which a hardship withdrawal is not available. The amount that can be obtained through the simplified hardship withdrawal process in the event of a hurricane emergency is raised from \$1,500.00 to \$2,500.00.

SUBJECT AREA TO BE ADDRESSED: Amendments to the Deferred Compensation Plan.

SPECIFIC AUTHORITY: 112.215(11) FS.

LAW IMPLEMENTED: 18.125(4)(c), 112.215 FS.

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

DATE AND TIME: Thursday, November 2, 2006, 9:30 a.m.
 PLACE: Room 139, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kandi Winters @ (850)413-3162 If you are 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: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, Bureau of Deferred Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0346, (850)413-3162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69C-6.003 The Plan; Prescribed Forms.

(1) Form DFS-J3-1176 (Eff. _____), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) through (4) No change.

Specific Authority 112.215(12) FS. Law Implemented 112.215 FS. History—New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-11-02, Formerly 4C-6.003, Amended 8-26-04, 2-21-05, 7-9-06, _____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-207.003 RULE TITLE: Forms Incorporated by Reference
 PURPOSE AND EFFECT: To adopt forms for use by specialty insurers for filings with the Office.
 SUBJECT AREA TO BE ADDRESSED: Adoption of forms.
 SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 626.8805, 626.9912, 626.9913, 626.99175, 627.829, 628.4615, 634.031, 634.061, 634.303, 634.304, 634.3073, 634.407, 641.405, 642.021 FS.

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

DATE AND TIME: November 9, 2006, 9:30 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sandra DuPont, Specialty Product Administration, Office of Insurance Regulation, E-mail: Sandra.DuPont@fldfs.com.

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

**Section II
 Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.: 9B-60 RULE CHAPTER TITLE: Florida Building Energy Rating System

RULE NOS.: 9B-60.002 RULE TITLES: Definitions
 9B-60.003 Department Activities
 9B-60.004 Florida Building Energy Rating System, Adopted

9B-60.005 Training and Certification Program
 9B-60.007 Florida Building Energy Rating System, Existing Public Buildings

9B-60.008 RESNET Standards, Adopted

PURPOSE, EFFECT AND SUMMARY: Section 553.992, Part XI, F.S., requires the Department of Community Affairs (the Department) to update the Building Energy-Efficiency Rating System in accordance with the procedures of Chapter 120, F.S. Section 553.995(2), F.S., requires the BERS program to be compatible with standard federal rating systems and state building codes and standards, where applicable. The proposed rule changes coincide with changes made to the national standard governing home energy rating systems. Updating to this standard allows Florida to maintain its accreditation with the National Association of State Energy Officials (NASEO), which has positioned itself to provide certifications for buildings whose owners wish to claim federal tax credits from the Internal Revenue Service.

Although the effect of upgrading to a new computer program initially causes a divergence between the BERS program and Florida's energy code, both the energy code and the BERS rating reports provide information required by Section 553.902, F.S.: levels of insulation, the amount and type of glass, and the HVAC and water heating system efficiencies. Efforts to ameliorate this divergence in compliance tools include a translation program to take code compliance files and transfer the information to the BERS program, and a proposal to upgrade the energy code to the EnergyGauge USA program during the 2007 code update cycle. The EPL Display Card referenced in Section 553.9085, F.S., currently utilizes an Estimated Energy Performance Score, which mimics the current Class 3 BERS rating. This "score" will be maintained until the code is changed.

The revised standard proposed as a change to Rule 9B-60.008, F.A.C., the 2006 Mortgage Industry National Home Energy Rating Systems Standards (HERS), amended November 7, 2005, requires the following additional changes to the program. These changes are reflected in the proposed revisions to Chapter 9B-60, F.A.C.:

The HERS Score is changed to a HERS Index with the Reference Standard for a home becoming a ratio when compared to the Design home.

The ratings will no longer be based on the Florida energy code because the computer program used to calculate energy code compliance is not capable of meeting the new National HERS Standards. Rather, the program will utilize the EnergyGauge USA program, which meets the new Standards.

Class 1 raters will be required by the Standards to pass the RESNET National Core Exam. Recertification of raters will no longer require peer review and reevaluation.

Reporting of ratings will be via website upload.

A Form 300 request was made during the Rule Development process to clarify that sampling is not an acceptable rating procedure in Florida, which is incorporated into subsection 9B-60.004(2), F.A.C.

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 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: 553.992, 553.994, 553.998 FS.

LAW IMPLEMENTED: 553.992, 553.995, 553.995(1), (1)(c), (4), 553.996 FS.

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

DATE AND TIME: November 8, 2006, 9:30 a.m.

PLACE: Randall Kelly Training Room, Third Floor, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ann Stanton, Building Codes Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0964, SunCom 278-0964

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-60.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit such meaning, shall have the meanings indicated:

(1) through (19) No change.

(20) HERS Rating – An audit and computer-generated performance evaluation of a home conducted in accordance with Rule 9B-60.004, F.A.C., of this chapter and resulting in a HERS Index Score.

(21) HERS Index Score – The numerical rating for a home with a value between 0 and 100 where a value of 0 ~~400~~ indicates that the home uses no purchased energy for heating, cooling, ~~and~~ hot water, lighting and appliances, and a value of 100 ~~80~~ indicates that the home has the same energy use for heating, cooling, ~~and~~ hot water, lighting and appliances as the Reference Home ~~reference home~~ established by the 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards.

Specific Authority 553.992 FS. Law Implemented 553.992, 553.995 FS. History—New 7-1-94, Amended 1-11-95, 12-27-98, 11-28-04,

9B-60.003 Department Activities.

(1) No change.

(2) Within three (3) years of the date of adoption of the rating system, and at least triennially thereafter in conjunction with the triennial review of Chapter 13 of the Florida Building Code, Building (the Code), the Department shall review the energy rating system program criteria and the calculation tools used in common by both the BERS and the Code that are adopted herein to determine the need for revision or modification. The residential rating system methodology is based on Method A of Sub-Chapter 6 of Chapter 13 of the Code, while the commercial rating system methodology is based on Method A of Sub-Chapter 4 of the Code. At a minimum, the Department shall update the rating system by

adopting modifications to the current editions of the Code and ~~Attachment 1 to the 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards (the National Home Energy Rating Technical Guidelines)~~ promulgated by the Residential Energy Services Network and the National Association of State Energy Officials. Copies of the 2006 Mortgage Industry National Home Energy Rating Systems Standards Code and the National Home Energy Rating Technical Guidelines are available at the website <http://www.resnet.us/standards/RESNETStandards-2006.pdf> or from the Florida Department of Community Affairs, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

(3) Any person may submit recommendations for proposed revisions or modifications to the rating system to the Department for consideration. Such proposed revisions and modifications shall be submitted in writing on Department of Community Affairs' Form #300, incorporated herein by reference, effective July 1, 1994. Copies of this form are available by writing to the Department of Community Affairs, Building Energy Rating System Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Such proposals shall include the date of submittal, an identification of the submitter, identification of the section of the rating system to be revised, the new proposed language, a justification or reason for the change, and anticipated financial impacts of the change. The Department shall conduct a public hearing(s) in accordance with the requirements of Chapter 120, F.S.

(4) The Department shall develop, maintain and make available, at no cost to the prospective purchaser, a Building Energy Rating System disclosure information brochure to be provided to the prospective purchaser.

Specific Authority 553.992, 553.998 FS. Law Implemented 553.992, 553.996 FS. History—New 7-1-94, Amended 12-27-98, 11-28-04, _____.

9B-60.004 Florida Building Energy Rating System, Adopted.

(1) No change.

(2) The home energy rating (HERS rating) for residential buildings shall be determined using only EnergyGauge® USA, version 2.5, ~~the Florida Residential Building Energy Rating System software (EnergyGauge/ResFREE, Version 3), which produces the Florida Building Energy Rating Guide forms: Form #11A-01 for the North climate zone, Form #11B-01 for the Central climate zone, and Form #11C-01 for the South climate. The rating system software (EnergyGauge/ResFree, Version 3) that produces these forms is hereby incorporated by reference.~~ Confirmed HERS ratings shall be specific to one residence; sampling is not an acceptable procedure for ratings in Florida. Air distribution system testing for Class 1 ratings shall be performed in accordance with Annex B and Annex C of BSR/ASHRAE Standard 152-04, "Method of Test for

Determining the Design and Seasonal Efficiency of Residential Thermal Distribution Systems." A Class 3 rating shall be clearly labeled as a "projected rating based on plans."

(3) No change.

(4) The energy rating for public and commercial buildings shall be determined using only the Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE, Version 2+) which produces the Florida Building Energy Rating Guide forms: Form #12A-01 for the North climate zone, Form #12B-01 for the Central climate zone and Form #12C-01 for the South climate zone. The Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE, Version 2+) is hereby incorporated by reference. Public buildings owned or leased by state agencies and units of local government that are governed by Section 255.254, F.S., may utilize this rating system as one of the annual energy usage and cost by methods approved by those agencies.

(5) No change.

Specific Authority 553.992 FS. Law Implemented 553.994, 553.995(1) FS. History—New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, 11-28-04, _____.

9B-60.005 Training and Certification Program.

(1) General Provisions.

(a) Beginning with the implementation date of this rule, no person may provide a rating for buildings in Florida unless such a person has been certified as provided by this part. To perform a rating for any building as required by this rule, the person performing the rating must be certified by the Department of Community Affairs. In accordance with Section 102.1.3.6 of the 2006 Mortgage Industry National Home Energy Rating Systems Standards, Chapter 1, Section 4.C.6 of the "National Accreditation Procedures for Home Energy Rating Systems," a Florida Certified Rater who has a financial or other interest resulting from the energy Rating results (including any recommended improvements resulting from the Rating) shall provide written disclosure of the nature of the financial or other interest to the owner of the property being rated utilizing Form 11D-01, Interest Disclosure Form.

(b) Certification will be valid for one (1) year following the date of issuance. No rating activity shall be conducted after the expiration of the term of certification. A duplicate certificate may be obtained by written request to the Department.

(c) An application for annual certification renewal shall be submitted on Form 500B-01, herein incorporated by reference, with a renewal fee of \$50. In addition to the annual renewal fee, a certified residential rater must, over a three year period, have completed twelve credit hours of continuing education in courses accepted by the Department for certification renewal. Acceptable courses shall, in general, be those dealing with energy use in buildings and building systems (including

heating, ventilating and air conditioning), building design or construction, codes or plan review, financing or selling buildings, and courses on energy rating systems.

(2) The following qualifications, at a minimum, are required for certification as a rater:

(a) The individual shall submit an application on the Department of Community Affairs Form #500A-01, herein incorporated by reference, and pay the appropriate application fee of \$150.00. The form is available by writing to the Department of Community Affairs, Energy Rating System Program, 2555 Shumard Oak Blvd, Tallahassee, Florida 32399-2100.

(b) Individuals applying for certification as raters for new residential (Class 3), public and commercial buildings shall attend a training program provided by the Department or its designee and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully rate buildings by passing Department tests specific to the type of building rated for certification. Individuals may also qualify for Class 3 certification without attending the Class 3 training program by passing a Class 3 challenge test. Individuals applying for certification as Class 2 raters for residential buildings, in addition to the above certification requirements, shall attend a Class 2 training program provided by the Department and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully perform residential energy audits to rate existing residential buildings by passing a Department test specific to Class 2 certification. Individuals may also qualify for Class 2 certification without attending the Class 2 training program by passing a Class 2 challenge test. Individuals applying for certification as Class 1 raters for residential buildings shall demonstrate having the same stated requirements as Class 2 raters, shall attend a Class 1 training program provided by the Department and shall demonstrate achievement of a level of knowledge and proficiency so as to successfully perform residential performance tests by passing a Department test specific to Class 1 certification. Individuals may also qualify for Class 1 certification without attending the Class 1 training program by passing a Class 1 challenge test. In addition, a Class 1 rater candidate must complete five Class 1 ratings under the supervision of a certified Class 1 rater in order to obtain a Class 1 certification as well as pass the RESNET National Core Exam. Individuals applying for certification as raters of existing commercial buildings, in addition to the requirements stated above for new commercial buildings, shall demonstrate certification as an energy auditor from a recognized commercial energy auditing program or have at least one year of experience performing a minimum of fifteen commercial energy audits.

(c) The rates for providing building ratings shall be as follows: for Class 3 new residential building ratings, \$25.00 above those charges for providing Energy Code compliance calculations, or no more than the actual cost of conducting the

rating, whichever is greater; for Class 2 residential building ratings, \$75.00 above those charges for providing the energy audit, or no more than the actual cost of conducting the rating, whichever is greater; for Class 1 residential building ratings, \$125.00 above those charges for providing the energy audit and performance tests, or no more than the actual cost of conducting the rating, whichever is greater; for new public and new commercial buildings which must comply with the Energy Code, \$50.00 above those charges for providing Energy Code compliance calculations, or no more than the actual cost of conducting the rating, whichever is greater; for those new public buildings which are exempt from Energy Code compliance, \$200.00 may be charged, or no more than the actual cost of conducting the rating whichever is greater; and for existing commercial buildings, \$100.00 above those charges for performing the energy audit, or no more than the actual cost of conducting the rating, whichever is greater.

(d) No certification shall be approved unless the applicant demonstrates to the Department that the following conditions are met: the applicant has not been found to be in violation of Part XI, Chapter 553, F.S., or this rule chapter; the applicant has filed an accurate and complete application with the application fee describing compliance with the relevant certification requirements; the applicant is capable of performing the activities for which he/she is seeking certification; the applicant has not shown a lack of ability or intention to comply with Part XI, Chapter 553, F.S., or this rule chapter, or has not been unable or unwilling to conduct Energy Code compliance related activities forthrightly and honestly with his/her clients. Decertification shall be in accordance with procedures for revoking licenses of Chapter 120, F.S.

(e) Recertification is required within six months of the effective date of major revisions to Chapter 13 of the Florida Building Code, Building, or at least every three years from the rater's last date of certification. For recertification, the applicant shall attend training on changes impacting the rating system provided by the Department of Community Affairs and demonstrate achievement of a level of knowledge and proficiency so as to successfully rate buildings by passing a Department test applicable to the buildings being rated. The fee for recertification shall be the annual certification renewal fee. In addition to the written test, Class 1 residential raters shall be required to satisfactorily demonstrate performance testing skills necessary to perform a Class 1 rating as part of the recertification as well as at the time of training and testing. ~~Class 1 residential raters shall be required to satisfactorily perform and complete one Class 1 rating, accompanied and evaluated by another randomly chosen Class 1 rater, as a requirement for recertification and to comply with Attachment 1 of the Mortgage Industry National Accreditation Procedures for Home Energy Rating Systems (the National Home Energy Rating Technical Guidelines) requirement for periodic peer review and reevaluation of raters. Class 1 raters shall also be required to serve as a Class 1 peer evaluator at least once~~

~~within three years before being recertified.~~ These regulations in no way exempt any person from other state and local occupational licensure requirements. Any rater who fails to pass the recertification test in his or her rating classification shall be required to attend a refresher course approved by the Department of Community Affairs and retake the test. Until the rater can demonstrate his/her ability to perform ratings in his/her classification, registration of ratings by the rater shall be prohibited.

(3) Reporting Requirements. Certified raters shall submit all ratings to the Department in care of the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920 via the website upload at: <http://dbase.fsec.ucf.edu/pls/engauge/rating.home> ~~in electronic format, either via electronic mail (e-mail) or on 3 1/2 " diskette.~~

(a) The Florida Solar Energy Center shall maintain an electronic database that can be queried by the public to verify that a BERS Rating has been registered for a specific real property.

(b) Upon request and if authorized by the homeowner or his/her agent, the Florida Solar Energy Center may provide a registered BERS Rating report from the electronic database to a homeowner, or prospective home purchaser, for a fee.

(4) A written report shall be provided to the purchaser of real property or that individual who requested the rating. Such report shall include the Florida Building Energy Rating report and the following:

(a) A completed copy of the Florida Building Energy Rating Guide (Form #11-01 or Form #12-01);

(b) The certified rater's signature, typed or printed name and certification number;

(c) The date that the rating was completed;

(d) The statement: "This notice is provided to you by an individual certified by the Florida Department of Community Affairs to perform a building energy rating evaluation. Any questions, comments, or complaints regarding the person or agency performing this service may be directed to the Florida Department of Community Affairs, Building Energy Rating System Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920. The Department or the Florida Solar Energy Center may request the owner's permission in the future to conduct a quality assurance review of this rating;" and

(e) The disclosure form printed from EnergyGauge® USA, version 2.5 ~~the EnergyGaugeRes/Free program (Form No. 11D-01).~~

Specific Authority 553.992 FS. Law Implemented 553.995(4) FS. History--New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, 11-28-04,_____.

9B-60.007 Florida Building Energy Rating System, Existing Public Buildings.

(1) through (2) No change.

(3) The energy rating for existing public buildings shall be determined using the Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE 97, Version 2-2) in accordance with Rule 9B-60.004, F.A.C. Public buildings owned or leased by state agencies and units of local government governed by Section 255.254, F.S., may utilize this rating system as one of the annual energy usage and cost methods approved by those agencies.

(4) No change.

Specific Authority 553.992 FS. Law Implemented 553.991, 553.993, 553.994, 553.995, 553.997, 553.998 FS. History--New 7-21-94, Amended 12-27-98,_____.

9B-60.008 RESNET Standards Guidelines for Uniformity, Adopted.

The 2006 Mortgage Industry National Home Energy Rating Systems Accreditation Standards, amended November 7, 2005, promulgated by the Residential Energy Services Network (RESNET) and the National Association of State Energy Officials, June 15, 2002, are adopted and incorporated by reference as the rule of this Department.

Specific Authority 553.992 FS. Law Implemented 553.995(1)(c) FS. History--New 12-27-98, Amended 11-28-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ann Stanton, Building Codes Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0964, SunCom 278-0964

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ila Jones, Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2006

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

14-15 Incorporation by Reference

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The Florida Department of Transportation, Florida's Turnpike Enterprise is proposing to convert the existing N.W. 106th Interchange located on the Homestead Extension of Florida's Turnpike (HEFT) at MP 34 to a SunPass-Only interchange. Tolls at this interchange are currently collected using either SunPass or cash collection methods. The project is located in Miami-Dade County. Tolls are proposed to be collected from vehicles accessing to and

from the north. Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll. The existing cash rate for payment of the toll at this interchange is being deleted from the Toll Rate Schedule. The SunPass rate for payment of the toll at this interchange is not being changed by this amendment.

SUMMARY: The Florida Department of Transportation, Florida's Turnpike Enterprise is proposing to convert the existing NW 106th interchange located on the HEFT at MP 34 to a SunPass-Only interchange. Tolls at this interchange are currently collected using either SunPass or cash collection methods. The project is located in Miami-Dade County. Tolls are proposed to be collected from vehicles accessing to and from the north.

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

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

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

DATE AND TIME: Thursday, November 16, 2006, Informal Open House 5:30 p.m. – 6:30 p.m. Public Hearing begins at 6:30 p.m.

PLACE: City of Hialeah Gardens Commission Chambers, 10001 N.W. 87th Avenue, Hialeah, Florida 33016

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this

Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: James Ely, Executive Director, Florida's Turnpike Enterprise
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Denver J. Stutler, Jr., P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 18, 2006

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 060607-TP

RULE NO.: 25-4.0665 **RULE TITLE:** Lifeline Service

PURPOSE AND EFFECT: To adopt rules to administer the Lifeline service program.

SUMMARY: Requires eligible telecommunications carriers to provide notice of the impending termination of Lifeline service; sets forth the information that must be contained in that notice; and sets forth a procedure for reinstating Lifeline service to those subscribers who provide proof of continued eligibility for Lifeline service subsequent to the termination of the Lifeline service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The SERC concluded that eligible telecommunications carriers should benefit because the companies will have clear and concise direction on the implementation of the Lifeline program; subscribers will likely experience less difficulty and delay in the Lifeline program; and it is not anticipated that the proposed rule will cause additional expense to the Commission, any other agency, or small businesses, cities, or counties.

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: 350.127(2), 364.10(3)(j) FS.
 LAW IMPLEMENTED: 364.01(4)(a), 364.10, 364.105 FS.
 WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.
 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: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0665 Lifeline Service.

(1) An eligible telecommunications carrier must provide 60 days written notice prior to the termination of Lifeline service. The notice of pending termination shall contain the telephone number at which the subscriber can obtain information about the subscriber's Lifeline service from the eligible telecommunications carrier. The notice shall also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic local telecommunications service.

(2) If a subscriber's Lifeline service is terminated and the subscriber subsequently presents proof of Lifeline eligibility, the eligible telecommunications carrier shall reinstate the subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt of proof of eligibility. Irrespective of the date on which the eligible telecommunications carrier reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for Lifeline service as of the date the eligible telecommunications carrier received the proof of continued Lifeline eligibility.

Specific Authority 350.127(2), 364.10(3)(j) FS. Law Implemented 364.01(4)(a), 364.10, 364.105 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Curtis Williams
 NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 14, April 7, 2006

PUBLIC SERVICE COMMISSION

DOCKET NO. 060555-EI

RULE NO.: 25-17.0832
 RULE TITLE: Firm Capacity and Energy Contracts
 PURPOSE AND EFFECT: To expand alternatives for standard offer contracts for renewable generators.

SUMMARY: The proposed amendments implement Section 366.91, F.S., to encourage the development of renewable generators in Florida. The proposed amendments will expand standardized contracts available to renewable generators as well as extending the minimum term of a contract from 5 to 10 years and allowing a renewable generator to select from a portfolio of standardized contracts with varying terms, conditions, operating characteristics and pricing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The SERC estimates that this rule will impact the state's investor-owned electric utilities with a range of approximately \$500 to \$10,000 per year. There should be no impact on state or local government entities, and a positive impact on small businesses, cities and counties.

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: 350.127, 366.05(1), 366.91(3) FS.

LAW IMPLEMENTED: 366.051, 366.81, 366.91 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

DATE AND TIME: Thursday, November 9, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Harris, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6076

THE FULL TEXT OF THE PROPOSED RULE IS:

25-17.0832 Firm Capacity and Energy Contracts.

(1) No change.

(2) Negotiated Contracts. Utilities and qualifying facilities are encouraged to negotiate contracts for the purchase of firm capacity and energy to avoid or defer the construction of all planned utility generating units which are not subject to the requirements of Rule 25-22.082, F.A.C. If a utility is required to issue a Request for Proposals (RFP) pursuant to Rule 25-22.082, F.A.C., negotiations with qualifying facilities shall

be governed by the utility's RFP process. Negotiated contracts will be considered prudent for cost recovery purposes if it is demonstrated by the utility that the purchase of firm capacity and energy from the qualifying facility pursuant to the rates, terms, and other conditions of the contract can reasonably be expected to contribute towards the deferral or avoidance of additional capacity construction or other capacity-related costs by the purchasing utility at a cost to the utility's ratepayers which does not exceed full avoided costs, giving consideration to the characteristics of the capacity and energy to be delivered by the qualifying facility under the contract. Negotiated contracts with small qualifying facilities and renewable generators, as defined by Section 366.91, F.S., shall not be counted towards the subscription limit of the avoided unit in a standard offer contract, thus preserving the standard offer for small qualifying facilities as described in subsection (4).

(3) No change.

(4) Standard Offer Contracts.

(a) Upon petition by a utility or pursuant to a Commission action, each public utility shall submit for Commission approval a tariff or tariffs and a standard offer contract or contracts for the purchase of firm capacity and energy from small qualifying facilities and renewable generators, as defined by Section 366.91, F.S. In lieu of a separately negotiated contract, standard offer contracts are available to the following types of qualifying facilities:

1. ~~A small power producer or other qualifying facility using renewable or non-fossil fuel where the primary energy source in British Thermal Units (BTUs) is at least 75 percent biomass, waste, solar or other renewable resource; renewable generating facility as defined by Section 366.91, F.S.; or~~

2. A qualifying facility, as defined by subsection 25-17.080(3), F.A.C., with a design capacity of 100 kW or less; ~~or~~

3. ~~A municipal solid waste facility as defined by Rule 25-17.091, F.A.C.~~

(b) By April 1 of each year, concurrent with filing a Ten-Year Site Plan, each public utility shall submit standard offer contract(s) based on the next avoidable fossil fueled generating unit of each technology type identified in its Ten-Year Site Plan. Each public utility with no identified planned generating units shall submit a standard offer contract based on a planned purchase.

(c) Individual standard offer contracts shall remain open until either:

1. A request for proposals pursuant to Rule 25-17.082, F.A.C., is issued for the generating unit;

2. The utility files a petition for need determination or commences construction for generating units not subject to Rule 25-17.082, F.A.C.; or

3. The contract's subscription limit, equal to the capacity of the avoided unit, is reached. Before a contract is closed, the utility shall file a petition for approval of a new contract based

on the next unit of the same generating technology in its Ten-Year Site Plan, if any. If no generating unit of the same technology is in its Ten-Year Site Plan, the utility shall notify the Director of the Division of Economic Regulation when a standard offer contract is closed.

(b) through (c) renumbered (d) through (e) No change.

~~(f)(d)~~ A standard offer contract which has been accepted by a utility qualifying facility shall apply towards the subscription limit of the unit designated in the contract effective the date the utility receives the accepted contract. If the contract is not accepted by the utility, its effect shall be removed from the subscription limit effective the date of the Commission order granting the utility's petition.

~~(g)(e)~~ No change.

1. through 2. No change.

3. The payment options available to the qualifying facility including all financial and economic assumptions necessary to calculate the firm capacity payments available under each payment option and an illustrative calculation of firm capacity payments for a minimum ten five year term contract commencing with the in-service date of the avoided unit for each payment option;

4. No change.

~~5. A reasonable open solicitation period during which time the utility will accept proposals for standard offer contracts. Prior to the issuance of timely notice of a Request for Proposals (RFP) pursuant to subsection 25-22.082(3), F.A.C., the utility shall end the open solicitation period;~~

~~5.6:~~ No change.

~~6.7:~~ The period of time over which firm capacity and energy shall be delivered from the qualifying facility to the utility. Firm capacity and energy shall be delivered, at a minimum, for a period of ten five years, and, at a maximum the life of the avoided unit, commencing with the anticipated in-service date of the avoided unit specified in the contract. ~~At a maximum, firm capacity and energy shall be delivered for a period of time equal to the anticipated plant life of the avoided unit, commencing with the anticipated in-service date of the avoided unit;~~

8. through 10. renumbered 7. through 9. No change.

(f) through (g) renumbered (h) through (i) No change.

1. No change.

2. Early capacity payments. Each standard offer contract shall specify the earliest date prior to the anticipated in-service date of the avoided unit when early capacity payments may commence. The early capacity payment date shall be an approximation of the lead time required to site and construct the avoided unit. Early capacity payments shall consist of monthly payments escalating annually of the avoided capital and fixed operation and maintenance expense associated with the avoided unit, calculated in conformance with paragraph (6)(b) of the rule. At the option of the qualifying facility, early capacity payments may commence at any time after the

specified early capacity payment date and before the anticipated in-service date of the avoided unit provided that the qualifying facility is delivering firm capacity and energy to the utility. Where early capacity payments are elected, the cumulative present value of the capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of the capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule.

3. Levelized capacity payments. Levelized capacity payments shall commence on the anticipated in-service date of the avoided unit. The capital portion of capacity payments under this option shall consist of equal monthly payments over the term of the contract, calculated in conformance with paragraph (6)(c) of this rule. The fixed operation and maintenance portion of capacity payments shall be equal to the value of the year-by-year deferral of fixed operation and maintenance expense associated with the avoided unit calculated in conformance with paragraph (6)(a) of this rule. Where levelized capacity payments are elected, the cumulative present value of the levelized capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule, value of deferral capacity payments.

4. Early levelized capacity payments. Each standard offer contract shall specify the earliest date prior to the anticipated in-service date of the avoided unit when early levelized capacity payments may commence. The early capacity payment date shall be an approximation of the lead time required to site and construct the avoided unit. The capital portion of capacity payments under this option shall consist of equal monthly payments over the term of the contract, calculated in conformance with paragraph (6)(c) of this rule. The fixed operation and maintenance expense shall be calculated in conformance with paragraph (6)(b) of this rule. At the option of the qualifying facility, early levelized capacity payments shall commence at any time after the specified early capacity date and before the anticipated in-service date of the avoided unit provided that the qualifying facility is delivering firm capacity and energy to the utility. Where early levelized capacity payments are elected, the cumulative present value of the capacity payments made to the qualifying facility over the term of the contract shall not exceed the cumulative present value of the capacity payments which would have been made to the qualifying facility had such payments been made pursuant to subparagraph (4)(i)(g)1. of this rule.

(5) through (8)(c) No change.

Specific Authority 350.127, 366.05(1), 366.91(3) FS. Law Implemented 366.051, 366.81, 366.91 FS. History--New 10-25-90, Amended 1-7-97, 5-18-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Judy Harlow

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 31, August 4, 2006

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

DEPARTMENT OF MANAGEMENT SERVICES

Enterprise Information Technology Services

RULE CHAPTER NO.: 60EE-1
RULE CHAPTER TITLE: Accessible and Electronic Information Technology

RULE NOS.:
60EE-1.001 Purpose; Definitions
60EE-1.002 Standards applicable to Electronic and Information Technology
60EE-1.003 Electronic and Information Technology Procurements
60EE-1.004 Electronic and Information Technology Development Compliance
60EE-1.005

PURPOSE AND EFFECT: To promulgate rules for the development, procurement, maintenance and use of electronic information technology implementing Sections 282.601-.606, Florida Statutes.

SUMMARY: The Rule Chapter establishes rules for the development, procurement, maintenance and use of electronic information technology. The Rule Chapter provides, technical standards for six categories of technology; functional performance criteria for technology that may not fit in one of the six categories and requirements that address product support documentation in alternative formats. The Rule Chapter also emphasizes these standards apply to all agency information technology procurements and developments.

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 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: 282.604 FS.

LAW IMPLEMENTED: 282.601-.606 FS.

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

DATE AND TIME: November 15, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Orlando Sheraton Studio City Hotel, 5905 International Drive, Orlando, Florida 32819

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in these meetings should advise the Department at least 2 business days before the workshop, by contacting Marta McPherson at (850)488-2706. Please be aware that American Sign Language Interpreters, Certified Real Time Captioning, Audio/Visual Accommodations and alternative formats will be available on site.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kenneth Granger, Deputy Secretary, Enterprise Information Technology Services, Department of Management Services, 4050 Esplanade Way, Suite 235A, Tallahassee, Florida 32399; (850)488-0018; Kenneth.Granger@MyFlorida.Com

THE FULL TEXT OF THE PROPOSED RULES IS:

60EE-1.001 Purpose; Definitions.

(1) Purpose.

(a) Rules 60EE-1.001-.005, F.A.C., shall be known as the Florida Accessible Electronic and Information Technology Rules.

(b) The purpose of the Florida Accessible Electronic and Information Technology Rules is to promulgate rules for the development, procurement, maintenance and use of electronic information technology implementing Sections 282.601-.606, Florida Statutes.

(2) Definitions.

(a) The following terms are defined:

1. "Alternate formats" means formats usable by people with disabilities. Alternate formats include Braille, ASCII text, large print, recorded audio, and electronic formats that comply with this part.

2. "Assistive technology" means any item, piece of equipment, or system, whether acquired commercially, modified, or customized, that is commonly used to increase, maintain, or improve functional capabilities of individuals with disabilities.

3. "Compliance" means compliance with the standards set forth in Rule 60EE-1.002, F.A.C., ensuring that individuals with disabilities have access to and use of information and data that is comparable to the access and use by members of the

public who are not individuals with disabilities, unless an undue burden would be imposed on the agency. "Compliance" also means compliance with the standards set forth in Rule 60EE-1.002, F.A.C., ensuring that state employees with disabilities have access to and are provided with information and data comparable to the access and use by state employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency.

4. "Operable controls" means a component of a product that requires physical dexterity for normal operation. Operable controls include mechanically operated controls, input and output trays, card slots, keyboards, or keypads.

5. "Product" means electronic and information technology.

6. "Self Contained, Closed Products" means products that generally have embedded software and are commonly designed in such a fashion that a user cannot easily attach or install assistive technology. These products include information kiosks and information transaction machines, copiers, printers, calculators, facsimile machines, and other similar types of products.

7. "Telecommunications" means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

8. "TTY" means an abbreviation for teletypewriter. TTYS are machinery or equipment that employs interactive text based communications through the transmission of coded signals across a telephone network. TTYS may include devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons), computers with special modems or text telephones.

(b) Other terms shall have their commonly understood meaning.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History—New _____.

60EE-1.002 Standards Applicable to Electronic and Information Technology.

(1) The following standards shall be applicable to the development, procurement, maintenance and use of electronic and information technology:

(a) Technical Standards.

1. Software applications and operating systems.

a. When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.

b. Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the

application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.

c. A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that assistive technology can track focus and focus changes.

d. Sufficient information about a user interface element including the identity, operation and state of the element shall be available to assistive technology. When an image represents a program element, the information conveyed by the image must also be available in text.

e. When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.

f. Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.

g. Application shall not override user selected contrast and color selections and other individual display attributes.

h. When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.

i. Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

j. When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.

k. Software shall not use flashing or blinking text, objects, or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.

l. When electronic forms are used, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

2. Web-based intranet and internet information and applications.

a. A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).

b. Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.

c. Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

d. Documents shall be organized so they are readable without requiring an associated style sheet.

e. Redundant text links shall be provided for each active region of a server-side image map.

f. Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.

g. Row and column headers shall be identified for data tables.

h. Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.

i. Frames shall be titled with text that facilitates frame identification and navigation.

j. Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

k. A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.

l. When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.

m. When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with rule sub-subparagraphs 60EE-1.002(1)(a)2.a.-l., F.A.C.

n. When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

o. A method shall be provided that permits users to skip repetitive navigation links.

p. When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

3. Telecommunications products.

a. Telecommunications products or systems which provide a function allowing voice communication and which do not themselves provide a TTY functionality shall provide a standard non-acoustic connection point for TTY's. Microphones shall be capable of being turned on and off to allow the user to intermix speech with TTY use.

b. Telecommunications products which include voice communication functionality shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.

c. Voice mail, auto-attendant, and interactive voice response telecommunications systems shall be usable by TTY users with their TTYs.

d. Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems that require a response from a user within a time interval, shall give an alert when the time interval is about to run out, and shall provide sufficient time for the user to indicate more time is required.

e. Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.

f. For transmitted voice signals, telecommunications products shall provide a gain adjustable up to a minimum of 20 dB. For incremental volume control, at least one intermediate step of 12dB of gain shall be provided.

g. If the telecommunications product allows a user to adjust the receive volume, a function shall be provided to automatically reset the volume to the default level after every use.

h. Where a telecommunications product delivers output by an audio transducer which is normally held up to the ear, a means for effective magnetic wireless coupling to hearing technologies shall be provided.

i. Interference to hearing technologies (including hearing aids, cochlear implants, and assistive listening devices) shall be reduced to the lowest possible level that allows a user of hearing technologies to utilize the telecommunications product.

j. Products that transmit or conduct information or communication, shall pass through cross-manufacturer, non-proprietary, industry-standard codes, translation protocols, formats or other information necessary to provide the information or communication in a usable format. Technologies which use encoding, signal compression, format transformation, or similar techniques shall not remove information needed for access or shall restore it upon delivery.

k. Products which have mechanically operated controls or keys, shall comply with the following:

(1) Controls and keys shall be tactilely discernible without activating the controls or keys.

(2) Controls and keys shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls and keys shall be 5 lbs. (22.2 N) maximum.

(3) If key repeat is supported, the delay before repeat shall be adjustable to at least 2 seconds. Key repeat rate shall be adjustable to 2 seconds per character.

(4) The status of all locking or toggle controls or keys shall be visually discernible, and discernible either through touch or sound.

4. Video and multimedia products.

a. All analog television displays 13 inches and larger, and computer equipment that includes analog television receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD

signals. Widescreen digital television (DTV) displays measuring at least 7.8 inches vertically, DTV sets with conventional displays measuring at least 13 inches vertically, and stand-alone DTV tuners, whether or not they are marketed with display screens, and computer equipment that includes DTV receiver or display circuitry, shall be equipped with caption decoder circuitry which appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape, and DVD signals.

b. Television tuners, including tuner cards for use in computers, shall be equipped with secondary audio program playback circuitry.

c. All training and informational video and multimedia productions which support the agency's mission, regardless of format, that contain speech or other audio information necessary for the comprehension of the content, shall be open or closed captioned.

d. All training and informational video and multimedia productions which support the agency's mission, regardless of format, that contain visual information necessary for the comprehension of the content, shall be audio described.

e. Display or presentation of alternate text presentation or audio descriptions shall be user-selectable unless permanent.

5. Self contained, closed products.

a. Self contained products shall be usable by people with disabilities without requiring an end-user to attach assistive technology to the product. Personal headsets for private listening are not assistive technology.

b. When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

c. Where a product utilizes touchscreens or contact-sensitive controls, an input method shall be provided that complies with sub-subparagraph 60EE-1.002(1)(a)3.k. (1)-(4), F.A.C.

d. When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.

e. When products provide auditory output, the audio signal shall be provided at a standard signal level through an industry standard connector that will allow for private listening. The product must provide the ability to interrupt, pause, and restart the audio at anytime.

f. When products deliver voice output in a public area, incremental volume control shall be provided with output amplification up to a level of at least 65 dB. Where the ambient noise level of the environment is above 45 dB, a volume gain of at least 20 dB above the ambient level shall be user selectable. A function shall be provided to automatically reset the volume to the default level after every use.

g. Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

h. When a product permits a user to adjust color and contrast settings, a range of color selections capable of producing a variety of contrast levels shall be provided.

i. Products shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

j. Products which are freestanding, non-portable, and intended to be used in one location and which have operable controls shall comply with the following:

(1) The position of any operable control shall be determined with respect to a vertical plane, which is 48 inches in length, centered on the operable control, and at the maximum protrusion of the product within the 48 inch length.

(2) Where any operable control is 10 inches or less behind the reference plane, the height shall be 54 inches maximum and 15 inches minimum above the floor.

(3) Where any operable control is more than 10 inches and not more than 24 inches behind the reference plane, the height shall be 46 inches maximum and 15 inches minimum above the floor.

(4) Operable controls shall not be more than 24 inches behind the reference plane.

6. Desktop and portable computers.

a. All mechanically operated controls and keys shall comply with sub-subparagraph 60EE-1.002(1)(a)1.-4., F.A.C.

b. If a product utilizes touch screens or touch-operated controls, an input method shall be provided that complies with sub-subparagraph 60EE-1.002(1)(a)1.-4., F.A.C.

c. When biometric forms of user identification or control are used, an alternative form of identification or activation, which does not require the user to possess particular biological characteristics, shall also be provided.

d. Where provided, at least one of each type of expansion slots, ports and connectors shall comply with publicly available industry standards.

(2) Function Performance Criteria.

(a) At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for assistive technology used by people who are blind or visually impaired shall be provided.

(b) At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for assistive technology used by people who are visually impaired shall be provided.

(c) At least one mode of operation and information retrieval that does not require user hearing shall be provided, or support for assistive technology used by people who are deaf or hard of hearing shall be provided.

(d) Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.

(e) At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for assistive technology used by people with disabilities shall be provided.

(f) At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.

(3) Information, Documentation, and Support.

(a) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.

(b) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.

(c) Support services for products shall accommodate the communication needs of end-users with disabilities.

(4) Nothing in this Rule Chapter shall be construed to require a fundamental alteration in the nature of a product or its components.

(5) Products located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment are not required to comply with this Rule Chapter.

Specific Authority 282.604 FS, Law Implemented 282.601-.606 FS, History–New _____.

60EE-1.003 Electronic and Information Technology Procurements.

(1) When procuring electronic and information technology resources, state agencies shall procure those products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C., when such products are available in the commercial marketplace or when such products are developed in response to a solicitation. If products are commercially available that meet some, but not all, of the accessibility standards, the state agency shall procure the product that best meets the accessibility standards.

(2) State agencies procuring electronic and information technology shall include the following language in their solicitations and contracts requiring vendors to provide those products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C., as electronic and information technology resources: Accessible Electronic Information Technology. Vendors submitting responses for to this solicitation must provide electronic and information technology resources in complete compliance with the accessibility standards provided in Rule 60EE-1.002, F.A.C. These standards establish a minimum level of accessibility.

(3) When procuring a product, if a state agency determines that compliance with any provision of Sections 282.601-.606 or this rule chapter imposes an undue burden, the documentation by the state agency supporting the procurement shall explain specifically why, and to what extent, compliance with each such provision creates an undue burden.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New

60EE-1.004 Electronic and Information Technology Development.

(1) When designing, developing and maintaining electronic and information technology resources, state agencies shall develop those processes or products which comply with the accessibility standards provided in Rule 60EE-1.002, F.A.C. Documentation of such developments shall include a detailed and comprehensive analysis of accessibility requirements, specifying any requirements necessary to meet the accessibility standards and achieve compliance. If a process or product can be developed that meets some, but not all, of the accessibility standards, the state agency shall develop the process or product that best meets the accessibility standards.

(2) When designing, developing and, subsequently, maintaining electronic and information technology resources, if a state agency determines that compliance with any provision of Sections 282.601-.606, F.S., or this rule chapter imposes an undue burden, the documentation by the state agency supporting the agency determination shall explain specifically why, and to what extent, compliance with each such provision creates an undue burden.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New

60EE-1.005 Compliance.

State agencies shall respond to and address any complaint regarding compliance, including any complaint regarding accessibility of products or processes developed or procured by the agency.

Specific Authority 282.604 FS. Law Implemented 282.601-.606 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kenneth Granger, Deputy Secretary, Enterprise Information Technology Services, Department of Management Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Lewis, Jr., Secretary, Department of Management Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-17.004
RULE TITLE: Guidelines for the Disposition of Disciplinary Cases

PURPOSE AND EFFECT: The proposed rule amendment adds a sanction for a licensee retaining a license to practice a profession by bribery, fraudulent misrepresentation, or through a departmental or board error.

SUMMARY: The proposed rule amendment adds a sanction to a licensee retaining a license for use in illegal activities.

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: 310.101, 310.185, 455.2273 FS.

LAW IMPLEMENTED: 310.101, 455.227, 455.2273 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, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-17.004 Guidelines for the Disposition of Disciplinary Cases.

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

2. Attempting to obtain, obtaining, or ~~retaining~~ ~~renewing~~ a license or certificate to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or the board. the sanction shall be class 1.

(3) through (4) No change.

Specific Authority 310.101, 310.185, 455.2273 FS. Law Implemented 310.101, 455.227, 455.2273 FS. History--New 2-11-87, Formerly 21SS-7.005, 21SS-17.004, Amended 9-27-94, 5-1-02, 7-3-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Pilot Commissioners**

RULE NO.: RULE TITLE:
61G14-19.001 Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The proposed rule amendment is intended to decrease the gross pilotage assessment.

SUMMARY: The proposed rule amendment decreases the gross pilotage assessment from .7% to .35%.

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

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

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~thirty-five hundredths seven tenths~~ of one percent (.35%) (~~7%~~) of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT JANUARY 1, 2007.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-02-05, 2-1-06, 5-1-06, 7-1-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Professional Surveyors and Mappers**

RULE NO.: RULE TITLE:
61G17-2.005 Statement Regarding Lack of Insurance

PURPOSE AND EFFECT: The purpose and effect of this amendment is to change the minimum height of the letters in the printed statement called for in this rule in order to conform with the requirements of paragraph 61G17-6.003(3)(f), F.A.C.

SUMMARY: The minimum height of the letters in the printed statement called for in this rule are changed from 1/8" to 1/4" to conform with the requirements of paragraph 61G17-6.003(3)(f), F.A.C.

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: 472.015 FS.

LAW IMPLEMENTED: 472.015 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-2.005 Statement Regarding Lack of Insurance.

In addition to the office sign required by Section 472.015, F.S., if neither the business entity nor the individual licensee has professional liability insurance, the map and the report, if there

is a report, must contain the following printed statement in letters at least 1/4" high: The survey depicted here is not covered by professional liability insurance.

Specific Authority 472.015 FS. Law Implemented 472.015 FS. History—New 2-20-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-17.001 RULE TITLE: Exemptions and Exceptions

PURPOSE AND EFFECT: The purpose and effect of the rule is to repeal language that is deemed to be no longer necessary.

SUMMARY: The Board proposes to repeal this rule.

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: 474.203, 474.206 FS.

LAW IMPLEMENTED: 474.202(9), 474.203(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-17.001 Exemptions and Exceptions.

Specific Authority 474.203, 474.206 FS. Law Implemented 474.202(9), 474.203(5) FS. History—New 7-9-80, Formerly 21X-17.01, 21X-17.001, Amended 7-4-95, 1-5-98, 3-6-06, Repealed _____.

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: June 14, 2006

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.

SUMMARY: 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.

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: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE 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

(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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Building Code Administrators and
Inspectors Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 4, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 1, 2006

**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.

SUMMARY: 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.

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: 455.225, 468.606 FS.

LAW IMPLEMENTED: 455.225, 468.607, 468.621 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE 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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Building Code Administrators and
Inspectors Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 4, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 1, 2006

**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.

SUMMARY: 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.

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: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609(7) 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE 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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

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.”

SUMMARY: The proposed rule amendment clarifies the mandated continuing education requirements by defining the term “Laws and Rules” and requiring continuing education course completion certificates be maintained for three (3) years.

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

LAW IMPLEMENTED: 455.2124, 455.213(6), 468.606, 468.627 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE 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.

(4) through (6) renumbered (5) through (7) No change.

(8) 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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.004
RULE TITLE: Approval of Courses

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

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

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: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.004 Approval of Courses.

(1) through (3) No change.

(4) The Board shall approve continuing education courses which have sufficient educational content to improve the certificate holder’s inspection and technical skills, which are taught by qualified instructors, and which otherwise fulfill the requirements of this part. Course approval is valid for two (2) years from the date of approval unless the provider expires or is disciplined. Such approval and upon consent by the chair, grants the ability of a Board member to attend, unannounced for compliance purposes, continuing education programs or courses.

(5) through (12) No change.

(13) Of the required fourteen (14) continuing education hours, up to four (4) ~~seven (7)~~ hours credit may be earned by attending a meeting of the Florida Building Commission within the Department of Community Affairs, or any of the meetings of any technical committees of the Commission. Certificate holders shall be responsible for obtaining and maintaining satisfactory proof of attendance at such meetings ~~as specified in Rule 61G19-9.008, F.A.C.~~ A copy of proof of attendance must be submitted to the Board office or Department upon request of completion to ensure that continuing education credit is awarded.

(14) A Board member may attend a continuing education course for the purpose of auditing a Board approved course or provider.

Specific Authority 468.606, 468.627 FS. Law Implemented 468.627 FS. History–New 5-23-94, Amended 5-21-95, 10-1-97, 8-17-99, 4-23-01, 1-2-02, 12-10-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-10.003
RULE TITLE: Reinstatement Fee of a Null and Void License

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

SUMMARY: The proposed rule amendment establishes a fee and incorporates applicable forms for 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: 455.271, 486.606, 455.219 FS.

LAW IMPLEMENTED: 455.219, 455.271 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE 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 _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-42.003 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update the Voucher for Reimbursement of Travel Expenses form to reflect changes to Section 112.06, F.S., by Chapter 2006-41, Laws of Florida.

SUMMARY: Rule 69I-42.003, F.A.C. updates the Voucher for Reimbursement of Travel Expenses Form for public officers and employees. In order to reduce identify theft, the proposed amendment will authorize state agencies to omit an authorized traveler's social security number on the voucher form if the agency ensures that procedures and security measures will be in place to correctly identify the authorized traveler.

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: 17.075(1), 17.29, 112.061(9) FS.

LAW IMPLEMENTED: 17.075, 112.061 FS.

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

DATE AND TIME: November 8, 2006, 9:00 a.m.

PLACE: Room 430, Fletcher Building, 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: Cheri Greene @ (850)413-5593. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cheri Greene, Room 448, Fletcher Building, Tallahassee, Florida 32399-0355, (850)413-5593

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-42.003 Forms.

(1) The Voucher for Reimbursement of Travel Expenses, Form DFS-AA-15, (revised ~~07/06~~ ~~06/97~~), is hereby incorporated by reference. Unless an alternative form is approved pursuant to this Section, Form DFS-AA-15 (~~07/06~~ ~~06/97~~) shall be used by travelers when requesting claims for reimbursement of travel expenses and shall be prepared in strict compliance with Section 112.061, Florida Statutes. All copies or electronic transmissions of travel vouchers (Form DFS-AA-15 or other approved form) submitted to the Chief Financial Officer for reimbursement of travel expenses shall contain the signatures of the traveler and the official authorizing the travel. Travel vouchers on file at the agency shall contain the original signatures in written or electronic form. Other evidence of approval of the travel voucher by the supervisor will be accepted if a copy or electronic transmission of the travel voucher is not available and would result in an unreasonable delay in reimbursing the traveler. State agencies are authorized to omit an authorized traveler's social security number on Form DFS-AA-15 or other approved form if procedures, including security measures, are in place to correctly identify the authorized traveler. The authorized traveler's federal tax identification number will be required for entering the transaction into the State's accounting system.

(2) through (4) No change.

Specific Authority 17.075(1), 17.29, 112.061(9) FS. Law Implemented 17.075, 112.061 FS. History--New 3-5-90, Amended 1-8-95, 12-29-96, 1-7-98, 11-15-98, Formerly 3A-42.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cheri Green, Financial Administrator, Bureau of Auditing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 18, 2006

DEPARTMENT OF FINANCIAL SERVICES

Divison of Consumer Services

RULE NO.: 69J-7.003 RULE TITLE: Inspections

PURPOSE AND EFFECT: This rule implements Section 215.5586, F.S., by incorporating the pamphlet which contains the procedures for determining the eligibility of homes for free inspection under the Florida Comprehensive Hurricane Damage Mitigation Program.

SUMMARY: The rule incorporates standards for determination of eligibility for a free home inspection pursuant to Section 215.5586, F.S. An online application process is established whereby insured homeowners can apply for a free home inspection through the My Safe Florida Home Program.

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: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: Wednesday, November 8, 2006, 12:00 Noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Barb Szumowski @ (850)413-3131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barb Szumowski, Senior Management Analyst II, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320, phone (850)413-3131

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.003 Inspections.

The standards and procedures for determination of eligibility for a free home inspection pursuant to Section 215.5586 F.S. are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Homeowner’s Guide to Free Home Inspections (Eff. _____), which is hereby incorporated by reference into this rule.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barb Szumowski, Senior Management Analyst II, Division of Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Miller, Deputy Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

Section III Notices of Changes, Corrections and Withdrawals

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
Division of Health Quality Assurance**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-31	Disputed Reimbursement Rule
RULE NO.:	RULE TITLE:
59A-31.007	Service of Petition on Carrier and Affected Parties

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 29, July 21, 2006, issue of the Florida Administrative Weekly. This change deletes subsection (2) from 59A-31.007 as it appeared in the previous Notice of Change published in Vol. 32, No. 36, September 8, 2006 issue of the Florida Administrative Weekly and makes numbering changes to reflect the deletion.

59A-31.007 Service of Petition on Carrier and Affected Parties.

- (1) No change.
- (3) through (5) renumbered (2) through (4) No change.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.020
 RULE TITLE: Payment Methodology for Inpatient Hospital Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 32, No. 31, on August 4, 2006.

In the Title XIX Inpatient Hospital Reimbursement Plan, as incorporated into this rule by reference:

Section V.C 16 (b)

- b. Effective July 1, 2006 ~~the reduction implemented during the period July 1, 2005 through June 30, 2006 shall become a recurring annual reduction. This recurring reduction, called the Medicaid Trend Adjustment, shall be applied proportionally to all rates on an annual basis.~~
~~reimbursement rates shall be adjusted as follows:~~
~~The aggregate annual total estimated savings of \$100,537,618 shall be implemented by a proportional adjustment to each provider's rate.~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 32, No. 31, on August 4, 2006.

In the Title XIX Outpatient Hospital Reimbursement Plan, as incorporated into this rule by reference:

Section III.F. Allowable Costs

1. The term "public hospital" has been replaced with non-state-government owned or operated facility in accordance with 42 CFR §417.272.

Section V.15 Standards

2. The term "public hospital" has been replaced with non-state government owned or operated facility in accordance with 42 CFR §417.272.
 3. The phrase "contingent on the public hospital or local governmental entity providing the required state match" has been deleted from the plan language.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 32, No 31, on August 4, 2006.

In the Title XIX Outpatient Hospital Reimbursement Plan, as incorporated into this rule by reference:

Section V.B.9 Methods

- b. Effective July 1, 2006 the reduction implemented during the period July 1, 2005 through June 30, 2006 shall become a recurring annual reduction. This recurring reduction, called the Medicaid Trend Adjustment, shall be applied proportionally to all rates on an annual basis.
reimbursement rates shall be adjusted as follows:
 The aggregate annual total estimated savings of \$16,796.807 shall be implemented by a proportional adjustment to each provider's rate.

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 HEARING CANCELLATION AND RESCHEDULING

The Board of Professional Engineers hereby gives notice that a public hearing on the above-referenced rule which was noticed in Vol. 32, No. 35, of the September 1, 2006 issue, Florida Administrative Weekly and scheduled for October 25, 2006 in Fort Lauderdale has been cancelled. A public hearing on the above-referenced rule as noticed in Vol. 32, No. 31 of the August 4, 2006 issue of the Florida Administrative Weekly is now rescheduled as follows:

DATE AND TIME: November 3, 2006, 10:00 a.m.

PLACE: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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 Accountancy

RULE NO.: 61H1-33.003
 RULE TITLE: Continuing Professional Education

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 33, August 18, 2006 issue of the Florida Administrative Weekly has been withdrawn.

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 Osteopathic Medicine

RULE NO.: 64B15-14.011
 RULE TITLE: Qualifications of Physicians Who Evaluate and Treat Sex Offenders

NOTICE OF PUBLIC HEARING

The Board of Osteopathic Medicine hereby gives notice of a public hearing on the above-referenced rule to be held at 9:00 AM on Saturday, November 18, 2006 at the Board Meeting in the Rosen Plaza Hotel, 9700 International Blvd., Orlando, FL 32819-8114. The rule was originally published in Vol. 32, No. 30 of the July 28, 2006 issue of the Florida Administrative Weekly.

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

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 HEALTH

Board of Osteopathic Medicine

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

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. 35, September 1, 2006 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. The Purpose and Effect for the rule shall now read as follows:

The purpose and effect of this rule is to revise the existing language of the rule to conform with new legislation relating to medical malpractice violations.

2. The Summary for the rule shall now read as follows:

The existing language of the rule is revised to conform with new legislation relating to medical malpractice violations.

3. The second sentence in the initial or introductory paragraph to the rule text shall now read as follows:

The rule 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.

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.004
 RULE TITLE: Procedures for Approval of Attendance at Continuing Education Courses

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 38, September 22, 2006 issue of the Florida Administrative Weekly.

The Board held a public hearing on this rule on April 7, 2006, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

(g) Attendance at scheduled public meetings of the Board of Respiratory Care, up to a maximum of 8 continuing education direct patient care hours per biennium.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-12.004	Cancellation of Retail Sales Agreements and Refunds
69K-12.005	Requirements for Retail Sales Agreements

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. 25, June 23, 2006 issue of the Florida Administrative Weekly.

When adopted, subsection (4) of Rule 69K-12.004 will read as follows:

(4) The monument establishment may not cancel the agreement unless the purchaser is in default under the terms of the agreement ~~or pursuant to the provisions of Chapter 497, F.S., and Chapter 69K, F.A.C.~~

When adopted, subsection (4) of Rule 69K-12.005 will read as follows:

(4) The agreement form must comply with all disclosure requirements of Sections 497.152 and 497.553 ~~Parts I and V, Chapter 497, F.S.~~

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Telecommunications, Inc.'s petition for waiver from subsection 25-4.079(5), Florida Administrative Code, filed June 1, 2006, in Docket No. 060430-TL was approved by the Commission by Order No. PSC-06-0729-PAA-TL, issued August 30, 2006, consummated by Order No. PSC-06-0794-CO-TL, issued September 25, 2006. The rule addresses the provision of specialized Customer Premises Equipment (CPE) for lease or sale to hearing/speech impaired persons. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the F.A.W. on June 16, 2006.

A copy of the Order can be obtained from: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on September 28, 2006, the St. Johns River Water Management District, received a petition for variance from Town Center Partners, Ltd., pursuant to Section 120.542, Florida Statutes. Petitioner Town Center Partners, Ltd., is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 4-009-63572-24. The permit applicant is proposing to construct an additional 51 single-family homes and related facilities southeast of the MTWCD Canal No. 42 for a surface water management system known as Fairway Isles at Bayside Lakes, Phase III Subdivision, in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These

rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-94.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)312-2347.

NOTICE IS HEREBY GIVEN that on September 26, 2006, South Florida Water Management District (District) received a petition for waiver from Donnil Kenney, Application No. 05-0812-3, for utilization of Works or Lands of the District known as the C-17 Canal, Palm Beach County for dredging, sheet pile retaining wall w/rip-rap, marginal dock with 5 finger piers; and existing boat ramp, asphalt parking area, deck w/railing, and landscaping consisting of palms and seagrapes within the south right of way of C-17 at the rear of 318 and 324 Southwind Drive, Section 16, Township 42 South, Range 43 East. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank, parking and the construction of marinas 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 kuff@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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on October 2, 2006 South Florida Water Management District (District) received a petition for waiver from the Town of Davie Application No. 06-0724-1, for utilization of Works or Lands of the District known as the C-11 Canal, Broward County for proposed turn lane improvements and guardrailings within the north right of way of C-11W, Section 26, Township 50 South, Range 40 East. The petition seeks relief from subsection 40E-6.011(4), and (6), Fla. Admin. Code, which prohibits the placement of permanent and semi-permanent above ground facilities within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on September 28, 2006, South Florida Water Management District (District) received a petition for waiver from Town of Jupiter, Application No. 06-0727-1, for utilization of Works or Lands of the District known as the C-18E Canal, Palm Beach County for an existing electrical panel and meter box within the north right of way of C-18E at the northwest quadrant of the Island Way Bridge, Section 3, Township 41 South, Range 42 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of encroachments within designated equipment staging areas within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on September 19, 2006, South Florida Water Management District (District) received a petition for waiver from South Florida Stadium Corporation, Application No. 06-0919-2M, for utilization of Works or Lands of the District known as the C-9 Canal, for the placement of guardrailings along the top of the canal bank beginning at the Florida Turnpike westerly approximately 5700' to be used in conjunction with intermittent parking for stadium events, Miami-Dade County, Section 34, Township 51 South, Range 41 East. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities 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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on September 26, 2006, South Florida Water Management District (District) received a Petition for Waiver from Michael Scott Moore and Anna Nicole Wellens, Application No. 06-0926-1, for utilization of Works or Lands of the District known as the Hillsboro Canal, Broward County for an existing shed on a concrete pad to remain within the right of way at the rear of 129 N. W. 7th Court, Section 36, Township 47 South, Range 42 East. The petition seeks relief from subsections 40E-6.011(4), and (6), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on September 11, 2006, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code from Dippin Dots Ice Cream in Brandon Town Center (Rio Concession Inc.) located in Tampa. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C. Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal.

This variance request was approved September 26, 2006, and is contingent upon Petitioner using an eleven (11) gallon or greater potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: supply for potable water tank must be from an approved source with written documentation provided; and sanitize the fresh water tank at least once every 24 hours. Petitioner must store the in-use utensils on a clean, sanitized dry surface, and those utensils are to be washed, rinsed, sanitized and air-dried at least once every two hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001

Food Code Section 2-301.14. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be re-evaluated. Any violation of the variance is the equivalent of a violation of the Rule and may result in a recession of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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 September 21, 2006, the Solid Waste Section, received a petition for a variance from certain Department rules regarding the Pinellas County Resource Recovery Facility. The petitioner has requested a temporary variance from paragraph 62-702.579(9)(b), Florida Administrative Code, which requires that ash residue be stored in a container or inside a building. The Petition for Variance is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

A copy of the Petition for Variance or Waiver may be obtained by contacting Richard Tedder, Program Administrator, at the above address.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on behalf of Enid M. Barrios-Menendez, M.D., on September 19, 2006, seeking a waiver or variance from subsection 64B8-5.001(5), F.A.C., with regard to the passing score on the SPEX. Comments on this petition should be filed with Board of medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice. For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- 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: October 31, 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 **Department of State, Division of Cultural Affairs**, announces the following public meeting, to which all persons are invited.

COMMITTEE: Art Selection Committee

DATE AND TIME: Monday, October 23, 2006, 9:30 a.m.

PLACE: Conference Room, Mission San Luis, 2021 West Mission Road, Tallahassee, FL 32304, (850)487-1791

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting to determine evaluate potential artwork sites and media, establish project schedules and set the next meeting date for Art in State Buildings Project No. DOS 9929/5000, Mission San Luis Visitor's Center, Tallahassee, Leon County.

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Art in State Buildings Program, 500 South Monroe St., Room 310A, Tallahassee, Florida 32399-0250, (850)245-6476.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

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 Morgan Barr at (850)245-6356. If you are hearing or speech impaired, please contact the Florida Relay at 711.

The **Department of State, Division of Cultural Affairs**, announces the following grant panel meetings, to which all persons are invited.

DATE AND TIME: *November 1, 2006, 9:00 a.m. – conclusion

PLACE: *This meeting will be held via conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2006-2007 Artist Enhancement Grants Program and 2006-2007 Quarterly Assistance Grant Panel.

DATE AND TIME: November 8, 2006, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2007 Individual Artist Fellowships Panel Meeting – Music Fellowships. *Please note: The 2007 Individual Artist Fellowships Panel Meeting – Music Fellowships has been rescheduled as indicated above.

For more information, please contact: Morgan Lewis, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or call (850)245-6356.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact Division staff at least 72 hours prior to the above stated schedule at (850)245-6356 or Text Telephone 711. These meetings are subject to cancellation or change, please call to confirm the meeting date and time.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE OF RESCHEDULING – The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council.

DATE AND TIME: Thursday, October 25, 2006 (Rescheduled from October 12, 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. The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call Louise King at (305)401-1502.

The Florida **Department of Agriculture and Consumer Services, Division of Aquaculture** announces a meeting of the Clam Industry Task Force to which all interested persons are invited.

DATE AND TIME: Friday, November 17, 2006, 10:30 a.m. – 1:00 p.m.

PLACE: Hillsborough Community College, Brandon Campus, Room BSSB 206, 10414 E. Columbus Drive, Tampa, FL 33619

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the Florida Clam Industry.

A copy of the agenda can be obtained by contacting: Rachele Coleman, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Rachele Coleman as soon as possible.

The Florida **Department of Agriculture and Consumer Services, Division of Aquaculture** announces a meeting of the Aquaculture Review Council to which all interested persons are invited.

DATE AND TIME: Friday, November 17, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: Hillsborough Community College, Brandon Campus, Room BSSB 208, 10414 E. Columbus Drive, Tampa, FL 33619

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda can be obtained by contacting: Kal Knickerbocker, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Kal Knickerbocker as soon as possible.

DEPARTMENT OF EDUCATION

The **University of South Florida**, Louis de la Parte Florida Mental Health Institute announces The Florida Medicaid Drug Therapy Management Program for Behavioral Health Executive/Operations Committee meeting to which all persons are invited.

DATE AND TIME: Tuesday October 24, 2006, 10:00 a.m. – 3:00 p.m.

PLACE Florida Agency for Health Care Administration, Building 3, 2727 Mahan Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Report and updates on the activities of the program and their impact.

Accommodations for Disabilities: Any person with a documented disability requesting reasonable accommodations should contact Marie McPherson at the Department of Mental Health Law and Policy, 13301 Bruce B. Downs Blvd., Tampa, FL 33612, (813)974-5378 or email mmcpherson@fmhi.usf.edu at least 5 days in advance of the meeting. Persons

with hearing or speech impairments should also contact Marie McPherson by using the Florida Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Board of Directors of the Florida Public Archaeology Network (FPAN), **University of West Florida**, will hold a meeting to which all persons are invited:

DATE AND TIME: Friday, October 27, 2006, 8:00 a.m. (CST) – and will last approximately seven hours

PLACE: The Florida Public Archaeology Network, 212 East Church Street, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors in which the operation of the Network is to be reviewed. Proposals to host additional regional centers will also be considered.

Contact person: Cheryl Phelps, FPAN, (850)595-0050, cphelps@uwf.edu

Information on the FPAN can be obtained at www.flpublicarchaeology.org. An agenda for this meeting will be posted on this website at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed below.

Pursuant to the provisions of the American with Disabilities Act, any persons requiring special accommodations to attend these meetings is requested to advise UWF by contacting the UWF ADA Office at (850)857-6114 (TTY) at least 48 hours before each meeting.

The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public hearing of the Florida Schools of Excellence Commission Sub-Committee to which all persons are invited.

DATE AND TIME: October 24, 2006, 10:30 a.m. – 12:30 p.m.

PLACE: Conference Call: (850)410-8045 Suncom 210-8045

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be holding a conference call Executive Director Search Sub-Committee Meeting to discuss requirements of the vacant Executive Director position description.

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399 or by phone at (850)245-0502.

The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public hearing of the Florida Schools of Excellence Commission to which all persons are invited.

DATE AND TIME: October 26, 2006, 10:00 a.m. – until completion

PLACE: Meeting Room 301, Senate Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Per Florida Statutes 1002.335(3)(c), The Florida Schools of Excellence Commission shall meet each month at the call of the chair.

Agenda is forthcoming.

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399 or by phone at (850)245-0502.

The public is invited to a meeting of the System Coordinating Committee of the Board of Governors of the **State University System** of Florida.

DATE AND TIME: October 25, 2006, 10:00 a.m. – 4:00 p.m.

PLACE: Cape Florida Ballroom, Student Union, University of Central Florida, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of options for ensuring greater coordination and cooperation among the universities within the State University System, the University Boards of Trustees and the Board of Governors.

A copy of the agenda may be obtained from the Board of Governors' website at <http://www.flbog.org>

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

DEPARTMENT OF COMMUNITY AFFAIRS

The **Building Code Education and Outreach Council** announces the following meeting which will utilize communication media technology, specifically a conference telephone call, to which all persons are invited to participate.

DATE AND TIME: October 31, 2006, 9:00 a.m.

PLACE: Conference Call: (850)410-0966, Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed subjects for advanced courses regarding Florida Building Code and to discuss the University of West Florida Proposal: Statewide Building Code Training Utilizing A Virtual Construction Video Library: Delivery through iPod, Video, and On-line Modules.

Anyone who wishes to participate in the conference calls needs to contact the operator at the above number and request to participate in the conference call. If a person wishes to attend the conference call in person, may go to Room 210L in the Sadowski building, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

Any interested person requiring additional information or wishing to submit written or other physical evidence should contact: Ms. Barbara Bryant, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)487-1824.

Any person requiring a special accommodation at the meeting 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 meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

NOTICE OF RESCHEDULING – The **Department of Transportation**, District One announces a rescheduling of a public hearing to which all persons are invited. A public hearing originally scheduled for October 19, 2006, is being rescheduled for December 7, 2006. On October 19, 2006, an Informational Meeting will be held to which all persons are invited.

DATE AND TIME: October 19, 2006, Open House, 6:00 p.m. – 8:00 p.m.

PLACE: Venice Community Center, 326 S. Nokomis Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This informational meeting is being held to allow persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental impacts of the Design Change Reevaluation of the Project Development and Environment (PD&E) Study completed in 1994 for U.S. 41 (Venice Bypass) from Center Road to south of U.S. 41 Business North; Financial Project ID Number 198017-2-32-01. The proposed improvements to U.S. 41 (Venice Bypass) consist of upgrading the existing four-lane roadway to a six-lane divided urban roadway from Center Road to Bird Bay Drive. This project is located partially in the City of Venice and partially in Sarasota County.

Anyone needing project information or special accommodations pursuant to the Americans with Disabilities Act of 1990 should contact Mr. Chris Piazza at 1(800)292-3368.

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

DATE AND TIME: October 24, 2006, 1:00 p.m. – 5:00 p.m.

PLACE: Center for Urban Transportation Research (CUTR), University of South Florida, College of Engineering, 4202 E. Fowler Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman at (850)414-4105.

The **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIMES: November 2, 2006, Open House, 5:30 p.m. – 6:30 p.m.; Formal Presentation B, 6:30 p.m.

PLACE: Ocala Police Department, 402 S. Pine Avenue, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project Number 404734-1-32-11, otherwise known as SR 464 Grade Separated Crossing of the CSX Transportation Railroad. The limits of the project corridor are from Southwest 12th Avenue to US 27/301/441 (Pine Avenue) in Ocala, Marion County, Florida.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call telephone number (386)740-0665. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Mr. Alan Ledgerwood, Project Manager, URS Corporation, 232 North Amelia Avenue, DeLand, Florida 32724.

The **Department of Transportation**, District 4 and District 6 announce public hearings to which all persons are invited.

DATE AND TIME: Wednesday, November 8, 2006, 5:30 p.m.

PLACE: Cohen Pavilion at Kravis Center, 701 Okeechobee Boulevard, West Palm Beach, Florida 33401

DATE AND TIME: Thursday, November 9, 2006, 5:30 p.m.

PLACE: Gwen Margolis Community Center, 1590 N. E. 123rd Street, North Miami, Florida 33161

DATE AND TIME: Wednesday, November 15, 2006, 5:30 p.m.

PLACE: Broward County Library, 100 South Andrews Avenue, Fort Lauderdale, FL 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

These hearings are being conducted to afford persons the opportunity to express their views concerning the South Florida East Coast Corridor Transit Analysis (SFECCTA) Study. The region's eastern cities are witnessing a surge in

urban redevelopment as people and businesses continue to migrate to coastal Southeast Florida. The existing and proposed highway capacity network planned for the study area alone will not be able to accommodate the travel demand market evident and projected in this north-south corridor. Due to highway capacity constraints, commuting times in the region are expected to triple over the year 2000 levels by the year 2020. Regional premium transit system improvements are needed along the SFECCTA to improve mobility and reduce delays between major Central Business District's (CBD), major economic centers, transportation hubs and residential communities. The SFECCTA Draft Programmatic Environmental Impact Statement (DPEIS) identifies alternate modes of transportation focused on increasing capacity for freight and passenger mobility as well as addressing the anticipated increase in travel demands along this highly urbanized, traffic congested eastern portion of Miami-Dade, Broward, and Palm Beach Counties, Florida. The SFECCTA study area is centered along the Florida East Coast (FEC) Railway corridor, bounded on the south by the CBD of the City of Miami with potential connections west to the Miami Intermodal Center (MIC) at Miami International Airport (MIA) located adjacent to the City of Hialeah, and on the north by the Town of Jupiter in Palm Beach County. Copies of the Draft PEIS are available in hard copy format for public inspection at the following locations:

Palm Beach County:

Palm Beach County Government Center, 301 N Olive Ave., West Palm Beach, FL 33401, Phone: (561)355-4137

Palm Beach Gardens Municipal Complex, 10500 North Military Trail, Palm Beach Gardens, FL 33410, Phone: (561)799-4100

Delray Beach City Library, 100 West Atlantic Ave., Delray Beach, FL 33444, Phone: (561)266-0799

Broward County:

Broward County Main Library, 100 S. Andrews Avenue, Fort Lauderdale, FL 33301, Phone: (954)357-7444

Hallandale Beach Branch Library, 300 S. Federal Highway, Hallandale Beach, FL 33009, Phone: (954)457-1750

Pompano Beach Branch Library, 1213 E. Atlantic Boulevard, Pompano Beach, FL 33062, Phone: (954)786-2197

Miami-Dade County:

Miami-Dade Main Library, 101 West Flagler Street, Miami, Florida 33130, Phone: (305)375-2665

Miami-Dade Library – Northeast Branch, 19200 West Country Club Drive, Aventura, Florida 33180, Phone: (305)931-5512

Brockway Memorial Library, 10021 N. E. 2 Avenue, Miami Shores, Florida 33138, Phone: (305)758-8107

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act (ADA) of 1990 should write to the address given below or call the FDOT Project Manager, Mr. Scott Seeburger, at

(954)777-4632 or Toll Free 1(866)336-8435, ext. 4632. Special accommodation requests under the ADA should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Scott Seeburger, SFECCTA Project Manager, Florida Department of Transportation B, District 4, Office of Planning and Environmental Management, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

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: Monday, October 30, 2006, 7:00 p.m.

PLACE: Terra Ceia VIA Hall, 1505 Center Road, Terra Ceia, FL 34250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Terra Ceia Aquatic Preserve Advisory Committee Meeting - purpose is to brief members of the Advisory Committee on their role in assisting in the management plan development process.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Randy Runnels at (941)721-2068.

Pursuant to the provisions of 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 Aquatic Preserve Manager, Randy Runnels at (941)721-2068. If you are 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**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 13, 2006, 6:00 p.m.

PLACE: Manatee Civic Center, Terra Ceia Room, One Haban Blvd., Palmetto, FL 34221

GENERAL SUBJECT MATTER TO BE CONSIDERED: Terra Ceia Aquatic Preserve Management Plan Public Scoping Meeting – purpose is to inform the public on the management plan development process and to solicit input on issues they are interested in seeing addressed in the plan.

A copy of the agenda may be obtained by contacting Aquatic Preserve Manager, Randy Runnels at (941)721-2068.

Pursuant to the provisions of 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 Aquatic Preserve Manager, Randy Runnels at (941)721-2068. If you are 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 a public meeting of the Florida Commission on Hurricane Loss Projection Methodology to which all persons are invited.

DATE AND TIME: Monday, October 23, 2006, 2:00 p.m. (ET) – until conclusion

PLACE: Teleconference Call: The conference call number is (850)410-0968, or Suncom 210-0968

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Proposed Rule 19-16.001, F.A.C., and to determine whether to go forward and file the rule as proposed for adoption, whether to file a Notice of Change or whether to withdraw the rule. 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 Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, October 25, 2006, 9:00 a.m. – The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed

discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

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 meeting of the Processing Statistics Reporting Advisory Committee to which all persons are invited.

DATE AND TIME: Thursday, October 26, 2006, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be a meeting to discuss its purpose, structure, scope, and responsibilities as an advisory committee to the Florida Citrus Commission. The current reporting process will also be discussed. The Committee will also discuss any other issues that may properly come before the 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)499-2500.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, November 1, 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 to: 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.

EXECUTIVE OFFICE OF THE GOVERNOR

Volunteer Florida, The **Governor's Commission on Volunteerism and Community Service**, is pleased to announce Committee meetings to which all persons are invited to attend.

DATE AND TIME: October 17, 2006, 8:00 a.m. – when all business is complete

PLACE: To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Commission, the Executive Committee, and the Finance and Audit Committee.

Please contact Ysonde Jensen at (850)414-0092 for meeting location and agenda.

If you require a reasonable accommodation to participate, please contact Ysonde Jensen, (850)414-0092, Voice/TTY, 72 hours in advance with your request.

The Members of the **Governor's Ex-offender Task Force** announces a meeting with members of the Duval Legislative Delegation on:

DATE AND TIME: October 18, 2006, 2:00 p.m.

PLACE: The Florida Community College of Jacksonville, Advanced Technology Center, 401 W. State Street, Room T116, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to re-entry.

Volunteer Florida, The **Governor's Commission on Volunteerism and Community Service**, is pleased to announce a conference call of the Grants/AmeriCorps Committee to which all persons are invited to attend.

DATE AND TIME: October 20, 2006, 2:00 pm. (Time is subject to change)

PLACE: Please call (850)414-0092 for Call-In Number and Passcode

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee business and planning and approval of AmeriCorps program funding.

Please contact Ysonde Jensen at (850)414-0092 for a meeting agenda.

If you require a reasonable accommodation to participate please contact Ysonde Jensen, (850)414-0092, Voice/TTY, 72 hours in advance with your request.

The **Governor's Faith-Based and Community Advisory Council** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Wednesday, October 25, 2006, 2:30 p.m.

PLACE: Conference Call-in Number: 1(888)808-6959, Access Code: 4130909; Leader: John Brabson

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the newly appointed Council Members will be briefed on subcommittee history, mission and goals.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Governor's Faith-Based and Community Advisory Council** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Wednesday, October 25, 2006, 3:00 p.m.

PLACE: Conference Call-in Number: 1(888)808-6959, Access Code: 4130909; Leader: John Brabson

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the newly appointed Council will be briefed on subcommittee work and discuss policy recommendations.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Governor's Property and Casualty Insurance Reform Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: October 26, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: Room 212, Knott Building, The Capitol, 400 S. Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee business

A copy of the agenda may be obtained by contacting www.myfloridainsurancereform.com

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 1 day before the workshop/meeting by contacting Leslie Jacobs, Office of Lt. Governor Toni Jennings, at (850)488-4711. If you are 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 Leslie Jacobs, Office of Lt. Governor Toni Jennings, at (850)488-4711.

The **Governor's Faith-Based and Community Advisory Board**, Disaster Subcommittee announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Thursday, October 26, 2006, 3:00 p.m.

PLACE: Conference Call-in Number: 1(888)808-6959, Access Code: 4130909; Leader: Jody Hill

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Subcommittee will discuss the goals/objectives of this newly formed subcommittee, as well as discuss other pending issues.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: October 26, 2006, 6:00 p.m.

PLACE: Suwannee County Office Annex, 27055 83rd Place, Branford, Florida

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

MEETING: Clearinghouse Committee

DATE AND TIME: October 26, 2006, 6:00 p.m.

PLACE: The Gathering Cafe, 26804 State Road 247, Branford, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: October 26, 2006, 7:30 p.m.

PLACE: The Gathering Cafe, 26804 State Road 247, Branford, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of any of these agendas may be obtained by emailing ncfrpc@ncfrpc.org or writing to: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653.

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

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

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 18, 2006, 10:00 a.m. to 12:00 Noon

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the East Central Florida Regional Planning Council (ECFRPC) Council.

A Nominating Committee of the ECFRPC will be held at 9:30 a.m., today at the same location, prior to the Council Meeting.

A copy of the agenda may be obtained by contacting diane@ecfrpc.org

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, October 19, 2006, 2:00 p.m. – 3:30 p.m.

PLACE: City of Pembroke Park Commission Chambers, 3150 S. W. 52 Avenue, Pembroke Park, FL 33023

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement, and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained by writing to: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council at (954)967-4152, ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because

of a disability or physical impairment, please contact the Council at (954)985-4416 at least five calendar days prior to the meeting.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 25, 2006, 10:00 a.m.

PLACE: Miami-Dade County, Emergency Operation Center, 9300 N. W. 41 Street, Miami, Florida 33178

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2006/07.

A copy of the agenda may be obtained by writing to: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 toll-free statewide.

NOTICE OF CHANGE – The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: November 2, 2006, 10:00 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 a meeting of the Florida District X, Local Emergency Planning Committee.

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.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: Thursday, October 26, 2006, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571 prior to the meeting.

REGIONAL TRANSPORTATION AUTHORITIES

Notice is hereby given that the **South Florida Regional Transportation Authority**, Governing Board will hold a meeting on:

DATE AND TIME: Friday, October 27, 2006, 9:30 a.m.

PLACE: Board Room, South Florida Regional Transportation, Administration Building, 800 Northwest 33rd Street, Suite 100, Pompano Beach, Florida. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

Attendance by South Florida Regional Transportation Authority Board Members may be in person or via conference telephone.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY PROPERTY COMMITTEE MEETING

Notice is hereby given that the South Florida Regional Transportation Authority Property Committee will hold a regular committee meeting on:

DATE AND TIME: Friday, October 27, 2006, 8:30 a.m.

PLACE: Board Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064. Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Should you have any questions, please contact SFRTA Planning Office at (954)935-1930.

Any person who decides to appeal any decision made by the Governing Board or the Property Committee with respect to any matter considered at these meetings or hearings, will need a record of the proceedings, and that, 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.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide

a written request directed to: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

Notice is hereby given that the **South Florida Regional Transportation Authority**, Operations Technical Committee will hold a regular committee meeting.

DATE AND TIME: Thursday, November 2, 2006, 10:00 a.m.

PLACE: Board Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Florida Regional Transportation Authority Operations Technical Committee Meeting.

Should you have any questions, please contact SFRTA Operations Office at (954)788-7945.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Committees with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, 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. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

Notice is hereby given that the **South Florida Regional Transportation Authority**, Citizen's Advisory Committee will hold a regular committee meeting.

DATE AND TIME: Friday, November 3, 2006, 10:00 a.m.

PLACE: Board Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Florida Regional Transportation Authority Citizen's Advisory Committee Meeting.

Should you have any questions, please contact SFRTA Executive Office at (954)788-7915.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Committees with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, 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. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

Notice is hereby given that the **South Florida Regional Transportation Authority**, Marketing Committee will hold a regular committee meeting.

DATE AND TIME: Tuesday, October 17, 2006, 2:00 p.m.

PLACE: Main Conference Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Florida Regional Transportation Authority Marketing Committee Meeting.

Should you have any questions, please contact SFRTA Marketing Office at (954)788-7935.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Committees with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, 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. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization**, Advisory Council (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all persons are invited.

DATE AND TIME: November 2, 2006, 3:00 p.m. – 4:00 p.m.
PLACE: Fort Lauderdale Grande Hotel & Yacht Club, 1881 S. E. 17th Street, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368 ext. 4037 or E-mail: brigitte.messina@dot.state.fl.us

The Florida **Metropolitan Planning Organization**, Advisory Council (MPOAC) announces a meeting of the Governing Board to which all persons are invited.

DATE AND TIME: November 2, 2006, 4:30 p.m. – 7:00 p.m.

PLACE: Fort Lauderdale Grande Hotel & Yacht Club, 1881 S. E. 17th Street, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, ext. 4037 or E-mail: brigitte.messina@dot.state.fl.us

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces meetings and public hearings to which all persons are invited.

DATE AND TIME: October 26, 2006, 10:30 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lands Committee meeting – to discuss District land acquisition matters.

DATE AND TIME: October 26, 2006, 11:00 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee meeting – to discuss the Inspector Generals FY 2005-2006 Audit Report and FY 2006-2007 Audit Plan.

DATE AND TIME: October 26, 2006, 11:15 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee of the Whole meeting – to discuss the Environmental Resource Permitting Program.

DATE AND TIME: October 26, 2006, 1:00 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of Governing Board – to consider District business.

DATE AND TIME: October 26, 2006, 1:15 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regulatory Public Hearing – to consider regulatory matters.

DATE AND TIME: October 26, 2006, 1:30 p.m. (EDT)
GENERAL SUBJECT MATTER TO BE CONSIDERED:
District Lands Public Hearing – to consider land acquisition matters.

DATE AND TIME: October 26, 2006, 1:45 p.m. (EDT)
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Public Hearing on 2006 Update to the Regional Water Supply Plan for Santa Rosa, Okaloosa and Walton Counties.

PLACE: District Headquarters, ten miles west of Tallahassee on U.S. Highway 90

A copy of these agendas 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.

R. O. Ranch Inc., a Florida non-profit corporation, announces the following meeting to which all interested persons are invited.

DATE AND TIME: October 24, 2006, 7:00 p.m.

PLACE: The Chateau, Mayo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Board of Directors meeting to consider business including the development of equestrian facilities on Suwannee River Water Management District lands.

A copy of the agenda may be obtained by writing: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

Persons with disabilities who need assistance in order to participate in this meeting may contact Gwen Lord, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 23, 2006, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Citrus County Tsala-Apopka Chain Of Lakes Task Force Of The Citrus/Hernando Waterways Restoration Council. Discussion of Task Force business.

A copy of the agenda may be obtained by contacting: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

Pursuant to the provisions of 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 1(800)423-1476 (Florida), or (352)796-7211, extension 4226; Fax (352)797-5806; TDD ONLY 1(800)231-6103 (Florida). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF CANCELLATION – The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited.

TOUR OF WATER SUPPLY FACILITIES scheduled for Friday, October 13, has been cancelled due to conflicts, and will be rescheduled at a future date.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING

DATE AND TIME: Tuesday, October 24, 2006, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct Committee meetings and Governing Board meeting. (If all items are completed at Tuesday’s meeting, there will be no Wednesday meeting.)

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING

DATE AND TIME: Wednesday, October 25, 2006, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct Committee Meetings and Board meeting.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4610, 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: Tuesday, November 14, 2006, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained at the (1) District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing to: South Florida Water Management District, Mail Stop 2130, 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.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Resource Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

SPACE FLORIDA

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

DATE AND TIME: October 20, 2006, 12:00 Noon – 3:00 p.m. (EDT)

PLACE: John F. Kennedy Space Center, Visitors Complex, Debus Conference Center, Highway 405

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will approve the budget for November 2006 – June 20, 2007, approval of Space Florida Travel and Expense Policy, approval of Executive Committee Members and development of Space Florida Business Plan, approval of Aug. 30, 2006 Board Minutes, and any other administrative issues that may need to be considered relating to the business of Space Florida and other State Agencies. Partnership Presentations: Office of Tourism, Trade, and Economic Development, Enterprise Florida, Workforce Florida, Department of Education.

A copy of the agenda may be obtained by contacting: Space Florida, Mail Stop: SPFL, State Road 405, Building M6-306, Room 9030, Kennedy Space Center, FL 32899.

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 7 days before the workshop/meeting by

contacting Space Florida (321)730-5301. If you are 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 Space Florida, Cheryl Carr, (321)730-5301, ext. 221

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a meeting to which all persons are invited.

DATE AND TIME: October 16, 2006, 11:00 a.m. – 4:00 p.m.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Room 225F, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual meeting for PSAs 1, 2, 3(N), and 4(N) program updates and training.

The **Department of Elder Affairs** announces a meeting to which all persons are invited.

DATE AND TIME: October 17, 2006, 11:00 a.m. – 4:00 p.m.

PLACE: Area Agency on Aging of North Florida, 2414 Mahan Drive, Tallahassee, FL 32308., (850)488-0055

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Leadership Training.

The **Department of Elder Affairs** announces a meeting to which all persons are invited.

DATES AND TIMES: October 31, 2006, 10:30 a.m. – 3:30 p.m.; November 1, 2006, 1:30 p.m. – 5:00 p.m.; November 2, 2006, 8:00 a.m. – 11:30 a.m.

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607, Ph: 813-873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: SHINE Program Leadership meeting and training- updates to Medicare/Medicaid, and other valuable information in assisting Florida's elder citizens.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration**, in conjunction with the Department of Elder Affairs, announces the following public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, October 26, 2006, 1:00 p.m. – 2:30 p.m. (Eastern Time)

PLACE: Osceola Library System, Hart Memorial Central Library, Lillie Room, 2nd Floor, 211 East Dakin Avenue, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 409.912(5), Florida Statutes, mandates the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, to create an "integrated, fixed-payment delivery system for Medicaid recipients who

are 60 years of age or older. The Agency for Health Care Administration shall implement the integrated system initially on a pilot basis in two areas of the state.” The Agency for Health Care Administration submitted waiver applications to the Centers for Medicare and Medicaid Services on January 25, 2006 and received federal approval on September 13, 2006. This managed, integrated long-term care program will implement in the following areas upon legislative approval: The Panhandle Pilot Area- Escambia, Santa Rosa, Okaloosa and Walton Counties; and the Central Florida Pilot Area-Seminole, Orange, Brevard and Osceola Counties. The primary purpose of this meeting is to provide outreach and education to Medicaid beneficiaries about the program. An overview of the proposed program will be provided, as well as an opportunity for public comment.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting should advise the Agency at least seven days prior to the meeting by contacting: Sarala Hermes, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308. (850)487-2618, E-mail: hermess@ahca.myflorida.com

NOTICE OF RESCHEDULING – The Agency for Health Care Administration announces a public meeting to which all persons are invited. This meeting is a rescheduling of the previously noticed October 26, 2006 meeting.

DATE AND TIME: Thursday, November 2, 2006, 1:30 p.m. – 3:00 p.m.

PLACE: Agency for Community Treatment Services (ACTS) Building, 4612 North 56th Street, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Area Six Managed Care Behavioral Health Advisory Group will hold its quarterly meeting. The purpose of the meeting is to provide a forum for the community to discuss issues surrounding managed behavioral health care services with representatives from the managed care plans, the Agency, and the Department of Children and Family Services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jorja Daniels, (813)871-7600, ext. 132, at least five calendar days prior to the meeting.

For additional information contact: Jorja Daniels, Agency for Health Care Administration, 6800 North Dale Mabry Highway, Suite 220, Tampa, FL 33607, E-mail: danielsj@ahca.myflorida.com

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officers (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, October 16, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact Amy Caldeira at amy_caldeira@doh.state.fl.us or call (850)245-4444, ext 3811.

The **State Technology Office**, Wireless 911 Board announces the following meeting schedule information.

DATES AND TIME: October 18-19, 2006, 9:00 p.m. – 5:00 p.m.

PLACE: Wyndham Casa Marina Resort, Key West, Florida

*Special Note: Some Board Members will participate in this meeting via telephone conference due to other conflicting obligations making up a quorum of the Board.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

If accommodation due to disability is needed in order to participate, please notify the State Technology Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Florida Black Business Investment Board, Inc.** (FBBIB) announces a telephonic meeting of its board of directors to which all interested persons are invited.

DATE AND TIME: Wednesday, October 18, 2006, 10:00 a.m.

PLACE: Telephonic Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss the Board’s operations, to identify areas for future Board priorities, convene the loan, audit, and development committees, discussion/review/approval of related issues, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: Keevin Williams, Florida Black Business Investment Board, 2019 Centre Pointe Boulevard, Suite 101, Tallahassee, FL 32308, (850)878-0826.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office at (850)878-0826, at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of a meeting of the Advisory Council on Condominiums.

DATE AND TIME: November 3, 2006, 12:00 Noon – 5:00 p.m. (or until business is completed)

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input and conduct general business of the Advisory Council.

AGENCY CONTACT PERSON: Carol Windham, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

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 Carol Windham, Government Analyst, at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Regulatory Council of Community Association Managers** announces the following general business meeting to which all persons are invited.

DATE AND TIME: Friday, November 3, 2006, 10:30 a.m. (EST) or soon thereafter

PLACE: Telephone conference call. To connect please dial 1(888)808-6959, Conference Code 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: The Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399 or by calling (850)922-5012.

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 purpose 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 based.

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

forty-eight (48) hours before the meeting by contacting (850)922-5012. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: October 23, 2006, 1:00 p.m.

PLACE: Hilton Cocoa Beach Oceanfront, 1550 North Atlantic Avenue, Cocoa Beach, Florida 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

ADG Alpha Design Group, Case No. 2005-024611

Thomas Audit, Case No. 2006-038321

Steve Bass, Case No. 2005-046932

Brenda Benz, Case No. 2006-047003

Adrienne Berliner, Case No. 2006-028625

Kimberly Bewley, Case No. 2006-044410 & 2006-044408

Johnnie Cartwright, Case No. 2006-002464

Casa Blanca, Case No. 2006-025858

Robert Case, Case No. 2006-005342

Robert Cole, Case No. 2005-048727

Concepto Uno of Miami, Case No. 2006-041343

Custom Workroom, Case No. 2006-025244

Kimberly Diamant, Case No. 2006-028714

DYBA Design, Case No. 2005-053220

Alan Eliassen, Case No. 2006-029041

Daniel Estevill, Case No. 2006-027100

Ronald Fenn, Case No. 2005-052167

Ferry, Hayes & Allen Designers, Inc., Case No. 2006-039493

Chelsey Hargarten, Case No. 2006-050089

Delores Jacoby, Case No. 2006-025871

Kevin D. Atchley Design, Case No. 2006-025574

Stephanie Kitts, Case No. 2006-041628

Kundu Corporation, Case No. 2006-002847

Scott Layne, Case No. 2006-033688

Heather Lollie, Case No. 2006-043448

Wade Longmire, Case No. 2006-028772

Meg Adams Interior Design, Inc., Case No. 2005-033899

Octavio Mejia & Carmen Abreu, Case Nos. 2005-033881 & 2005-033882

Joseph Miraglia, Case No. 2006-027383

Regan Reed, Case No. 2005-033884

Margaret O'Rourke, Case No. 2006-014976

Andrew Parker, Case No. 2005-046407

Roland Patterson, Case No. 2006-028864

Michael Perry, Case No. 2005-037042

Camilla Popham and Noble Interiors, Inc., Case Nos. 2006-036122 & 2006-034896
 Properties Solution Service Corp., Case No. 2005-061067
 Regan Reed, Case No. 2005-033884
 Lina Restrepo and Tempo Designs, Inc., Case No. 2006-040857 & 2006-040827
 Ryan Alexander Group, Inc., Case No. 2005-021700
 Antonio Sacerio, Case No. 2005-046160
 Sandra Sanchez, Case No. 2006-005622
 David Ser, Case No. 2005-027946 & 2005-013168
 Leon Sikes, Case No. 2006-019227
 Solana Enterprises, Inc., Case No. 2006-005031, 2006-005025, 2006-005031
 Doug Spencer, Case No. 2005-022371
 John Strickland, Case No. 2005-038687
 Tempo Designs, Inc., Case No. 2006-040827
 Anthony Thayer, Case No. 2006-007960
 Robert Tracy, Case No. 2006-031550
 Ronald Trebbi, Case No. 2006-011001
 Costa Vatikiotis, Case No. 2006-029029
 Carolina Velasquez, Case No. 2006-037117
 Wingate & Associates Realty, Inc., Case No. 2006-018745 & 2006-018751
 Eve Wittman, Case No. 2005-024786
 Debra Yates, Case No. 2006-002407
 Natasha Younts, Case No. 2006-002883
 Zamparelli Architectural Group, Case No. 2006-046944
 John Zonata, Case Nos., Case No. 2006-005498 & 2006-029002

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308-4893.

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 Smith, Thompson, Shaw & Manausa, P.A. at (850)402-1570, 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 which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: October 24, 2006, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Electrical Contractors' Licensing Board** announces the following Board Meeting to which all interested persons are invited to attend.

DATE AND TIME: November 15, 2006, 4:00 p.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions are closed to the public).

DATE AND TIME: November 16, 2006, 8:30 a.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Actions, General Business Meeting.

DATE AND TIME: November 17, 2006, 8:30 a.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: Department of Business and Professional Regulation, Boardroom, 1940 North Monroe St., Tallahassee, FL 32399, (850)922-5012

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact, in writing: the Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office at (850)922-5012, at least five (5) 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, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces its Probable Cause Panel will take up cases for Reconsideration at its regularly scheduled meeting. Although the Reconsiderations are open to the public, portions of the Probable Cause Panel meeting will be closed consistent with law.

DATE AND TIME: Thursday, November 16, 2006, 9:00 a.m.

PLACE: Conference Call Number: 1(866)895-8146, Passcode 5210500. Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel will take up cases for Reconsideration at its regularly scheduled meeting.

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 at (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 **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 24, 2006, 8:30 a.m. – 12:00 Noon

PLACE: Online virtual internet meeting: <http://floridacosee.net/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The virtual meeting will focus on the Council's Research Plan.

Interested parties can connect to the meeting through any internet-connected computer having sound ability so that the Council members can be heard. Connect to the site listed above in advance and register to participate. Public computers are

available at all public libraries. Computers for use by the public will also be available in Conference Room 432, Douglas Building of the DEP office complex at 3900 Commonwealth Blvd., Tallahassee, FL. More information is available at the Council's web site at www.FloridaOceansCouncil.org

Opportunity for public comment will be available. Public comment can be made verbally if the accessing computer has a microphone. If no microphone is available, public comment can also be made via text entry or by emailing Steve Wolfe at the address below.

A copy of the agenda may be obtained by contacting Steve Wolfe, (850)245-2102, Steven.Wolfe@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 Steve Wolfe, (850)245-2102, Steven.Wolfe@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Environmental Regulation Commission** announces a public meeting to which all persons are invited.

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

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of rule adoptions and briefings.

A copy of the agenda may be obtained by contacting Nancy Mould at (850)245-2211, or by going to the DEP website at the following address: <http://www.dep.state.fl.us/legal/ERC/schedule.htm>. The agenda will be available ten days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Nancy Mould at (850)245-2211. If you are 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, Division of Water Resource Management**, announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, October 31, 2006, 2:00 p.m. (ET)

PLACE: Florida Solar Energy Center, Auditorium, 1679 Clearlake Road, Cocoa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the development of three proposed wetland resource general permits in Chapter 62-312, F.A.C., regarding public mooring fields, public boat ramps, and public marinas within the geographical limits of the Northwest Florida Water Management District. Concurrent rulemaking in Chapter 62-341, F.A.C., on proposed noticed general permits for public mooring fields, public boat ramps and public marinas will be discussed at this same workshop. This rulemaking is required in accordance with Section 373.118(5), Florida Statutes. These three wetland resource general permits have been assigned OGC No's 05-1664 (public mooring fields), 05-1660 (public boat ramps), and 05-1662 (public marinas).

A copy of the agenda may be obtained by contacting: Ann Lazar, Department of Environmental Protection, 2600 Blair Stone Road, MS-2500, Tallahassee, Florida 32399-2400 or by calling Ann Lazar at (850)245-8495.

Pursuant to the provisions of 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: Beth Saska at (850)245-8486. If you are 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, Division of Water Resource Management**, announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, October 31, 2006, 2:00 p.m. (ET)
PLACE: Florida Solar Energy Center, Auditorium, 1679 Clearlake Road, Cocoa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the development of three proposed environmental resource noticed general permits in Chapter 62-341, F.A.C., regarding public mooring fields, public boat ramps, and public marinas within the geographical limits of the South Florida, Southwest Florida, St. Johns River and Suwannee River Water Management Districts. Concurrent rulemaking in Chapter 62-312, F.A.C., on proposed wetland resource general permits for public mooring fields, public boat ramps and public marinas will be discussed at this same workshop. This rulemaking is required in accordance with Section 373.118(5) of the Florida Statutes. These three noticed general permits have been assigned OGC No's 05-1663 (public mooring fields), 05-1659 (public boat ramps), and 05-1661 (public marinas).

A copy of the agenda may be obtained by contacting: Ann Lazar, Department of Environmental Protection, 2600 Blair Stone Road, MS-2500, Tallahassee, FL 32399-2400 or by calling Ann Lazar at (850)245-8495.

Pursuant to the provisions of 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 Beth Saska at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2006, 7:00 p.m. (CT)

PLACE: Blue Lake Community Center, 1865 Highway 77, Chipley, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Falling Waters State Park with the public.

A copy of the agenda may be obtained by contacting: Falling Waters State Park, 1130 State Park Road, Chipley, Florida 32428, (850)638-6130.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Mr. Ronnie Hudson, Park Manager, Falling Waters State Park, (850)638-6130 or email Ronnie.Hudson@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Mr. Ronnie Hudson, Park Manager at (850)638-6130 or email Ronnie.Hudson@dep.state.fl.us

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2006, 9:00 a.m. (CT)

PLACE: Washington County Public Library, 1444 Jackson Avenue, Chipley, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the Falling Waters State Park proposed land management plan with the advisory group members.

A copy of the agenda may be obtained by contacting: Falling Waters State Park, 1130 State Park Road, Chipley, Florida 32428, (850)638-6130.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Mr. Ronnie Hudson, Park Manager, Falling Waters State Park, (850)638-6130, or email Ronnie.Hudson@dep.state.fl.us

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

For more information, you may contact: Mr. Ronnie Hudson, Park Manager at (850)638-6130, or email Ronnie.Hudson@dep.state.fl.us

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, November 15, 2006; Thursday, November 16, 2006, 8:00 a.m. – 5:00 p.m.

PLACE: 2nd Floor, Public Meeting Room, FDEP Southeast District Office, 400 North Congress Avenue, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Resources Council will meet to pursue the work of the Council, including the Annual Research Plan.

A copy of the agenda may be obtained by contacting Steve Wolfe, (850)245-2102, Steven.Wolfe@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 Steve Wolfe, (850)245-2102, Steven.Wolfe@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a meeting to be held in Tallahassee, Florida, to which all persons are invited.

DATE AND TIME: November 16, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Phone Number: 1(888)808-6959 (Toll Free) Conference Code: 2454583. 4025 Esplanade Way, Building 4025, Room 301, Tallahassee, FL 32399, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Correctional Medical Authority** announces a meeting of the CMA Budget and Personnel Workgroup meeting to which all persons are invited.

DATE AND TIME: November 2, 2006, 10:00 a.m. – 1:00 p.m.

PLACE: Phone Number: 1(888)808-6959 (Toll Free) Conference Code: 2454583. Correctional Medical Authority, 4030 Esplanade Way, Bldg. 4030, Room 258, Tallahassee, Florida 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Board of Clinical Laboratory Personnel** will hold a duly noticed rules workshop, to which all persons are invited to attend.

DATE AND TIME: Friday, October 27, 2006, 9:00 a.m.

PLACE: Walt Disney World Swan, 1200 Epcot Resorts Boulevard, Lake Buena Vista, Florida 32830, (407)934-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Rule Chapter 64B3, Florida Administrative Code.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/clinlab/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 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 at (850)245-4355, 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Clinical Laboratory Personnel** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, October 27, 2006, 10:00 a.m. or shortly thereafter

PLACE: Walt Disney World Swan, 1200 Epcot Resorts Boulevard, Lake Buena Vista, Florida 32830, (407)934-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/clinlab/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 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 at (850)245-4355, 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, November 1, 2006, 12:00 Noon

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine at (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Expert Witness Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, November 1, 2006, immediately following the Board of Medicine Conference Call

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine at (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Orthotists and Prosthetists**, Task Force Committee will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Wednesday, October 25, 2006, 1:00 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee at Meet Me Number (850)410-8045

GENERAL SUBJECT MATTER TO BE CONSIDERED: General discussion of education programs for orthotic fitter licensure.

A copy of the agenda item may be obtained by writing to: 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/OrthPros/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 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 at (850)245-4355, 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Athletic Training**, announces an official Board Meeting to be held via telephone conference call. All interested parties are invited to attend at the address below, which is open to the public.

DATE AND TIME: November 9, 2006, 9:30 a.m.

PLACE: Telephone Number: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing to: Sue Foster, Executive Director, Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decided 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 the evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1 (800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

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: October 24, 2006, 9:30 a.m.

PLACE: Sylvan Lake Park, 845 Lake Markham Road, Sanford, FL 32771

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.

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 at 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.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF CHANGE – The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: October 20, 2006, 8:30 a.m. – until adjourned. (The time has been changed from 9:00 a.m. to 8:30 a.m. and was originally published 9/29/06 in Vol. 32, No. 39, in the F.A.W.)

PLACE: Hilton Garden Inn, 12 Via de Luna, Pensacola Beach, FL 32561, 1(866)916-2999

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.

22. Such other matters as may be included on the Agenda for the October 20, 2006, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, or by visiting the Corporation's website at www.floridahousing.org

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (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).

For more information, you may contact: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

FISH AND WILDLIFE COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: November 6, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: Old County Court House, 2115 Second Street, Ft. Myers, FL 33901

DATE AND TIME: November 7, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: Fish and Wildlife Research Institute, 100 Eighth Ave., S. E., Karen A. Steidinger Auditorium, Room #1005, St. Petersburg, FL 33701

DATE AND TIME: November 13, 2006, 6:00 p.m. – 8:00 p.m. (Central Time)
 PLACE: Gulf Coast Community College, 5230 W. U.S. Hwy. 58, Student Union East, 2nd Floor, Conference Room, Panama City, FL 32401

DATE AND TIME: November 15, 2006, 6:00 p.m.– 8:00 p.m.
 PLACE: FWC, 620 S. Meridian, Farris Bryant Building, 2nd Floor, Conference Room, Tallahassee, FL 32399

DATE AND TIME: November 16, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: City Hall Council Chambers, 123 N. W. Hwy. 19, Crystal River, FL 34428

DATE AND TIME: November 27, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: Jacksonville Public Library, 303 N. Laura Street, Jacksonville, FL 32202

DATE AND TIME: November 28, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: Brevard Agricultural Center, 3695 Lake Drive, Cocoa, FL 32926

DATE AND TIME: November 29, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: West Palm Beach Fishing Club, 201 5th Street (Corner of 5th and N. Flagler), West Palm Beach, FL 33401

DATE AND TIME: December 5, 2006, 6:00 p.m. – 8:00 p.m.
 PLACE: Monroe County Library, Mile Marker 81.5 U.S. Hwy. 1 (Florida Bay Side), Islamorada, FL 33036

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to review the Commission's recent red drum assessment, and to review the red drum workgroup recommendations that include narrowing the current slot limit, a potential one-month closure, and increasing the management goal to 40% escapement. The recent assessment has concluded that while red drum are currently meeting their management goal of 30% escapement, increasing fishing effort is causing the escapement rate to decline potentially below 30% by the next assessment in 2009.

A copy of the agenda may be obtained by contacting: Mark Robson, 620 S. Meridian, Tallahassee, FL 32399, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Robson, 620 S. Meridian, Tallahassee, FL 32399, (850)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

The **Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: November 8, 2006, 10:00 a.m.
 PLACE: Hawk's Cay Resort, 61 Hawk's Cay Boulevard, Duck Key, FL 33060-3756

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by contacting: Donald Rollins, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342.

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 5 days before the workshop/meeting by contacting: Donald Rollins, 200 E Gaines Street, Tallahassee, FL 32399-0342 or call (850)413-3171. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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, October 10, 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: Interim Executive Director proposal, Business Plan development, 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, at (772)595-9999.

Anyone with a disability requiring accommodation to attend this meeting should contact Velma Spencer, IRREC Office Manager, at (772)468-3922, Ext. 113, at least forty-eight (48) hours prior to the meeting.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings.

MEETING: Points Committee Meeting

DATE AND TIME: Wednesday, October 18, 2006, 10:00 a.m.

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Grassroots Forum Steering Committee Meeting

DATE AND TIME: Monday, October 30, 2006, 2:00 p.m.

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at mg@polaris.net.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or Toll Free 1(877)822-1993.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The Melbourne Airport Authority (MAA) and the **Technological Research and Development Authority** (TRDA) announces a public meeting to review proposals submitted in response to the Request for Proposal issued on August 25, 2006.

DATE AND TIME: October 19, 2006, 8:30 a.m.

PLACE: Melbourne International Airport, Conference Room, One Air Terminal Parkway, #220, Melbourne, FL 32901-1888
 GENERAL SUBJECT MATTER TO BE CONSIDERED: New Construction Technology Infrastructure Proposal Review. For information regarding the proposed agenda, interested persons may contact Dave Kershaw, TRDA, Deputy Director, (321)269-6330 or dkershaw@trda.org

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference meeting of the Finance Committee of its Board of Directors. All interested persons are invited to attend.

DATE AND TIME: Tuesday, October 24, 2006, 2:00 p.m.

PLACE: 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business. Information on the meeting may be obtained by contacting Brian Gee, Executive Director, (850)222-1882.

The **Florida Self-Insurers Guaranty Association, Inc.** announces the annual meeting of its Board of Directors. All interested persons are invited to attend.

DATE AND TIME: Friday, October 27, 2006, 12:00 Noon
PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida 32308, (850)222-1882.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, FWCJUA announces a Producer Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: October 25, 2006, 10:00 a.m.
PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWCJUA Producer Committee Agenda items will include approval of the minutes; the Producer Authorization Agreement and the authorization process.

A copy of the agenda may be obtained from the FWCJUA's website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

FLORIDA ASSOCIATION OF COURT CLERKS/COMPTROLLERS

The Board of Trustees for the **Florida Local Government Investment Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2006, 10:30 a.m. – 12:00 Noon
PLACE: Double Tree Hotel, 5780 Major Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting the Trust's Administrator, FACC Service Corporation, at (850)921-0808.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2006, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the Petition for Declaratory Statement filed by In Re: Petition for Declaratory Statement, Phyllis Gerber, Petitioner, Lauderdale West Community Association No. 1, Inc.; Docket No. 2006042786 on July 31, 2006.

The following is a summary of the agency's declination of the petition:

The Petitioner failed to identify a statute, rule or order of the Division that was at issue.

A copy of the Order Declining of the Petition for Declaratory Statement, Docket Number 2006036984 may be obtained by writing to: 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.

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 issued an Order Closing File In Re: Petition for Declaratory Statement, Land America/Lawyers Title Insurance Corporation; Docket No. 2006040278 because petitioner withdrew the petition.

A copy of the Order Closing File on the Petition for Declaratory Statement, Docket Number 2006040278 may be obtained by writing to: 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.

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 issued an Order Closing File In Re: Petition for Declaratory Statement, Sunrise Lakes Condominium Phase I Association, Inc., Melvin Markowitz, M.D., Unit Owner/Petitioner, Docket Number 2006036984 because petitioner withdrew the petition. A copy of the Order Closing File on the Petition for Declaratory Statement, Docket Number 2006036984 may be obtained by writing to 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.

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 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 BID

The University of Florida, Purchasing & Disbursement Services will receive sealed bids for the following: ITB07SV-127, W/O 862008, Union North Lawn Lighting, estimated budget: \$500,000, to be opened November 7, 2006, at 2:00 p.m. (Local Time). Scope of work: New exterior site lighting for the Union North Lawn from the north side of the J. Wayne Reitz Union to the southwest side of the Computer Science and Engineering Library. Include exterior luminaries, aluminum light poles, concrete pole bases, underground wiring and conduit, in-grade junction boxes, outdoor lighting controls, electricity metering, and connections to existing electrical service at nearby pad-mounted transformers. Installation of owner furnished poles salvaged from Union Drive within the south traffic circle area. Connections will be made to existing lighting circuits. Non-Mandatory Pre-Bid Meeting will be held October 24, 2006, at 10:00 a.m., in the Physical Plant Division, Architecture/ Engineering Conference Room, Bldg. 700, Radio Road, Gainesville, FL. Specifications and Plans are available in Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611. All questions and bid document requests should be directed to Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331, ext. 224, www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS
FOR

Request for Qualifications (RFQ)
 Professional Services
 Architect/Engineering Services

The Office of Facilities Design and Construction announces that Architect/Engineer services are required for a project entitled Renovations and Improvements at Mt. Herman No. 164 and Alden Road No. 252 DCSB Project No. M-84960 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$2,398,000.00 (CONSTRUCTION BUDGET). The project scope shall consist of improvements at two facilities, Alden Road and Mt. Herman. At Alden Road the work consists of the replacement of main distribution panel (MDP) and a secondary electrical panel; new bus loop; canopy and parent pick-up loop. At Mt. Herman the work consists of

ADA improvements; egress improvements; window replacement; bathroom renovations; and grease trap replacement.

Applications are to be sent to: Duval County Public Schools
Facilities Design and
Construction
1701 Prudential Drive
5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Kris Eskelin
PHONE NO.: (904)390-2279
RESPONSE DUE DATE: November 7, 2006, and will be
accepted until 4:30 p.m.

MBE GOALS: 15% Overall

Information on the selection process can be found at www.educationalcentral.org/facilities under Selection Booklets.

Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

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

INVITATION TO NEGOTIATE

The Florida Prepaid College Board is accepting proposals in response to an Invitation to Negotiate, ITN #06-01, to obtain proposals from firms qualified to provide Value-Oriented Large Capitalization Domestic Equity Investment Manager Services for the Florida Prepaid College Plan and the Florida College Savings Plan.

Copies of the Invitation to Negotiate, ITN #06-01, are available on or after October 16, 2006, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this ITN must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the ITN will be accepted. No written inquiries will be accepted after 5:00 p.m., Eastern Time, October 27, 2006. The original unbound copy and five (5) copies of each response to the ITN must be received by 12:00 Noon, Eastern Time, November 17, 2006, at: Florida Prepaid College Board,

1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in full accordance with the requirements and mandatory criteria of the ITN.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening 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 bid opening.

REGIONAL TRANSPORTATION AUTHORITIES

REQUEST FOR PROPOSAL NO. 06-112

COMMUTER RAIL OPERATIONS

FOR SFRTA'S COMMUTER RAIL SYSTEM

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a qualified Contractor to provide Operator Services for SFRTA's Tri-Rail Commuter Rail System. At commencement of the Agreement service is projected to consist of forty-eight (48) weekday, sixteen (16) Saturday and fourteen (14) Sunday and Holiday revenue trains. The selected Contractor shall be required to work closely with SFRTA's Rail Fleet Maintenance contractor to ensure a reliable, efficient and safe passenger revenue train service for SFRTA's Tri-Rail System. The term of the Agreement will be seven (7) years with one (1) three (3) year option period.

A REQUEST FOR DOCUMENTS should be directed to Mr. Robert Becker at SFRTA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is One Hundred Dollars (\$100.00) non-refundable. Checks or money orders made payable to SFRTA should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about October 9, 2006.

A PRE-PROPOSAL CONFERENCE will be held in the SFRTA Board Room at the address above on October 18, 2006 at 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received as per the RFP instructions no later than 5:00 p.m. Eastern Time on November 17, 2006 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. SFRTA's DBE program goal is 10% of total contract expenditures.

NOTIFICATION OF FEDERAL PARTICIPATION: A portion of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

CONE OF SILENCE: Any verbal or written communications between any Proposer (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFP advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Proposer/violator from participation in this procurement.

Christopher C. Bross, CPPO, FCPM
Director, Procurement

**REQUEST FOR PROPOSAL NO. 06-113
COMMUTER RAIL FLEET MAINTENANCE
FOR SFRTA'S COMMUTER RAIL SYSTEM**

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a qualified Contractor to provide locomotive, passenger coach and cab car maintenance to SFRTA's rolling stock fleet and facility maintenance for portions of the Hialeah Yard Maintenance Facility and the West Palm Beach Layover Facility. The selected Contractor shall be required to work closely with SFRTA's Operations Contractor to ensure a reliable, efficient and safe passenger revenue train service for SFRTA's Tri-Rail System. The term of the Agreement will be seven (7) years with one (1) three (3) year option period.

A REQUEST FOR DOCUMENTS should be directed to Mr. Robert Becker at SFRTA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is One Hundred Dollars (\$100.00) non-refundable. Checks or money orders made payable to SFRTA should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about October 9, 2006.

A PRE-PROPOSAL CONFERENCE will be held in SFRTA offices at the Hialeah Train Yard located at 9400 N. W. 37th Avenue, Miami, FL 33147, on October 19, 2006 at 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received as per the RFP instructions no later than 5:00 p.m. Eastern Time on November 21, 2006 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination. SFRTA's DBE program goal is 10% of total contract expenditures.

NOTIFICATION OF FEDERAL PARTICIPATION: A portion of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

CONE OF SILENCE: Any verbal or written communications between any Proposer (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFP advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Proposer/violator from participation in this procurement.

Christopher C. Bross, CPPO, FCPM
Director, Procurement

DEPARTMENT OF MANAGEMENT SERVICES

Notice of Bid/Request for Proposal
PUBLIC ANNOUNCEMENT FOR

CONSTRUCTION CONTRACTORS TO PROVIDE
CONSTRUCTION MANAGEMENT AT RISK SERVICES
REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: MSFM-26002100
PROJECT NAME: Mid-Rise Prototype Office Building Shell, and Other Capital Circle Office Complex Parcel Two Developments (Including site work and development).
PROJECT LOCATION: Tallahassee, Florida
PROJECT BUDGET: Approximately \$100,000,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department’s website listed below and click on “Search Advertisements – Division of Real Estate Development and Management.” http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

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.”

CITY OF PANAMA CITY BEACH

ADVERTISEMENT FOR BIDS
NOTICE TO RECEIVE SEALED BIDS

PROJECT NO.: CRA 06-002 CHR AND BECKRICH ROAD
RECONSTRUCTION – PROJECT NO. CRA06-001BKR
PANAMA CITY BEACH – CHURCHWELL DRIVE
RECONSTRUCTION

This project includes the reconstruction of Churchwell Drive from Front Beach Road (SR 30) to Middle Beach Road (SR 392A) approximately 2,303 roadway feet and a 90 feet replacement bridge. The Contractor shall provide all materials, equipment and labor to complete the project.

This project provides three traffic lanes, turning lanes, bicycle lanes, sidewalks, lighting, landscaping, utility undergrounding, storm detention ponds, signing and pavement marking, and a new parking lot.

PANAMA CITY BEACH – BECKRICH ROAD
RECONSTRUCTION

This project includes the reconstruction of Beckrich Road from north of Front Beach Road (SR 30) to south of Back Beach Road (U.S. 98) approximately 3,683 feet. The Contractor shall provide all materials, equipment and labor to complete the project.

This project provides four traffic lanes, turning lanes, bicycle lanes, sidewalks, lighting, landscaping, utility undergrounding, storm detention ponds, traffic signals, and signing and pavement marking.

Plans and specifications will be available on November 1, 2006 and can be obtained at: DRMP, Inc., 100 Beckrich Road, Suite 120, Panama City Beach, Florida 32407; or examined at: F.W. Dodge Plan Room, 823 Thomasville Rd., Tallahassee, FL 32303; or F.W. Dodge Plan Room, 700 South Pace Blvd., Pensacola, FL 32501; or Alabama AGC, 3000 3rd Avenue South, Birmingham, AL 35233.

The bid(s) must conform to Section 287.133(3), Florida Statutes, with respect to Public Entity Crimes.

Cost for plans and specifications will be \$100.00 for each project set, \$200.00 for both project sets, and is non-refundable. Partial sets will NOT be issued. Checks should be made payable to PBS&J.

Bids will be received until 2:00 p.m. Central Time, December 6, 2006, at City of Panama City Beach City Hall, 110 South Arnold Road (SR79), Panama City Beach, Florida and will be opened and read publicly immediately thereafter. All Bids shall be submitted in an envelope clearly marked “Sealed Bid – Panama City Beach – “Churchwell Drive” and/or “Beckrich Road” Reconstruction.” A Bid Bond in the amount of 5% of the total amount of the Bid shall accompany the Bid. The City of Panama City Beach (“City”) reserves the right to reject any and all Bids. All Bids shall be firm (including all labor and material prices) for a period of 60 days after opening.

All Bidders shall be Florida Department of Transportation prequalified and must include with their bid proposal a copy of their Certification of Current Capacity (Form 375-020-22) and Status of Contracts on Hand (Form 375-020-21).

The City shall award the Contract to the lowest responsive and responsible bidder(s); provided, however, the City reserves the right to award the Contract to a Bidder who is not the lowest responsive and responsible bidder if the City determines in its reasonable discretion that another Bid offers the City a better value based upon the reliability, quality of service, or product of such other Bidder.

A Pre-Bid meeting will be held at 10:00 a.m. Central Time, November 13, 2006 in the Panama City Beach Council Chamber, 110 South Arnold Road (SR79), Panama City Beach, Florida 32413. Point of Contact will be Annette Hengge, Program Administrator, at (850)236-4868, ext. 3205 or Fax

(850)236-1477. Each bidder must comply with all applicable state and local laws concerning licensing, registration, and regulations of contractors doing business in Florida.

VISIT FLORIDA

Notice of Bid/Request for Proposal Publication of the Florida State Park Guide and Complementary Marketing Materials

OBJECTIVE: Reduce costs of publishing the annual Florida State Park Guide while exploring innovative marketing vehicles for promoting park visitation.

VISIT FLORIDA, on behalf of the Florida Park Service (aka, Florida State Parks), seeks a publishing partner to handle all facets of publication of the Florida State Parks Guide and complementary marketing initiatives, including but not limited to advertising sales, content development, printing, digital production, and delivery.

Traditionally, the printed guide's content has been categorized along five geographic regions (see enclosed sample) and includes brief descriptions of parks with corresponding listings of amenities. A total printing quantity of 350,000 – 400,000 is desired, drop-shipped to a single distribution point by March 2, 2007.

The successful proposal will demonstrate how the guide can leverage advertising sales to break-even or require a financial investment not to exceed \$100,000. Additionally, innovative marketing opportunities are sought as a complement to the guide as a means of increasing park visitation. Profits realized by sales efforts may be retained by the vendor after all costs are deferred.

PROCESS AND DEADLINES

Request for Proposal issued on October 2, 2006.

Response from all interest parties (respondents) expressing their intent to participate in this request for proposal process must be received by 5:00 p.m. on October 6, 2006.

Questions may be submitted in writing via e-mail to Dale A. Brill, Chief Marketing Officer, VISIT FLORIDA (dale@VISITFLORIDA.org) by 5:00 p.m. on October 13, 2006.

A collective response to all questions will be distributed to all respondents via e-mail by 5:00 p.m. on October 17.

Three hard copies of proposals are due by 5:00 p.m. on October 24, 2006. E-mail and facsimile submissions will not be accepted. Send proposals to: Dale A. Brill, Chief Marketing Officer, VISIT FLORIDA, Suite 300, 661 E. Jefferson St., Tallahassee, FL 32301.

In-person presentations may be requested and scheduled on October 26 and 27.

Goods and Services Required by VISIT FLORIDA Publishing Services

The selected publisher must be able to supply turnkey print and digital publishing services to VISIT FLORIDA. The successful proposal should include details as to the role of print and digital marketing vehicles as tools for improving the impact of the Florida State Parks Guide and related innovative tactics.

The proposal should address, but not be limited to:

- Recommendations on marketing product type and mix (i.e., print, digital or combined distribution tactics)
- Recommendations on stylistic aspects, such as format, layout, voice and related elements
- Planning, consultation and creative ideas to VISIT FLORIDA
- Account Management Services related to the solicitation, close and servicing of advertising revenue accounts
- Printer interface, quality control services and press checks
- Editorial Services
 - Creation of detailed editorial calendar/content plan
 - Creation of high-quality, original, experiential editorial content
 - Fact-checking, proofreading and editing
 - Revision of content as needed to appear across multiple platforms, adjusted as appropriate for the medium
- Design & Graphics Services
 - Create and implement original designs that are cohesive with Florida State Parks' brand as communicated by VISIT FLORIDA
 - Layout and design
 - Cartography services for all maps
 - Typography
 - Photography as necessary (including direction of photo shoots and image selection)
 - Formatting and purging of listings and amenities
 - Advertising creative (print and electronic) for industry partners for inclusion at no charge to the advertiser
- Revenue Generation Services

The objective is to create marketing products that are self-supporting, and, as such, include advertising and/or paid sponsorships as a revenue stream. The selected vendor must be able to:

 - Offer advertising planning and consultation to VISIT FLORIDA, including advice on a sales strategy and rates
 - Create marketing materials to support sales
 - Distribute marketing materials to VISIT FLORIDA's Partners and other potential customers
 - Field and manage a qualified statewide sales force with experience in both print and digital sales
 - Personally call on and service advertisers (telemarketing alone is not an acceptable solution)
 - Provide free print and electronic ad creative to participating advertisers
 - Accept creative from advertisers/agencies via online upload with real-time PDFx_1a compliance verification

- Provide sales services including billing and collections
- Provide customer support for all advertisers
- Provide detailed performance reporting/ROI to VISIT FLORIDA as specified by its standard finance department requirements

Specific Questions for Potential Vendors:

Vendors responding to this RFP must answer the following questions:

General

1. Indicate the company's specific expertise in creating integrated tourism publishing services including:
 - a. Name of clients
 - b. Length of contractual relationship
 - c. Services provided
 - d. Contact information for client references
 - e. Provide samples of tourism marketing products, as well URLs to web sites and email marketing programs the company has produced
2. Indicate the number of years the company has been in business.
3. Indicate the number of years and nature of the company's experience and expertise in parks and recreation or the tourism industry and, if applicable, the Florida tourism industry specifically.
4. Please indicate awards and accolades the company has won for work that is pertinent to this project.
5. Describe the expertise of the personnel to be utilized for each aspect of this project.
6. Indicate which services provided by the vendor are outsourced to subcontractors. If subcontractors are to be used, indicate your process for information flow and subcontractor management.
7. Financial statements, to be mutually agreed upon, that demonstrate financial good standing and stable corporate governance for the past three years.

Publishing Services

1. Detail recommendations and indicate how the company will provide each of the services identified under the "Publishing Services" section within the "Goods and Services Required by VISIT FLORIDA" heading. Respond specifically to each bulleted item.
2. Identify staffing for print and digital publishing services.
3. Indicate what percentage of publishing services is outsourced and/or subcontracted to other companies or freelance agents.
4. Identify staffing to support electronic marketing services. All employees must be included in the bios above.

Revenue Generation Services

1. Detail the business model that will enable the self-supporting nature of the project.

2. Indicate the company's experience generating revenue through print and online advertising sales within the tourism industry and, if applicable, the Florida tourism industry.
3. Identify the company's Florida sales management structure and the territories of account representatives.

BACKGROUND

The mission of the Florida Park Service is to preserve and protect the state's natural resources and to provide recreational opportunities to park visitors. To do so requires considerable commitment of staff and funding. State park fees help offset the ever-rising cost of providing resource protection, park maintenance, and visitor services. In an effort to further reduce costs, the Florida Park Service is issuing this request for proposal in search of an innovative publisher.

VISIT FLORIDA is not a government agency, but rather a not-for-profit corporation that carries out the work of the Florida Commission on Tourism. Under the direction of the Florida Commission on Tourism, VISIT FLORIDA is serving as a marketing agent on behalf of the Florida Park Service. The Florida Commission on Tourism is a public/private partnership created by the Florida Legislature in 1996. The Commission, in partnership with VISIT FLORIDA, took over the functions of what was then the Tourism Division of the Florida Department of Commerce.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

Request for Proposals (RFP) 2006-AM-4800

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of a Request for Proposals (RFP). Copies of the RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, or calling (850)488-4180, 1(800)580-7801 (Toll Free), 1(888)488-8633 (TDD). To register to receive electronic mail (email) notices of future RFPs, please visit our website (www.fddc.org) and click on the "Register for RFPs" button and follow the directions.

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2006-AM-4800) is released in order to find a provider who will develop a Code of Ethics that provides additional guidance to FDDC in complying with the conflict of interest provisions of the federal law and the Council's By-Laws. Interested parties should obtain a copy of RFP #2006-AM-4800 for specific information and instructions. The contract resulting from this RFP is anticipated to be in effect for approximately six (6) months.

The deadline for submitting written questions and letters of intent for this RFP is November 3, 2006 by 4:00 p.m. (EST). In order for your proposal to be considered, you letter of intent

must be received by the above referenced deadline. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of November 6, 2006. The deadline for submitting proposals for this RFP to FDDC is December 8, 2006 by 2:00 p.m. (EST).

PINELLAS COUNTY SCHOOLS

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 2:30 p.m. (local time), on November 1, 2006 for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below.

CHILLER REPLACEMENT-BID 07-031-548

Safety Harbor Elementary, 535 – 5th Avenue, N., Safety Harbor, FL 34695

SCOPE OF PROJECT: The work shall consist of furnishing all materials, tools, labor, equipment and all items and services necessary required to remove existing and install a new 125 ton chiller. The pre-approved manufacturers are: Trane, York & Carrier. Bid and Performance Security is required with this bid
PRE-BID CONFERENCE: A pre-bid conference will be NOT be held for this project. Any technical questions need to be directed to the project coordinator, Mr. John Huckno.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department
Walter Pownall Service Center
11111 So. Belcher Road
Largo, FL 33773

Bonding and insurance are required for this project. The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. CLAYTON WILCOX NANCY N. BOSTOCK
SUPERINTENDENT OF SCHOOLS CHAIRMAN
AND EX-OFFICIO SECRETARY

MARK C. LINDEMANN
DIRECTOR, PURCHASING

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIVR-06-2007-001
DATE RECEIVED: September 29, 2006
DEVELOPMENT NAME: DAYTONA MALL
DEVELOPER/AGENT: Swedlow Lightspeed Management/
Rober A. Merrell, III

DEVELOPMENT TYPE: Rule 28-24.031, F.A.C.

LOCAL GOVERNMENT: Daytona Beach

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-06-2007-002
DATE RECEIVED: September 27, 2006
DEVELOPMENT NAME: PROJECT ABC
DEVELOPER/AGENT: John Young-Central Florida Park/James R. Hall
DEVELOPMENT TYPE: 28-24.031, 28-24.029, 28-24.024, 28-24.026 F.A.C.

LOCAL GOVERNMENT: Orange County

DCA Final Order No.: DCA06-OR-254
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 033-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On September 29, 2006, the Department received for review Monroe County Ordinance No. 033-2006 (“Ord. 033-2006”), adopted by Monroe County on August 16, 2006.
3. The purpose of the Ordinance is to revise Section 9.5-45 of the Land Development Regulations to a 15 day notice requirement for public hearings to allow the Monroe County Board of County Commissioners (BOCC) the opportunity to take action on land development matters at consecutive BOCC meetings.
4. Ord. 033-2006 provides mailing of notice at least 15 days prior to a public hearing to property owners located within 300 feet of the property proposed to be developed as a major conditional use. Ord. 033-2006, therefore, provides greater notice than Section 125.66(2)(a), Fla. Stat. (2005) which provides that “the board of county commissioners at any regular or special meeting may enact or amend any ordinance, except as provided in subsection (4), if notice of intent to consider such ordinance is given at least 10 days prior to said meeting . . .”
5. Ordinance 033-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 033-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 033-2006 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(1) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

11. Ord. 033-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 033-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 4th day of October, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Aref Joulani
Acting Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-255
STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE COUNTY
ORDINANCE NO. 034-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On September 29, 2006, the Department received for review Monroe County Ordinance No. 034-2006 ("Ord. 034-2006"), adopted by Monroe County on August 16, 2006.
3. The purpose of the Ordinance is to amend Section 9.5-511 of the Land Development Regulations; delete notice provisions and refer to Section 9.5-45 and; provide that all public hearings shall be posted on the Monroe County Website. Notice

requirements were located in various sections of the Land Development Regulations, making them disorderly, confusing, and at times repetitive.

4. All general notice provisions are proposed to be located in Section 9.5-45, and notice of all public hearings on land use matters are proposed to be posted on the Monroe County website as soon as practical to do so.

5. Ordinance 034-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).

7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 034-2006 are land development regulations.

9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

10. Ord. 034-2006 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

11. Ord. 034-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 034-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 4th day of October, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Aref Joulani
Acting Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-256
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE COUNTY
ORDINANCE NO. 035-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On September 29, 2006, the Department received for review Monroe County Ordinance No. 035-2006 ("Ord. 035-2006"), adopted by Monroe County on August 16, 2006.
3. The purpose of the Ordinance is to amend the Land Development Regulations to revise the current BOCC meeting location requirement of site closest to the subject property, which will eliminate the waiting period for property owners and the BOCC to hear and take action on land development matters.
4. Ordinance 035-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 035-2006 are land development regulations.

8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 035-2006 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 035-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 035-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO

SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 4th day of October, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Aref Joulani
Acting Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Order No. DCA06-OR-238

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 06-15

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
- 2. On July 30, 2006, the Department received for review Islamorada, Village of Islands Ordinance No. 06-15 ("Ord. No. 06-15") adopted by the Village on July 27, 2006. The purpose of the Ordinance is to amend Chapter 6 Building and Building Regulations, Article II, Building Code and Division 2 Permit Requirements and Fees, to provide an exemption for affordable housing from building permit fees.
- 3. The Ordinance states that development and redevelopment of affordable housing which are deed restricted for 99 – years or in perpetuity shall be exempt from the Village’s building permit fees.
- 4. Ord. 06-15 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
- 6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 06-15 are land development regulations.
- 8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2005). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 9. Ord. 06-15 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

10. Ord. 06-15 is not inconsistent with the remaining Principles. Ord. 06-15 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 06-15 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL

ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

TRACY D. SUBER
STATE PLANNING ADMINISTRATOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 2nd day of October, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Chris Sante, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
Nancy Stroud, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
3107 Stirling Drive, Suite 300
Fort Lauderdale, FL 33312-8500

DCA Order No. DCA06-OR-251

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED
BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 06-16

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On July 31, 2006, the Department received for review Islamorada, Village of Islands Ordinance No. 06-16 ("Ord. No. 06-16") adopted by the Village on July 27, 2006. The purpose of the Ordinance is to amend Land Development Regulations, Article II, Rules of Construction and Definitions, to amend the definition of affordable housing

and to amend Article IV, Administrative Procedures, to provide additional definitions to aid the administration of a workforce affordable housing program.

3. The Ordinance amends the definitions of affordable housing within the code of ordinances, and to provide definitions classifying very low, low, and moderate income persons and definitions of very low, low and moderate income dwelling units for the purpose of administration of the Village's workforce – affordable housing policy.
4. Ord. 06-16 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 06-16 are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2005). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 06-16 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 06-16 is not inconsistent with the remaining Principles. Ord. 06-15 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 06-16 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED

REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

TRACY D. SUBER
STATE PLANNING ADMINISTRATOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 2nd day of October, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Chris Sante, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
Nancy Stroud, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
3107 Stirling Drive, Suite 300
Fort Lauderdale, FL 33312-8500

DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS

SERVICES TAX ADDRESS/JURISDICTION DATABASE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic siting database that assigns customer service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the database, as posted on October 3, 2006, becomes effective on January 1, 2007. The siting database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective July 1, 2007, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the July 1, 2007, update no later than March 3, 2007. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Communications Services Tax Local Government Unit by telephone at (850)921-9181 (Suncom 291-9181) or by e-mail at cs-tax@dor.state.fl.us. Persons with hearing or speech impairments may call the TDD line at 1(800)367-8331 or (850)922-1115 (Suncom 292-1115).

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Lida Trading USA, Inc., intends to allow the establishment of Affordable Auto Sales, Inc., as a dealership for the sale of Chuanl motorcycles at 1075 Southwest 67th Avenue, Miami (Dade County), Florida 33144, on or after August 21, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Auto Sales, Inc., are dealer operator(s): Binker Nanel, 1075 Southwest 67th Avenue, Miami, Florida 33144; principal investor(s): Binker Nanel, 1075 Southwest 67th Avenue, Miami, Florida 33144.

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, 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: Chungo Hu, Lida Trading USA, Inc., 8040 Northwest 66th 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), LS Motorsports, LLC, intends to allow the establishment of All About Automobiles, Inc., as a dealership for the sale of Diamo motorcycles at 815 South Semoran Boulevard, Orlando, (Orange County), Florida 32807, on or after August 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of All About Automobiles, Inc., are dealer operator(s): Steve Wade II, 815 South Semoran Boulevard, Orlando, Florida 32807; principal investor(s): Steve Wade II, 815 South Semoran Boulevard, Orlando, Florida 32807.

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, 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: Mathu Solo, President, LS Motorsports, LLC, 2550 East Desert Inn Road, #40, Las Vegas, Nevada 89121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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), Universal Parts, Inc., intends to allow the establishment of Diesel Tech, Inc., as a dealership for the sale of JMSTAR motorcycles at 1318 East Altamonte Drive, Altamonte Springs (Seminole County), Florida 32701, on or after October 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Diesel Tech, Inc., are dealer operator(s): Margo Marin, 1318 East Altamonte Drive, Altamonte Springs, Florida 32701; principal investor(s): Maro Marin, 1318 East Altamonte Drive, Altamonte Springs, Florida 32701.

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: John Celestian, President, Universal Parts, Inc., 2401 72nd Street, North, St. Petersburg, Florida 33710.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Polaris Sales, Inc., intends to allow the establishment of G Cubed Holdings, Inc., d/b/a Nassau Powersports, as a dealership for the sale of Victory motorcycles at 463362 State Road 200, Yulee (Nassau County), Florida 32097, on or after September 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of G Cubed Holdings, Inc., d/b/a Nassau Powersports are dealer operator(s): William A. Goetz, 1301 Oak Haven Road, Jacksonville, Florida 32207, Glenn C. Goetz, 1117 Old Hickory Road, Jacksonville, Florida 32207, and Mark A. Goeyz, 10657 Crooked Tree Court, Jacksonville, Florida 32207; principal investor(s): William R. Coulter, 6030 East Montecito Avenue, Scottsdale, Arizona 85251, Glenn C. Goetz, 1117 Old Hickory Road, Jacksonville, Florida 32207, and Mark A. Goeyz, 10657 Crooked Tree Court, Jacksonville, Florida 32207.

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: Michael W. Malone, VP Finance, CFO, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340-9770.

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), Universal Parts, Inc., intends to allow the establishment of Minibikes of Florida, Inc., as a dealership for the sale of JMSTAR motorcycles at 4212 Cape Vista Drive, Bradenton (Manatee County), Florida 34209, on or after October 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Minibikes of Florida, Inc., are dealer operator(s): Mark Cannon, 4212 Cape Vista Drive, Bradenton, Florida 34209; principal investor(s): Mark Cannon, 4212 Cape Vista Drive, Bradenton, Florida 34209.

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: John Celestian, President, Universal Parts, Inc., 2401 72nd Street, North, St. Petersburg, Florida 33710.

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), LS Motorsports, LLC, intends to allow the establishment of Truck Pro's as a dealership for the sale and service of Diamo motorcycles at 531 North Highway 1792, Longwood (Seminole County), Florida 32750, on or after September 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Truck Pro's are dealer operator(s): Paul Shreck, 531 North Highway 1792, Longwood, Florida 32750; principal investor(s): Paul Shreck, 531 North Highway 1792, Longwood, Florida 32750.

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: Mathu Solo, President, LS Motorsports, LLC, 12505 Reed Road, Suite 145, Sugar Land, Texas 77478.

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), Universal Parts, Inc., intends to allow the establishment of Sarasota Scooters, LLC, as a dealership for the sale of JMSTAR motorcycles at 7287 38th Court, East, Sarasota (Sarasota County), Florida 34243, on or after October 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Scooters, LLC, are dealer operator(s): Patrick M. McGettigan, 7287 38th Court, East, Sarasota, Florida 34243; principal investor(s): Patrick M. McGettigan, 7287 38th Court, East, Sarasota, Florida 34243.

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: John Celestian, President, Universal Parts, Inc., 2401 72nd Street, North, St. Petersburg, Florida 33710.

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), Universal Parts, Inc., intends to allow the establishment of Scooter Direct by Karen, Inc., as a dealership for the sale of JMSTAR motorcycles at 5332 Mount Olive Road, Polk City (Polk County), Florida 33868, on or after October 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Direct by Karen, Inc., are dealer operator(s): Karen Hartley, 5332 Mount Olive Road, Polk City, Florida 33868; principal investor(s): Karen Hartley, 5332 Mount Olive Road, Polk City, Florida 33868.

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: John Celestian, President, Universal Parts, Inc., 2401 72nd Street, North, St. Petersburg, Florida 33710.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that X Power Motorsports intends to allow the establishment of Wenmark, Inc., d/b/a All The Wheel Toyz, as a dealership for the sale of Linhai and CF Moto motorcycles at 1540 Northwest Federal Parkway, Stuart (Martin County), Florida 34994, on or after September 10, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc., d/b/a All The Wheel Toyz, are dealer operator(s): Wendy Eisner, 1081 Southeast Spinaker Avenue, Port St. Lucie, Florida 34983; principal investor(s): Mark E. Mourning, 1081 Southeast Spinaker Avenue, Port St. Lucie, Florida 34983.

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: Bill Morrow, President, X Power Motorsports, 2725 U.S. Highway 411, South, Maryville, Tennessee 37801.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**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

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on September 29, 2006, concerning

certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- 9926 Denial, establish an adult open heart surgery program, Pinellas County, Tarpon Springs Hospital Foundation, Inc. d/b/a Helen Ellis Memorial Hospital, (PRH) same as applicant.
 - 9928 Approval, establish a hospice program, Broward County, Catholic Hospice, Inc., (PRH) North Broward Hospital District d/b/a Hospice of Gold Coast Home Health Services.
 - 9928 Approval, establish a hospice program, Broward County, Catholic Hospice, Inc., (PRH) Heartland Services of Florida, Inc.
 - 9929 Denial, establish a hospice program, Broward County, Heartland Services of Florida, Inc. (PRH) same as applicant.
 - 9931 Denial, establish a hospice program, Broward County, Hospice of the Palm Coast, Inc., (PRH) same as applicant.

Certificate of Need Program

Notice of Change in Public Hearing Location

The location of a granted public hearing for the following Certificate of Need project has changed as follows:

- PROPOSAL: CON #9936,
Ameris Health System, L.L.C.
- DATE AND TIME: Tuesday, October 31, 2006,
1:00 p.m. – 5:00 p.m.
- PLACE: Suwannee River Shrine Club
7821 S. W. SR 26
Trenton, FL. 32693

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 RECEIPT OF NOTICE OF INTENT
TO USE GENERIC PERMIT FOR
STORMWATER DISCHARGE FROM PHASE II
MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

The Department announces receipt of an application by the Florida Department of Transportation District 6 for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems. The application is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida.

Any comments related to noticed applications, or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address:

Sarah Jozwiak
Department of Environmental Protection
2600 Blair Stone Road
M.S. 2500
Tallahassee, Florida 32399-2400

DEPARTMENT OF HEALTH

On September 27, 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 David Arthur Akers, R.N., license number RN 3198362. 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 September 28, 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 Charles Elam Hartsfield, L.P.N., license number LPN 5145122. 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 September 27, 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 Marvita

S. McDowell, C.N.A., license number CNA 119274. 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 September 28, 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 Rebecca Kaye Simmons, L.P.N., license number PN 5154480. 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 September 28, 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 Guy Edward Twombly, L.P.N., license number PN 1256631. 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 September 28, 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 Marie Judith Vignone, R.N., license number RN 5159629. 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 September 27, 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 Sally Jane Medina, P.A., license number PA 3473. 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 September 27, 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 Brian Gregory Bazajou, R.Ph., license number PS 36123. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES 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., November 3, 2006):

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: 1st Manatee Bank, 12215 U.S. 301 North, Parrish, Manatee County, Florida 34219

Correspondent: John I Van Voris, 201 N. Franklin Street, Suite 2200, Tampa, Florida 33602

Received: October 2, 2006

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: ProBank, 536 North Monroe Street, Tallahassee, Leon County, Florida 32301

Correspondent: Herbert D. Haughton or Richard Pearlman, 2457 Care Drive, Tallahassee, Florida 32308

Received: October 3, 2006

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN September 25, 2006
and September 29, 2006

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64B11-5.001	9/25/06	10/15/06	32/34	
64B11-5.003	9/25/06	10/15/06	32/34	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-8.003	9/25/06	10/15/06	32/33	
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

60A-1.002	9/25/06	10/15/06	32/22	32/34
60A-1.006	9/25/06	10/15/06	32/22	
60A-1.016	9/25/06	10/15/06	32/22	
60A-1.033	9/25/06	10/15/06	32/22	32/34
60A-1.044	9/25/06	10/15/06	32/22	32/34

DEPARTMENT OF HEALTH

Board of Nursing

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64B9-2.008	9/29/06	10/19/06	32/19	
64B9-2.011	9/29/06	10/19/06	32/19	
64B9-2.013	9/29/06	10/19/06	32/19	
64B9-2.015	9/29/06	10/19/06	32/19	

Board of Occupational Therapy

64B11-2.007	9/25/06	10/15/06	32/34	
64B11-3.005	9/25/06	10/15/06	32/34	

Division of Environmental Health

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64E-5.1104	9/28/06	9/28/06	32/31	
64E-5.1107	9/28/06	9/28/06	32/31	
64E-5.11071	9/28/06	9/28/06	32/31	
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64E-5.11073	9/28/06	9/28/06	32/31	
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64E-5.441	9/28/06	9/28/06	32/31	