

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NOS.:	RULE TITLES:
1B-24.001	General
1B-24.003	Records Retention Scheduling and Dispositioning

PURPOSE AND EFFECT: The purpose of this amendment is to update guidelines for scheduling and disposing of public records. Updated guidelines reflect current best practices in managing public records and ensuring their retention and secure disposition in accordance with public records provisions of Florida Statutes, Chapters 119 and 257.

SUBJECT AREA TO BE ADDRESSED: Public records retention and disposition guidelines for Florida public records.

SPECIFIC AUTHORITY: 257.14, 257.36 FS.

LAW IMPLEMENTED: 257.14, 257.36 FS.

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

DATE AND TIME: Tuesday, September 30, 2008, 2:00 p.m.

PLACE: Conference Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaDonna Wagers, Acting Program Manager, Information Resources Management, Division of Library and Information Services, M.S. 9A, Tallahassee, FL 32399-0250; (850)245-6750

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.044	Pupil Attendance Records

PURPOSE AND EFFECT: The purpose of this rule development is to delete from rule obsolete attendance forms and obsolete language relating to minimum time requirements.

SUBJECT AREA TO BE ADDRESSED: Pupil Attendance Records.

SPECIFIC AUTHORITY: 1001.02(1), 1003.01, 1003.23 FS.

LAW IMPLEMENTED: 1003.23 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, IF AVAILABLE, IS: Lavan Dukes, Education Information and Accountability Services Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09441	Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule development is to amend the 2008-2009 Course Code Directory and Instructional Personnel Assignments. This amendment is necessitated by the implementation requirements of 2008 legislation (Senate Bill 1908), which added flexibility for the high school graduation requirement previously requiring one credit in fine or performing arts. The new requirement is one credit in fine or performing arts, speech and debate, or a specified practical arts course. The Course Code Directory must be amended via this rule to reflect the designation for these practical arts courses.

SUBJECT AREA TO BE ADDRESSED: Course Code Directory – assignment of designation to specific practical arts courses for purposes of meeting high school graduation requirement in Section 1003.428(2)(a)5., Florida Statutes.

SPECIFIC AUTHORITY: 1001.02(1), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1011.62(1) FS.

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

DATE AND TIME: September 30, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: 325 West Gaines Street, Room 1721, Tallahassee, FL 32399 or by calling 1(866)305-2303 and entering code: 62824319

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Holly Edenfield, Executive Director of Legislative and Public Affairs, Division of Public Schools, 325 West Gaines Street #514, Tallahassee, FL 32399, (850)245-0659

TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), Florida Statutes.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the "Course Code Directory and Instructional Personnel Assignments" for the year in which the student is in membership.

(5) The "Course Code Directory and Instructional Personnel Assignments 2008-2009," and supplement, as amended November 2008, is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 1001.02(1), 1009.53(3), 1011.62(1)(r) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09961
 RULE TITLE: Graduation Requirements for Certain Students with Disabilities

PURPOSE AND EFFECT: The purpose of the rule development is to update the portion of the rule that addresses special diploma requirements for certain students with disabilities. The effect will be a rule that aligns with the Sunshine State Standards Access Points for Students with Significant Cognitive Disabilities and deletes terminology that became obsolete with the passage of HB 1313.

SUBJECT AREA TO BE ADDRESSED: Requirements for a special diploma in alignment with the Sunshine State Standards Access Points for Students with Significant Cognitive Disabilities; eligibility categories to reflect changes resulting from HB 1313.

SPECIFIC AUTHORITY: 1001.02(1), 1001.03(1) 1003.438 FS.

LAW IMPLEMENTED: 1003.02(1)(a), 1003.438 FS.

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

DATES AND TIME: October 2, 2008; October 28, 2008, 9:00 a.m. – 2:30 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1721, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 W. Gaines Street, Suite 614, Tallahassee, FL 32399

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

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.: 12B-5.130, 12B-5.150
 RULE TITLES: Refunds, Public Use Forms

PURPOSE AND EFFECT: Section 206.8745(6), F.S., grants a refund for undyed tax-paid diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping. Subparagraph (2)(a)2. of Rule 12B-5.130, F.A.C. (Refunds), implements this statute and provides for refunds of the fuel tax paid on 10 gallons per full load pump-off of diesel fuel consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo from a pneumatic tank by pumping. Taxpayers are required to complete Form DR-309639 (Application for Refund of Tax Paid on Undyed Diesel Used for Off-road or Other Exempt Purposes) to apply for such refunds of fuel tax paid.

In *Pritchett Trucking, Inc. v. Department of Revenue* (Case No. 04-3093 CA, 2nd Circuit, July 3, 2008), the judge held that Section 206.8745, F.S., and subparagraph 12B-5.130(2)(a)2., F.A.C., requires only pumping is essential to the unloading of bulk cargo, and not whether the means of pumping is by pneumatics, hydraulics, or any other method. The purpose of this rulemaking is to remove the provisions of subparagraph (2)(a)2. of Rule 12B-5.130, F.A.C. (Refunds), and to adopt, by reference, changes to Form DR-309639 which reflect the court's decision. The changes to this rule and form will remove the requirement that a pneumatic pump is necessary to qualify for such refund.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed removal of provisions regarding refunds for undyed tax-paid diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping.

SPECIFIC AUTHORITY: 206.14(1), 206.59(1), 206.8745(6), 213.06(1) FS.

LAW IMPLEMENTED: 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.41(4), (5), 206.43, 206.64, 206.86, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.994, 206.97 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ronald Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4732

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Published on the department's internet site at: myflorida.com/dor/rules.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-4.001 Application

PURPOSE AND EFFECT: Deletes limitation that Rule 19B-4.001 through Chapter 19B-15, F.A.C., apply to purchasers. These rules apply to all aspects of the Prepaid Plan. Conforms this rule to changes to Rule 19B-5.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan New Enrollment Application.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) Rule Chapters 19B-4 through 19B-13 and 19B-15, F.A.C., apply to ~~purchasers of~~ advance payment contracts for the prepayment of postsecondary registration, local fees, tuition differential fees and/or dormitory residency fees under the Stanley G. Tate Florida Prepaid College Program, the "Program." The application period shall commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order will be accepted by the Board at any time. Other applications for advance payment contracts submitted to the Board outside the annual application period will be processed for data collection and administrative purposes, but will not be accepted by the Board until the beginning of the next succeeding annual application period. The contract prices associated with applications submitted to the Board outside the annual application period, except for those purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order, shall be the contract prices applicable to advance payment contracts for the next succeeding annual application

period. After acceptance by the Board of the purchaser's application, a participation and payment schedule shall be mailed to the purchaser. The advance payment contract shall be comprised of the application, master covenant, and participation and payment schedule.

(2) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-5.003 Contract Requirements

PURPOSE AND EFFECT: Provides that each submitted application form must specify the beneficiary of a Prepaid Plan account rather than requiring that the purchaser must specify the beneficiary in an application submitted to the Board. Clarifies requirements for the notice that must be provided prior to the expiration of Prepaid Plan account benefits and escheatment of them to the Trust Fund. Conforms this rule to changes to Rule 19B-5.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan's advance payment contract requirements.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.003 Contract Requirements.

(1) ~~Each application submitted to the Board~~ Purchasers must ~~specify name~~ the qualified beneficiary ~~in the application~~, provided however, that the board's direct support organization and organizations operating scholarship programs pursuant to Rule 19B-5.007, F.A.C., shall be permitted to leave the qualified beneficiary's name blank until April 1 of the anticipated enrollment year.

(2) through (4) No change.

(5)(a) The benefits of an advance payment contract may be received for up to a ten (10) year period after the matriculation date. This ten (10) year limitation will be extended upon application to the Board. Any time spent by the qualified beneficiary in the military service tolls the time for receiving contract benefits under all plans. The matriculation date is the projected college enrollment year of the qualified beneficiary, based on the information about the qualified beneficiary's age or grade contained in the purchaser's application, or similar information received subsequently by the Board from the purchaser. The right to use the benefits of an advance payment contract shall expire on December 31, ten (10) years after the matriculation date, or any extension thereof.

(b) When the benefits of an advance payment contract have not been used on December 31, nine (9) years after the matriculation date or one (1) year prior to the expiration of any extension of the expiration date for the use of the advance payment contract benefits, the Board shall mail a written notice to the purchaser which indicates:

1. The ~~procedure to purchaser must request in writing that the Board~~ extend the time period for the use of advance payment contract benefits or to obtain a refund for the contract;

2. That the right to use the advance payment contract benefits will expire on December 31, ten (10) years after the matriculation date or any extension thereof; and

3. That such benefits and refund will escheat to the Florida Prepaid College Trust Fund on that date.

Such notice shall be mailed not later than 180 days prior to the expiration of the advance payment contract benefits. An alphabetical list of the names of purchasers of such advance payment contracts shall be posted on the Board's website on the Internet.

(c) The benefits from and any refund associated with an advance payment contract for which the benefits have not been used by December 31, ten (10) years after the matriculation date, or any extension thereof, shall escheat to the Florida Prepaid College Trust Fund.

(6) Advance payment contracts that are composed of tuition, local fee and tuition differential fee plans will only be paid if the tuition plan, local fee plans and tuition differential fee plan are in good standing. Local fee payments and tuition differential fee payments shall not be remitted to pay tuition for any beneficiary attending a Florida public university or community college. Local fee payments and tuition differential fee payments may be remitted to pay tuition at private and out-of-state colleges for any qualified beneficiary.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98(4) FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-5.003, Amended 5-31-95, 6-20-96, 2-18-99, 6-6-99, 11-6-01, 8-27-02, 12-17-07,_____.

STATE BOARD OF ADMINISTRATION**Florida Prepaid Postsecondary Education Expense Board**

RULE NO.: RULE TITLE:

19B-5.004 Contract Purchasers

PURPOSE AND EFFECT: Requires that a co-purchaser satisfy the same requirements that a purchaser must meet.

Revises requirements for Tuition Plans purchased on or after February 1, 2009, to: a) Require the co-purchaser's approval for changes of the purchaser, co-purchaser and beneficiary for an account; b) Provide that the purchaser and co-purchaser each enjoy a survivorship right; c) Require the co-purchaser's authorization for requests to terminate a Prepaid Plan and refund requests associated with the termination of Prepaid Plans. Allows purchasers and co-purchasers to revise the requirements for Prepaid Plans purchased prior to February 1, 2009, to include those requirements.

The changes are made applicable to Tuition Plans purchased on or after February 1, 2009, because the 2008-2009 Open Enrollment Period ends January 31, 2009; the Board has been receiving applications under the existing rules for the 2008-2009 Open Enrollment since February 1, 2008. Annually, the Board begins receiving new applications for the next succeeding open enrollment period on the day following the conclusion of prior Open Enrollment Period. February 1, 2009, is the first day the Board will begin receiving applications for the 2009-2010 Open Enrollment. By making the change effective on February 1, 2009, the Board can apply the requirements to all Prepaid Tuition Plan applications received for the 2009-2010 Open Enrollment Period.

SUBJECT AREA TO BE ADDRESSED: The rights and responsibilities of the Florida Prepaid College Plan's advance payment contract's purchaser and co-purchaser.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.004 Contract Purchasers.

(1) Any person, corporation, or organization may purchase an advance payment contract for a qualified beneficiary. Any natural person named as the purchaser or the co-purchaser must be 18 years of age or older and each must be either a United States citizen or a resident alien.

(2) For advance payment contracts for tuition plans purchased prior to February 1, 2009:

(a) Co-purchasers are permitted, and will enjoy only a right of survivorship. However, the purchaser may, without the consent or authorization of the co-purchaser, execute all contract changes, conversions, cancellations, and refund requests.

(b) Any requests to change the purchaser designated on the advance payment contract must be signed by the purchaser and notarized by a notary. Refunds shall be made payable to the purchaser only.

(c) If a purchaser terminates a contract pursuant to Rule 19B-10.002, F.A.C., the co-purchaser must be notified in writing. ~~Any natural person named as the purchaser and co-purchaser must be 18 years of age or older and must be either a United States citizen or a resident alien.~~

(d) Purchasers may elect to change the rights of a co-purchaser to be the same as those for advance payment contracts purchased on or after February 1, 2009, by submitting a written request to the Board. The request must be signed by the purchaser and the co-purchaser and both signatures must be notarized by a notary. If a purchaser changes the rights enjoyed by the co-purchaser to those for advance payment contracts purchased on or after February 1, 2009, the change in the co-purchaser's rights is irrevocable, the provisions of paragraphs 19B-5.004(2)(a), (b) and (c), F.A.C., shall not apply to the advance payment contract and the provisions of subsection 19B-5.004(3), F.A.C., shall apply to the advance payment contract.

(3) For advance payment contracts for tuition plans purchased on or after February 1, 2009:

(a) Co-purchasers are permitted, but are not required. When a co-purchaser is designated on an advance payment contract, the purchaser and co-purchaser each will enjoy a right of survivorship.

(b) Changes to the purchaser, co-purchaser or beneficiary designated on the advance payment contract, requests for voluntary termination of the advance payment contract, and refund requests associated with the termination of an advance payment contract must be in writing and contain the notarized signature of the purchaser and co-purchaser. All other changes to the advance payment contract must be in writing and approved by the purchaser.

(4) The provisions of subsection 19B-5.004(2), F.A.C., also apply to advance payment contracts for dormitory, local fee and tuition differential fee plans, regardless of the date of their purchase, that are associated with tuition plans that were purchased prior to February 1, 2009. The provisions of subsection 19B-5.004(3), F.A.C., apply to advance payment contracts for dormitory, local fee and tuition differential fee plans associated with tuition plans that are purchased on or after February 1, 2009.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 3-19-92, Formerly 4G-5.004, Amended 12-5-93, 6-20-96, 7-28-98, 11-27-02,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-8.001 Qualified Individuals

PURPOSE AND EFFECT: Revises the requirements for changing the beneficiary of a Prepaid Plan to include authorization by the co-purchaser in addition by the authorization of the purchaser. Conforms this rule to changes to Rule 19B-5.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirements to change the beneficiary of an advance payment contract.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-8.001 Qualified Individuals.

Except when an advance payment contract is established by a person purchaser functioning in a custodial capacity, a ~~purchaser may change~~ the qualified beneficiary may be changed to any member of the family of the then-current qualified beneficiary, at any time, by submitting a written, notarized request signed by the person or persons required by Rule 19B-5.004, F.A.C., purchaser directing the Board to change the qualified beneficiary for the contract. “Member of the family” means the same as that term is defined in s. 529 of the Internal Revenue Code. The substitute beneficiary must

meet the residency requirement of a qualified beneficiary at the time of substitution. ~~The contract purchaser will be required to sign and notarize any request to substitute beneficiaries on an advance payment contract.~~

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98(4) FS. History—New 3-29-89, Formerly 4G-8.001, Amended 12-5-93, 6-20-96, 8-18-97, 12-16-97, 3-24-99, 2-8-00, 10-9-01, 12-28-03, 3-15-06,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-9.004 Dormitory Transfer to Community Colleges and State University-Held Residences Other than Dormitories

PURPOSE AND EFFECT: Conforms this Rule to the changes to Rule 19B-5.004, F.A.C. The deleted issues are dealt with by Rules 19B-10.002 and 19B-11.002, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The transfer of dormitory benefits from State Universities to Community Colleges and other State University-held residences.

SUBJECT AREA TO BE ADDRESSED: The transfer of dormitory benefits from State Universities to Community Colleges and other State University-held residences.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-9.004 Dormitory Transfers to Community Colleges and State University-Held Residences Other than Dormitories.

(1) A dormitory plan may be transferred to a community college or community college direct-support organization that operates a residence facility for students attending the community college. Funds transferred to the community college or community college direct-support organization shall not exceed the lesser of the actual fees charged by the community college or the community college direct-support organization for dormitories or residency opportunities or the average fees charged for state university dormitories designated for inclusion in the Program. ~~If the actual dormitory~~

~~fees charged by the community college or community college direct support organization are less than the original purchase price of the dormitory plan, the purchaser may cancel the dormitory plan and receive a refund of the original purchase price or may seek a refund for a two semester proportionate share of the original purchase price without canceling the balance of the benefits purchased.~~

(2) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98(3) FS. History--New 10-20-96, Amended _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-10.002 RULE TITLE: Voluntary Termination

PURPOSE AND EFFECT: Revises the requirements for signature needed to authorize voluntary termination of a Prepaid Plan.

SUBJECT AREA TO BE ADDRESSED: The requirements to authorize voluntary termination of a Prepaid Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-10.002 Voluntary Termination.

Voluntary termination shall occur within thirty days of receiving a written request for cancellation of an advanced payment contract. A request for the cancellation of an advance payment contract must contain the notarized signature of the person or persons required pursuant to Rule 19B-5.004, F.A.C. be signed by the purchaser designated on the advance payment contract and notarized by a notary.

Specific Authority 1009.971(1), (4), (6) Law Implemented 1009.971, 1009.98(4) FS. History--New 3-29-89, Formerly 4G-10.002, Amended 6-20-96, 7-28-98, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-11.001 RULE TITLE: General

PURPOSE AND EFFECT: Provides that refunds for terminated Prepaid Plans will be provided upon submission of a notarized written request signed by the purchaser and, if the Plan was purchased after February 1, 2009, by the co-purchaser. Conforms this rule to the changes to Rule 19B-5.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The signature requirements for refunds of terminated Prepaid Plans.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-11.001 General.

Except as provided herein, refunds shall not exceed the amount paid for any plan included in the advance payment contract bought by the purchaser, except for conversions pursuant to Rule 19B-11.002, F.A.C., and dormitory plan refunds due to insufficient housing pursuant to Rule 19B-11.004, F.A.C. ~~Involuntary and voluntary termination pursuant to Rules 19B-10.001 and 19B-10.002, F.A.C., respectively, shall result in a refund to the purchaser after assessment of appropriate fees.~~ Termination of student status after the official drop/add period eliminates the refund option for that semester. The Board will process a refund associated with an account that was terminated pursuant to Rule 19B-10.001 or 19B-10.002, F.A.C., upon the receipt of a notarized, written request that is signed by the person or persons required pursuant to Rule 19B-5.004, F.A.C. The refund will be paid only to the purchaser of the terminated account.

(1) No change.

(2) Refunds may exceed the amount paid for a plan in the following circumstances:

(a) If a beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be returned to the purchaser in semester installments coinciding with the matriculation by the beneficiary in an amount not to exceed the redemption value of the advance payment contract. Proof of scholarship shall be given to the Board as required by the Master Covenant.

(b) In the event of death or total disability of the beneficiary, the advance payment contract may be terminated pursuant to Rule 19B-10.002, F.A.C., and the moneys paid for the purchase of an advance payment contract shall be refunded returned to the purchaser in lump sum in an amount not to exceed the redemption value of the advance payment contract. Proof of death or disability shall be in such form as required by the Board.

(c) If a beneficiary with a tuition differential fee contract attends a state educational institution that does not charge a tuition differential fee, moneys paid for purchase of the tuition differential fee contract shall be returned to the purchaser in an amount not to exceed the redemption value of the tuition differential fee plan.

(3) For purposes of refunds pursuant to paragraph 19B-11.001(2)(a) or (b), F.A.C., for tuition and local fee plans, the redemption value shall be the average amount of tuition and local fees, respectively, charged by the state universities or community colleges at the time of the refund request. For purposes of refunds pursuant to paragraph 19B-11.001(2)(a) or (b), F.A.C., for the dormitory plan, the redemption value shall be the average of the state university dormitory fees charged at the time of the refund request, for the number of semesters reflected in each purchaser's advance payment contract. For purposes of refunds pursuant to paragraph 19B-11.001(2)(c), F.A.C., for tuition differential fee plans, the redemption value shall be the average amount of tuition differential fees charged by the state educational institution at the time of the refund.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.98(5) FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-11.001, Amended 8-18-97, 11-6-01, 12-17-07, _____.

**STATE BOARD OF ADMINISTRATION
Florida Prepaid Postsecondary Education Expense Board**

RULE NO.: 19B-11.005 **RULE TITLE:** Other Refunds
PURPOSE AND EFFECT: Revises the requirements for obtaining a refund for Prepaid Plans that have been partially used. Conforms this rule to the changes to Rules 19B-5.004 and 19B-11.001, F.A.C.
SUBJECT AREA TO BE ADDRESSED: The refund requirements of terminated Prepaid Plans.
SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.
LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.
PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-11.005 Other Refunds.

If a beneficiary does not complete a Community College Plan, University Plan, or a Community College/University Plan for reasons other than those specified in Rules 19B-11.001 through 19B-11.004, F.A.C., the account may be terminated pursuant to Rule 19B-10.002, F.A.C., and the purchaser will have available a pro-rata refund of the amount paid into the fund is available. A refund under this rule will not include funds for any school year partially attended but not completed. A school year partially attended but not completed shall mean any one semester of a two semester school year whereby the student is enrolled at the conclusion of the official drop/add period, but withdraws before the end of such semester.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.98(5) FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-11.005, Amended _____.

**STATE BOARD OF ADMINISTRATION
Florida Prepaid Postsecondary Education Expense Board**

RULE NO.: 19B-11.007 **RULE TITLE:** Unclaimed Refunds
PURPOSE AND EFFECT: Revises the requirements for written notice to purchasers due a refund for a terminated Prepaid Plan account prior to the escheatment of the refund to the Trust Fund. Conforms this rule to the changes to Rules 19B-5.004 and 19B-11.001, F.A.C.
SUBJECT AREA TO BE ADDRESSED: The written notice requirements of terminated Prepaid Plan accounts prior to the escheatment of the refund to the Trust Fund.
SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.
LAW IMPLEMENTED: 1009.98 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-11.007 Unclaimed Refunds.

(1) The Board will mail written notice to the purchaser of a terminated advance payment contract when a refund for the account has been available for six (6) years ~~send a refund to any purchaser whose contract is terminated after July 1, 1996, pursuant to Rule 19B 10.001 or 19B 10.002, F.A.C.~~ Such refund will consist of any monies paid into the program minus any applicable fees due against the account. ~~The Board will mail written notice to purchasers when the refund check for a contract terminated after July 1, 1996, has not been negotiated for six years and when a refund is available for a contract that was terminated prior to July 1, 1996.~~ The notice will indicate the procedure which ~~the purchaser~~ must be followed to obtain a refund of the monies held by the Board and that if a refund claim is not timely made that the funds will escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names and city of residence of such purchasers will be posted on the Board's website on the Internet (www.florida529plans.com). Any refund which remains unclaimed seven (7) years after an account is terminated ~~or on December 31, 2004, whichever is later,~~ will escheat to the Florida Prepaid College Trust Fund.

(2) through (4) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.972(5), 1009.98(5) FS. History--New 6-20-96, Amended 12-29-98, 4-15-04,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.002
 RULE TITLE: Application for Participation in the Program

PURPOSE AND EFFECT: Requires a contingent benefactor for an Investment Plan account to satisfy the same requirements as a benefactor. Provides that only one contingent benefactor may be named on an application for an account.

SUBJECT AREA TO BE ADDRESSED: The rights and requirements of The Florida College Investment Plan's contingent benefactors.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) Any person may apply for participation in the Program by submitting a completed Florida Prepaid College Plan and Florida College Investment Plan New Account Application, along with an initial contribution to the Program that meets the requirements of Rule 19B-16.004, F.A.C. Benefactors and designated beneficiaries do not have to be residents of the State of Florida. Any natural person named as the benefactor or contingent benefactor in a completed application must have reached the age of majority and must be a citizen or resident alien of the United States with a valid social security number. Any person named as the beneficiary in a completed application must be a citizen or resident alien of the United States with a valid social security number.

(2) No change.

(3) Only one (1) benefactor, one (1) co-benefactor and one (1) designated beneficiary can be named on an application, except that scholarship accounts may be established for the benefit of one (1) or more beneficiaries identified in the future. A benefactor may submit applications for more than one (1) designated beneficiary. More than one (1) benefactor may submit an application for the same designated beneficiary.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.004
 RULE TITLE: Payment and Minimum Contributions

PURPOSE AND EFFECT: Provides that a contingent benefactor may not direct the investments of any contributions to the Investment Plan. The same prohibition applies to benefactors and designated beneficiaries. Conforms this rule to the changes to Rule 19B-16.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The investments in the Florida College Investment Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.004 Payment and Minimum Contributions.

(1) No change.

(2) ~~A Neither a benefactor, a contingent benefactor and nor~~ a designated beneficiary shall not direct the investment of any contributions or amounts held in the Program.

(3) through (5) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History–New 5-30-02, Amended 11-27-02, 12-28-03, 4-21-05,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.006
 RULE TITLE: Change of Benefactor

PURPOSE AND EFFECT: Provides that if an account is established after February 1, 2009, that changes of the benefactor will require the notarized authorization of the benefactor and the contingent benefactor. Provides that the benefactor for an account may be changed by the personal representative of the estate of the deceased benefactor only if no contingent benefactor has been designated for the account. Conforms this rule to the changes to Rule 19B-16.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirements to change the benefactor of a Florida College Investment Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.006 Change of Benefactor.

(1) ~~The A benefactor may transfer~~ ownership of a participation agreement may be transferred to another person at any time, subject to any applicable limitations associated with the benefactor functioning in a custodial capacity. To complete a change of ownership, the benefactor must submit to the Board a notarized, written request to transfer the ownership of the participation agreement to a person who has achieved the age of majority together with an application executed by the person to whom the participation agreement is to be transferred. If the account was established on or after February 1, 2009, such request also must include the notarized signature of the contingent benefactor.

(2) No change.

(3) A change in the benefactor of an account may also be effected by a court order or if no contingent benefactor has been designated by the notarized, written request from the personal representative of the benefactor’s estate accompanied by a certified copy of the death certificate of the benefactor and letters of administration issued to the personal representative. In either case, the successor benefactor must submit to the Board a completed application signed by the successor benefactor.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History–New 5-30-02, Amended_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.007
 RULE TITLE: Change of Designated Beneficiary

PURPOSE AND EFFECT: Provides that the contingent benefactor also must authorize changes of the designated beneficiary for Investment Plan accounts established on or after February 1, 2009. Conforms this rule to the changes to Rule 19B-16.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirements to change the designated beneficiary of a Florida College Investment Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.
 PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.007 Change of Designated Beneficiary.

Except when a participation agreement is established by a benefactor functioning in a custodial capacity, ~~a benefactor may change~~ the designated beneficiary may be changed to any member of the family of the then-current designated beneficiary, at any time, by submitting a written, notarized request signed by the benefactor directing the Board to change the designated beneficiary for the account. If the account was established on or after February 1, 2009, such request also must include the notarized signature of the contingent benefactor.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 5-30-02, Amended.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: 19B-16.008
 RULE TITLE: Contingent Benefactor

PURPOSE AND EFFECT: Revises requirements for Investment Plan accounts established on or after February 1, 2009, to: a) provide that the benefactor and contingent benefactor each enjoy a survivorship right; and b) require the benefactor's and the contingent benefactor's authorization for requests to change the benefactor, contingent benefactor and designated beneficiary, to voluntarily terminate an Investment Plan account and to obtain refunds associated with the termination of an Investment Plan account. Allows benefactors and contingent benefactors to revise the requirements for Investment Plan accounts established prior to February 1, 2009, to include those requirements.

The changes made by this rule for the Investment Plan will apply to Investment Plans established on or after February 1, 2009, because that is the date similar rule changes for the Prepaid Plan will become effective. The changes being made for the Prepaid Plan will apply to applications for the Prepaid Plan received on or after February 1, 2009, the first day the Board will begin receiving Prepaid Plan applications for the 2009-2010 Open Enrollment. That is the earliest practical date the changes for the Prepaid Plan can be made effective. Making the changes to both plans effective on the same day will simplify administration and avoid customer confusion.

SUBJECT AREA TO BE ADDRESSED: The requirements, rights and responsibilities of a contingent benefactor of a Florida College Investment Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.008 Contingent Benefactor.

(1) For accounts established prior to February 1, 2009:

(a) The benefactor may designate a contingent benefactor on the application who will enjoy a right of survivorship in the event of the death of the benefactor and who will become the owner of the account automatically upon the death of the benefactor, subject to any applicable limitations associated with the benefactor functioning in a custodial capacity.

(b) Upon the death of the benefactor, the contingent benefactor shall become the benefactor if the Board receives a certified copy of the death certificate of the deceased benefactor and a completed application signed by the contingent benefactor.

(c) Subject to any applicable limitations associated with the benefactor functioning in a custodial capacity, the benefactor may change the contingent benefactor at any time without the consent of the contingent benefactor by submitting a written request signed by the benefactor to the Board.

(d) The benefactor may elect to change the rights of a contingent benefactor to be the same as those for accounts established on or after February 1, 2009, by submitting a written request to the Board. The request must contain the notarized signatures of the benefactor and the contingent benefactor. If the benefactor changes the rights enjoyed by the contingent benefactor to those for accounts established on or after February 1, 2009, the change in the contingent benefactor's rights is irrevocable, the provisions of paragraphs 19B-16.008(1)(a), (b) and (c), F.A.C., shall not apply to the account, the provisions of subsection 19B-16.008(2), F.A.C., shall apply to the account, and the account shall be deemed to have been established on or after February 1, 2009.

(2) For accounts established on or after February 1, 2009:

(a) The benefactor may designate a contingent benefactor on the application. When a contingent benefactor is designated, the benefactor and the co-benefactor each will enjoy a right of survivorship in the event of the death of the other and, if the Board receives a certified copy of the death certificate of the deceased benefactor or contingent benefactor, the survivor of them will become the sole owner of the account automatically, subject to any applicable limitations associated with the benefactor functioning in a custodial capacity.

(b) Changes to the benefactor, contingent benefactor and designated beneficiary for a participation agreement, requests for the voluntary termination for a participation agreement and requests for refunds associated with the termination of a participation agreement must be in writing and contain the notarized signatures of the benefactor and the contingent benefactor.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 5-30-02, Amended 11-27-02,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-16.009 Rollover Distributions

PURPOSE AND EFFECT: Requires that contingent benefactors also authorize requests for rollover distributions from Investment Plan accounts that are established on or after February 1, 2009. Conforms this rule to the changes to Rule 19B-16.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirements and the rights of a contingent benefactor’s authorization to request rollover distributions of a Florida College Investment Plan.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.009 Rollover Distributions.

Except when functioning in a custodial capacity, a benefactor may make a transfer of funds into an account in the Program or from an account in the Program to the extent permitted by s. 529 of the Internal Revenue Code by submitting a notarized, written request to the Board. For accounts established on or after February 1, 2009, such transfers from an account also must include the notarized signature of the contingent benefactor.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(3) FS. History--New 5-30-02, Amended _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-16.010 Termination and Withdrawal; Distributions

PURPOSE AND EFFECT: Provides that the contingent benefactor also must authorize requests to voluntarily terminate an Investment Plan account established on or after February 1, 2009, and receive a refund, and must authorize requests to receive a refund of the account balance of an involuntarily terminated Investment Plan account established on or after February 1, 2009. Conforms this rule to the changes to Rule 19B-16.008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirement for the authorization of the contingent benefactor of a Florida College Investment Plan to be terminated and a refund received.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.010 Termination and Withdrawal; Distributions.

(1)(a) A benefactor may voluntarily terminate a participation agreement at any time by submitting a written, notarized request to terminate the participation agreement to the Board and receive a refund. For accounts established on or after February 1, 2009, such requests also must include the notarized signature of the contingent benefactor. Any written

request for voluntary termination of a participation agreement shall be processed within thirty (30) days following receipt of the request by the Board. The amount of the refund ~~to the benefactor~~ will be the account balance. The refund shall be paid only to the benefactor.

(b) A benefactor may voluntarily terminate a participation agreement at any time by submitting a written, notarized request for a rollover distribution of the entire Account Balance. For accounts established on or after February 1, 2009, such requests also must include the notarized signature of the contingent benefactor. Any written request for a rollover distribution of the entire Account Balance must indicate the qualified tuition program to which said rollover distribution is to be made and will be processed within thirty (30) days following receipt of the request by the Board.

(c) A participation agreement shall be deemed to have been voluntarily cancelled when the benefactor requests a distribution of all funds in the account so that the account balance is zero. However, the benefactor of an account that has been voluntarily cancelled may reactivate the account and the participation agreement at any time by making a contribution to the account.

(2) through (4) No change.

(5) Upon involuntary termination of a participation agreement, the benefactor may obtain ~~will be entitled to~~ a refund of the account balance by submitting a written notarized request signed by the benefactor to the Board. For accounts established on or after February 1, 2009, such requests also must include the notarized signature of the contingent benefactor. Such refund shall be paid to the benefactor.

(6) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(3) FS. History–New 5-30-02, Amended 11-27-02, 4-21-05, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-16.011 Unclaimed Refunds

PURPOSE AND EFFECT: Revises the requirements for written notice to benefactors that are due a refund for a terminated Investment Plan account prior to the escheatment of the refund to the Trust Fund. Conforms this rule to the changes to Rules 19B-16.008 and 19B-16.010, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The requirement for written notice of a terminated Investment Plan prior to the escheatment of its refund to the Trust Fund.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 29, 2008, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.011 Unclaimed Refunds.

(1) The Board ~~will shall~~ mail written notice to ~~the any~~ benefactor of ~~a an account~~ terminated participation agreement when a refund for the account has been available for pursuant to Rule 19B-16.010, F.A.C., when the benefactor has not negotiated the refund check for such account after a period of six (6) years. The notice shall indicate the procedure which ~~the benefactor~~ must be followed to obtain a refund of the monies held by the Board for said accounts and that if a claim for a refund is not made within seven (7) years of the termination of the account that the funds shall be subject to disposition as provided under Section 1009.981(2)(b)10., F.S. An alphabetical list of the names of the account owners of such accounts shall be posted on the Board’s website on the Internet. A ny such refund for any account terminated pursuant to Rule 19B-16.010, F.A.C., which remains unclaimed after seven (7) years shall be subject to disposition pursuant to Section 1009.981(2)(b)10., F.S.

(2) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(4) FS. History–New 5-30-02, Amended 1-1-07, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.210 Use of Force

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow designated officers to carry chemical agent dispensers designed for controlling incidents involving numerous inmates in large areas and to require all certified officers to carry a chemical agent dispenser designed for controlling incidents indoors and involving fewer inmates.

SUBJECT AREA TO BE ADDRESSED: Correctional probation officers travel.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 776.07, 944.09, 944.35 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: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.210 Use of Force.

(1) though (6) No change.

(7) The warden or, in his absence, the duty warden will be consulted and give her or his permission prior to use of physical force. In spontaneous use of force incidents when circumstances do not permit prior approval, the warden or, in his absence, the duty warden will be notified immediately following any use of force incident. Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (1) shall prepare, date and sign ~~the Authorization for Use of Force Report, Form DC6-232,~~ Authorization for Use of Force Report, Form DC6-232, either during, or immediately after, the tour of duty when force was used. If the authorization for force is given after normal working hours, the person authorizing the force shall complete and sign Form DC6-232 within one working day (Monday through Friday) following the incident. Form DC6-232 is incorporated by reference in subsection (22) of this rule.

(8) Whenever force is used the employee initially using force shall complete Form DC6-230, Institutions Report of Force Used, the completed form shall include a detailed written report of force used ~~shall be prepared, dated and signed by the initial employee using force. Form DC6-230, Institutions Report of Force Used, shall be used for this purpose.~~ If more than one employee was involved in the initial use of force, the highest ranking official involved or the most senior employee shall complete the report. Each additional employee involved in the use of force who agrees with the facts and circumstances as reported on Form DC6-230 Section I shall prepare Form DC6-231, ~~an Institutions Report of Force Used Staff Supplement, Form DC6-231.~~ The report shall describe in detail the type and amount of force used by him or her. Each employee shall individually write his or her own report, then submit the completed report to the clerical personnel designated by the warden to type all the reports onto one form to be signed by each employee. Any additional employee who does not agree with the facts and circumstances as reported in Form DC6-230 Section I shall prepare a separate Form DC6-230, Institutions Report of Force Used. Forms DC6-230 and DC6-231 are incorporated by reference in subsection (22) of this rule.

(9) No change.

(10) The warden or acting warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation. If signs of excessive force or procedural deviation

are noted by the warden or assigned inspector, she or he will notify the Office of the Inspector General directly, so that there is no undue delay in initiating an investigation. The warden shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information and required documentation. This information will include the reports of all involved staff and the statements of staff witnesses, inmate witnesses, the inmate subject, and the completed Form DC1-813, Use of Force File Checklist, Form DC1-813. All inmate statements (subject and witnesses) shall be made in writing using Form DC6-112C, the Witness Statement, Form DC6-112C. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. All employees who witness but do not participate in the use of force shall complete ~~an Incident Report, Form DC6-210, Incident Report.~~ Form DC6-210 is incorporated by reference in subsection (22) of this rule. This process will be completed within 5 working days (Monday through Friday). The warden shall review the information and note any inappropriate actions. The warden shall review ~~the Use of Force File Checklist, Form DC1-813,~~ Use of Force File Checklist and shall forward the videotape(s) and associated reports on the use of force and the warden's review to the institutional inspector within five working days. ~~Form DC1-813 is incorporated by reference in subsection (22) of this rule.~~ The institutional inspector will ensure that all documentation is complete and will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The Use of Force Unit within the OIG, following its review, will either approve the use of force action or disapprove it. If the Use of Force Unit finds that the use of force was appropriate, the OIG's written determination of the appropriateness of the force used and the reasons therefor, shall be forwarded to the circuit administrator or warden upon completion of the review. If the Use of Force Unit finds that the use of force was inappropriate, the OIG shall conduct a complete investigation into the incident and forward the findings of fact to the appropriate regional director. The OIG shall also advise the warden in writing of the reason for the disapproval so that the warden can take any needed corrective action. If employee disciplinary action appears warranted, the warden shall prepare Form DC6-296, Disapproved Use of Force/Disposition Report, and forward the materials to the service center employee relations supervisor. ~~Form DC6-296, Disapproved Use of Force/Disposition Report, shall be used for this purpose.~~ Form DC6-296 is incorporated by reference in subsection (22) of this rule. The warden shall document all corrective action taken. Copies of the employee's report, the warden's summary and the inspector general's review and determination shall be kept in the inmate's file. A Form DC2-802, Use of Force Log, Form DC2-802, shall be placed in every employee's personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The warden or his ~~or her~~ designee

shall be responsible for submitting accurate information to the personnel office in order to maintain ~~Form the~~ DC2-802. Any use of force reports completed prior to April 15, 1998 shall also remain in the file. Form DC2-802, ~~Use of Force Log~~, is incorporated by reference in subsection (22) of this rule.

(11) Any employee who witnesses, or has reasonable cause to suspect, that an inmate has been unlawfully abused shall immediately prepare, date and sign ~~an Incident Report~~, Form DC6-210, Incident Report, pursuant to Section 944.35(3)(d), F.S., specifically describing the nature of the force used, the location and time of the incident and the persons involved. The report shall be delivered to the inspector general of the department with a copy delivered to the warden of the institution. The inspector general shall conduct an appropriate investigation and, if probable cause exists that a crime has been committed, notify the state attorney in the circuit in which the institution is located. ~~Form DC6-210, Incident Report, is incorporated by reference in subsection (22) of this rule.~~

(12) Force or restraint may be used to administer medical treatment when ordered by a physician or clinical associate, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or clinical associate shall prepare Form DC6-232, Authorization for Use of Force Report, ~~a report~~ documenting the reasons that force or restraint was authorized. ~~Form DC6-232, Authorization for Use of Force Report, shall be used for this purpose.~~ The physician's or clinical associate's report shall be attached to Form DC6-230, the Institutions Report of Force Used, when actual force is used, or Form DC6-210, the Incident Report, ~~Form DC6-210, in cases~~ when restraints are applied without the use of force as described above. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign Form DC4-711A, a Refusal of Health Care Services, ~~Form DC4-711A~~, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-711A, DC4-701C and DC4-708 are incorporated by reference in subsection (22) of this rule. When the use of four-point or five-point psychiatric restraints is authorized and

the inmate does not offer resistance to the application of the restraints, the completion of ~~an Institutions Report of Force Used~~, Form DC6-230, Institutions Report of Force Used, or ~~an Institutions Report of Force Used Staff Supplement~~, Form DC6-231, Institutions Report of Force Used Staff Supplement, will not be required. In these situations, where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped and ~~an Incident Report~~, Form DC6-210, Incident Report, will be completed. The videotape, the completed Incident Report, and the completed ~~Authorization for Use of Force Report~~, Form DC6-232, Authorization for Use of Force Report, will be forwarded to the warden or acting warden for review within one working day. The warden will forward the videotape and associated reports to the institutional inspector within five working days. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Office of the Inspector General, as outlined in subsection (10) above, for review. If at any time prior to or during the application of the psychiatric restraints the inmate offers resistance to the application, the steps outlined in subsection (8) above will be followed.

(13) through (14) No change.

(15) Use of electronic immobilization devices.

(a) through (g) No change.

(h) In any case where electronic immobilization devices are used, ~~an Institutions Report of Force Used~~, Form DC6-230, Institutions Report of Force Used, shall be prepared written and shall include:

1. through 2. No change.

(i) through (l) No change.

(16) Use of Chemical Agents.

(a) The following chemical agents are authorized for use by the department:

1. No change.

2. CS – Orthochlorbenzal Malononitrile or Orthochlorobenzylidene Malononitrile – An irritant agent that causes eyes to burn and tear, nasal discharge, and skin and upper respiratory irritation.

a. No change.

b. When documentation is available, e.g., ~~previous Institutional Report of Force Used~~, Form DC6-230, Institutions Report of Force Used, to substantiate that the use of OC has in the past proven ineffective in controlling a specific inmate, the warden or duty warden has the option to authorize the use of CS as the initial/primary chemical agent.

c. through f. No change.

3. No change.

(b) No change.

(c) In controlled situations when time constraints are not an issue, chemical agents can only be used if authorized by the warden or, in his or her absence, the duty warden. Additionally,

in accordance with paragraph (k) below, certified correctional staff will be ~~designated by the warden to carry chemical agents and will be~~ pre-authorized to administer chemical agents in instances where chemical agents must be used for intervention in self-defense, i.e., when the officer believes that he or she is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers or inmates.

(d) through (f) No change.

(g) No inmate shall be handcuffed solely for the purpose of administering chemical agents. If chemical agents are administered to a handcuffed inmate, an explanation as to why the removal of the handcuffs was not feasible shall be included in Section I of Form DC6-230, ~~the~~ Institutions Report of Force Used, ~~Form DC6-230~~.

(h) through (j) No change.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until its use is authorized. Each stored chemical agent dispenser will be numbered. ~~The Chemical Agent Accountability Log, Form DC6-216, Chemical Agent Accountability Log, will be kept in all areas in which chemical agents are stored and will be utilized to record the weight of each numbered chemical agent dispenser prior to issue and again when it is returned to the secure inventory storage area. The weighing process will be conducted and a verifying entry will be made in the log, including the signature of the shift supervisor authorizing the use of the chemical agent. The chief of security shall monitor the canister weights following each use of chemical agents to ensure the amounts used are consistent with that expected by reviewing and initialing the Chemical Agent Accountability Log, Form DC6-216. Form DC6-216 is incorporated by reference in subsection (22) of this rule.~~

(l) Issuance of chemical agents.

1. Certified officers assigned to major institutions and work camps are Staff designated by the Secretary of the Department as required to carry chemical agents and shall be issued one three or four ounce dispenser of OC pepper spray, with marking dye, after being properly trained in chemical agent utilization. These officers are authorized to administer chemical agents in spontaneous circumstances without additional authorization for intervention in self-defense, i.e., when the officer believes that he is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers, or inmates. Certified security officers assigned to armed perimeter posts may be exempted from this requirement by the warden.

2. Certified officers assigned to major institutions and posted to internal security, recreation field, shift supervisor posts, or designated as "A" team response members are authorized by the Secretary to be issued one twelve to thirteen

ounce MK-9, or equivalent, fogger type dispenser of OC in addition to the dispenser issued in accordance with subparagraph (16)(l)1. These officers are authorized to administer the chemical agents listed in this subparagraph in spontaneous disturbance situations involving multiple inmates in locations where large numbers of inmates are present, such as recreation fields, canteen, and meal lines. This option shall only be utilized in disturbance situations rising to the level of inmate involvement where this enhanced option is deemed necessary and shall not be used indoors.

3. The chemical agent dispenser shall be securely encased and attached to the officer's belt. Each MK-4 chemical agent dispenser will be secured within a pouch or to a holstering device by a numbered, breakable seal. Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned as well as the seal number on the dispenser she or he received. Form DC6-213 is incorporated by reference into subsection (22) of this rule. Upon receiving the dispenser and pouch, the officer will examine the safety seal to ensure that it is intact. If the seal is broken, the Shift Supervisor will be notified immediately and Form DC6-210, an Incident Report, Form DC6-210, will be written. Forms DC6-210 and DC6-213 are incorporated by reference in subsection (22) of this rule. The arsenal sergeant shall maintain a mastery inventory of all individual chemical agent dispensers complete with the weight of the dispenser at the time the original seal is attached. Whenever a dispenser is returned with a broken seal, the arsenal sergeant shall document the weight of the dispenser on the Form DC6-216, Chemical Agent Accountability Log, and attach a new seal.

(m)(t) In any case where chemical agents are used, an accurate record shall be maintained as to what type of agent was used, how much was used, method of administration, person authorized to draw chemical agent when issued from a secure location, person administering the chemical agent, location administered, and reason for use. This information shall be included in Section I of Form DC6-230, the Institutions Report of Force Used, ~~Form DC6-230~~.

(n)(m) No change.

(o)(n) Medical Requirements. Once the inmate is compliant, he shall be showered as soon as possible but not later than 20 minutes after final application of chemical agents. The inmate shall be examined by medical staff immediately after showering. In each instance a Form DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. If an injury is claimed or found to exist, Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide

sufficient documentation to support that conclusion. In those cases where an injury is claimed but not substantiated by medical examination, the statement shall indicate that, and the documentation shall be sufficient to support that no injury was found upon examination. Medical staff shall, upon completing the medical examination, make a mental health referral for each inmate who is classified S-2 or S-3 on the health profile. The referral shall be made by completing Form DC4-529, Staff Request/Referral, and sending it to mental health staff. ~~Form DC4-529 is incorporated by reference in subsection (22) of this rule.~~ Mental health staff shall evaluate the inmate not later than the next working day, to determine whether a higher level of mental health care (isolation management, transitional or crisis stabilization) is indicated.

~~(p)(e)~~ No change.

~~(q)(f)~~ Inmates exposed to chemical agents shall be ordered by the shift supervisor to shower and change both inner and outer wear within 20 minutes after exposure for decontamination purposes.

1. If an inmate refuses to shower or change, the refusal shall result in a disciplinary report and be documented:

a. On Form DC6-210, Incident Report, by the shift supervisor; or

b. On Form DC6-229, Daily Record of Segregation, by the confinement lieutenant or shift supervisor, if the inmate is in confinement or close management. Form DC6-229 is incorporated by reference in Rule 33-602.220, F.A.C.; or

~~c. On Form DC6-229A, by the close management lieutenant or shift supervisor, if the inmate is in close management. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C.~~

2. through 5. No change.

(17) Specialty Impact Munitions. Specialty impact munitions shall be used primarily by the department's rapid response teams and correctional emergency response teams during riots and disturbances. They are intended as a less lethal alternative to the use of deadly force. Specialty impact munitions shall only be employed by officers trained in their use and effects.

(a) through (g) No change.

(h) In any case where specialty impact munitions are deployed, ~~an Institutions Report of Force Used, Form DC6-230, Institutions Report of Force Used,~~ shall be filed in accordance with use of force procedures set forth in this rule.

(18) through (21) No change.

(22) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services,~~ 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (b) No change.

(c) DC4-529, Staff Request/Referral, effective _____ August 25, 2003.

(d) through (n) No change.

Specific Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, 8-4-08, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-4.004
 RULE TITLE: Certification Fees for Foreign Dental Educational Institutions

PURPOSE AND EFFECT: To create a rule setting certification fees for foreign educational institutions.

SUBJECT AREA TO BE ADDRESSED: Certification Fees For Foreign Dental Educational Institutions.

SPECIFIC AUTHORITY: 466.008 FS.

LAW IMPLEMENTED: 456.025, 466.008 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, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-4.004 Certification Fees for Foreign Dental Educational Institutions.

(1) The applicant for certification shall pay an initial nonrefundable registration fee of \$1,000.

(2) The fee for review of the certification application is \$40,000. At the end of the certification process, if any portion of this fee exceeds the documented reasonable costs and expenses actually used in reviewing and evaluating the application, the excess amount shall be refunded to the applicant.

(3) The fee for renewing a certification seven years after it was provisionally or fully granted by the department is \$500.

Specific Authority 466.008 FS. Law Implemented 456.025, 466.008 FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-3.003 Curriculum Requirements for
 Clinical Laboratory Personnel
 Training Programs

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-3.003, F.A.C., to account for the fact that Section 229.565, F.S. and Rule 64B3-7.007, F.A.C., no longer exist.

SUBJECT AREA TO BE ADDRESSED: (1) the curriculum standards for clinical chemistry, hematology, immunohematology, microbiology, serology/immunology, histology, radio assay at the technologist level, blood gas analysis at the technologist level; (2) topics for technologist level training programs.

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

LAW IMPLEMENTED: 483.800, 483.809, 483.811 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-4.001 Trainee Registration

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate a new form to be utilized by applicants for trainee registration.

SUBJECT AREA TO BE ADDRESSED: The form utilized by applicants for trainee registration.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811, 483.825 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: Joe

Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-6.003 Personnel Licensure – Temporary
 Permit

PURPOSE AND EFFECT: The purpose of this notice is to amend the rule governing temporary permits for clinical laboratory personnel.

SUBJECT AREA TO BE ADDRESSED: Temporary licensure.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.813, 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-7.005 Security and Monitoring Procedures
 for Licensure Examination

PURPOSE AND EFFECT: The purpose of this notice is to delete Rule 64B3-7.005, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Deletion of Rule 64B3-7.005, F.A.C.

SPECIFIC AUTHORITY: 456.017 FS.

LAW IMPLEMENTED: 456.017, 483.809(2) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-10.005 Scope of Practice Relative to
 Specialty of Licensure

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-10.005, F.A.C., in order to correct two references to other rules.

SUBJECT AREA TO BE ADDRESSED: The specialties of cytology, clinical chemistry, hematology, immunohematology, microbiology and serology/immunology.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-12.001 Disciplinary Guidelines

PURPOSE AND EFFECT: To correct/update several of this Rule's internal statutory references.

SUBJECT AREA TO BE ADDRESSED: The Rule's statutory references.

SPECIFIC AUTHORITY: 456.079, 483.805(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-12.002 Citations

PURPOSE AND EFFECT: The purpose of this notice is to amend the language in subsections (3)(a), (3)(b), and (3)(e).

SUBJECT AREA TO BE ADDRESSED: Certain citation violations.

SPECIFIC AUTHORITY: 456.077(1), 456.077(2), 483.805(4) FS.

LAW IMPLEMENTED: 456.077(1), 456.077(2), 456.077(3) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-12.004 Mediation Offenses

PURPOSE AND EFFECT: The purpose of this amendment is to change the language in subsection 64B3-12.004(3), F.A.C.

SUBJECT AREA TO BE ADDRESSED: Issuing a bad check to the department.

SPECIFIC AUTHORITY: 456.078, 483.805(4) FS.

LAW IMPLEMENTED: 456.078 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-12.005
 RULE TITLE: Notice of Noncompliance
 PURPOSE AND EFFECT: The purpose of this amendment is to change the wording of subsection 64B3-12.005(3), F.A.C.
 SUBJECT AREA TO BE ADDRESSED: Issuing a bad check to the Department.

SPECIFIC AUTHORITY: 456.073(3), 483.805(4) FS.

LAW IMPLEMENTED: 120.695, 456.073(3) FS.

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

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

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

DEPARTMENT OF HEALTH

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

RULE NO.: 64B4-4.002
 RULE TITLE: Application, Examination and Initial Active Status License Fee for Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete the references to the national examination fee.

SUBJECT AREA TO BE ADDRESSED: Examination fees.

SPECIFIC AUTHORITY: 491.004(5), 491.005 FS.

LAW IMPLEMENTED: 491.005 FS.

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

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

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

DEPARTMENT OF HEALTH

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

RULE NO.: 64B4-6.004
 RULE TITLE: Approval of Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and to add language to clarify the approval process for continuing education providers.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Providers.

SPECIFIC AUTHORITY: 491.004(5), 491.0085(1), (3), (4) FS.

LAW IMPLEMENTED: 491.0085(1) FS.

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

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

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

DEPARTMENT OF HEALTH

Dental Laboratories

RULE NO.: 64B27-1.003
 RULE TITLE: Continuing Education Requirements

PURPOSE AND EFFECT: To create a rule to implement new 2008 Session legislation relating to dental laboratories and the completion of continuing education biennially.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements.

SPECIFIC AUTHORITY: 466.032(5) FS.

LAW IMPLEMENTED: 466.032(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Dental Laboratories

RULE NOS.:	RULE TITLES:
64B27-2.001	Disciplinary Guidelines
64B27-2.002	Notice of Noncompliance for Minor Violations
64B27-2.003	Citation Authority
64B27-2.004	Mediation

PURPOSE AND EFFECT: To update, modify, and eliminate discrepancies between the rules and the governing statute.

SUBJECT AREA TO BE ADDRESSED: Discipline.

SPECIFIC AUTHORITY: 120.695, 456.073(3), 456.077, 456.078, 466.038 FS.

LAW IMPLEMENTED: 120.695, 456.072(4), 456.073(3), 456.077, 456.078, 456.079, 466.028, 466.037, 466.038 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, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-1.707	Family-Related Medicaid Income and Resource Criteria

PURPOSE AND EFFECT: The proposed rule amends income disregards for family-related Medicaid.

SUBJECT AREA TO BE ADDRESSED: The proposed rule eliminates the monthly cap on the deduction for work related cost of care.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.918, 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 7, 2008, 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 AND A COPY OF THE PRELIMINARY DRAFT IS: Pat Whitford, Economic Self-Sufficiency Services, telephone (850)410-3479

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-1.707 Family-Related Medicaid Income and Resource Criteria.

(1) No change.

(a) through (c) No change.

(d) Income Disregards. Only the income remaining after the following disregards are applied is counted in the eligibility determination:

1. through 2. No change.

3. Allow the entire monthly amount of work-related cost of care expense to eligible families. Require verification of work-related cost of care deductions of more than \$200 per child or incapacitated adult. If the family does not provide verification of cost of care expense of more than \$200 per child or incapacitated adult, the family is eligible for a \$200 per child or incapacitated adult deduction only. Work-related cost of care disregards of up to \$200 per month are allowed in the budget per child under age two and up to \$175 per month per child age two or over or per incapacitated adult.

4. through 8. No change.

9. Interest and dividends on dividends countable assets are excluded.

(e) through (f) No change.

(2) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.918, 409.919 FS. History—New 10-8-97, Amended 2-15-01, 11-23-04, 2-20-07, 5-6-08,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-1.712	SSI-Related Medicaid Resource Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule amends the look back period for Deficit Reduction Act provisions, state beneficiary and other clarifications to policy.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amends language for the look back period, state beneficiary and clarifications to policy.

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 7, 2008, 2:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pat Whitford, Economic Self-Sufficiency Services, telephone (850)410-3479

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

SPECIFIC AUTHORITY: 120.53(1)(b), 1001.02(1), 1008.385(3) FS.

LAW IMPLEMENTED: 1001.23, 1002.22(3)(d)3., 1008.385(2) FS.

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

DATE AND TIME: October 21, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lavan Dukes, Education Information and Accountability Services Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0014 Comprehensive Management Information System.

(1) Each school district and the Department shall develop and implement an automated information system component which shall be part of, and compatible with, the statewide comprehensive management information system. Each information system component shall contain automated student, staff and finance information systems and shall include procedures for the security, privacy and retention of automated records. The procedures for the security, privacy and retention of automated student records shall be in accordance with the requirements of 20 U.S.C. 1232g(b)(3), 34 C.F.R. Part 99 and Section 1002.22, F.S.

(2) The data elements, procedures and timelines for state reporting, local recordkeeping and statewide records transfer to be implemented by each school district and the Department within its automated information system component as prescribed in the publications entitled "DOE Information Data Base Requirements: Volume I – Automated Student Information System, 20087," "DOE Information Data Base Requirements: Volume II – Automated Staff Information System, 20087," and "DOE Information Data Base Requirements: Volume III – Automated Finance Information System, 1995." These publications which include the Department procedures for the security, privacy and retention of school district student and staff records collected and maintained at the state level are hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained from Education Information and Accountability Services, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) If any portion of this rule and reference materials is adversely affected by the courts, the affected portion should be considered, repealed and the rule shall be repromulgated.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE
6A-1.0014	Comprehensive Management Information System

PURPOSE AND EFFECT: The purpose of this amendment is to revise existing requirements of the statewide comprehensive management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information system components.

SUMMARY: DOE information Data Base Requirements, are amended.

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

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

Specific Authority 1001.02(1), 1008.385(3) FS. Law Implemented 1001.23, 1002.22(3)(d)3., 1008.385(2) FS. History–New 2-19-87, Amended 12-21-87, 12-13-88, 3-25-90, 3-24-91, 3-17-92, 12-23-92, 2-16-94, 3-21-95, 7-3-96, 5-20-97, 10-13-98, 10-18-99, 10-17-00, 5-19-03, 7-20-04, 4-21-05, 3-1-07, 3-24-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jay Pfeiffer, Deputy Commissioner, Accountability, Research and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 3, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.607	Permit Processing Fee
40D-1.659	Forms and Instructions

PURPOSE AND EFFECT: The District proposed to amend its Water Use Permit (WUP) rules to refine the permit category now informally known as "Small General" WUPs and to incorporate the term, "Small General," into existing rules. Amendments are proposed primarily to Chapter 40D-2, F.A.C., and the District's Water Use Permit Information Manual Part B, Basis of Review. However, as part of this effort, amendments are also proposed for Rule 40D-1.607, F.A.C., to incorporate the term, "Small General WUP." The effect will be to specify the application fees for what will now be known formally as a "Small General WUP." Amendments are also proposed to Rule 40D-1.659, F.A.C., to move the list or irrigation water use forms currently incorporated by reference in Rule 40D-2.091, F.A.C., which rule is intended to list documents incorporated by reference, to Rule 40D-1.659, F.A.C., which lists all District forms incorporated by reference. The effect of this amendment is to incorporate the forms used for reporting irrigation water use into the correct rule and establish a new form number for each form.

SUMMARY: Rule 40D-1.607, F.A.C., is amended to use the term, "Small General WUP" instead of "general permit (withdrawal less than 100,000 gpd)." Rule 40D-1.659, F.A.C., is amended to incorporate by reference the District's irrigation

water use forms used for reporting annual and seasonal plant irrigation and recreation/aesthetic/golf course irrigation in the Southern Water Use Caution Area.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.109, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.421(2), 668.50 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES 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 qualify for a permit with a lower fee or not require a permit. 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) through (6) No change.
- (7) Water use permit application fees shall be as follows:
 - (a) through (h) No change.
 - (i) Chapter 40D-2, F.A.C., ~~Small General Permit new (withdrawal less than 100,000 average gpd)~~ \$50.00.
 - (j) Chapter 40D-2, F.A.C., ~~Small General Permit renewal (withdrawal less than 100,000 average gpd)~~ \$35.00.
 - (k) Chapter 40D-2, F.A.C., ~~Small General Permit modification (withdrawal less than 100,000 average gpd)~~ \$15.00.
- (l) No change.
- (8) 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, 2-6-07, 5-12-08,_____.

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (26) No change.

(27) IRRIGATION WATER USE FORM – ANNUAL CROPS, SOUTHERN WATER USE CAUTION AREA FORM NO. LEG-R.017.00 ()

(28) IRRIGATION WATER USE FORM – ANNUAL RECREATIONAL / AESTHETIC / GOLF, SOUTHERN WATER USE CAUTION AREA FORM NO. LEG-R.018.00 ()

(29) IRRIGATION WATER USE FORM – SUMMER/FALL SEASONAL, SOUTHERN WATER USE CAUTION AREA FORM NO. LEG-R.019.00 ()

(30) IRRIGATION WATER USE FORM – WINTER/SPRING SEASONAL, SOUTHERN WATER USE CAUTION AREA FORM NO. LEG-R.020.00 ()

SURFACE WATER

(1) through (15) No change.

OTHER

(1) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt by reference a form used by the District in the review of applications for funding assistance for the District’s Facilitating Agriculture Resource Management Systems (FARMS) Program.

SUMMARY: This rule amendment incorporates the FARMS Program Funding Application Form into Rule 40D-1.659, F.A.C. The FARMS Program was developed to provide funding assistance to agricultural water users for the implementation of alternative water supply development and water resource development projects and is being adopted as Chapter 40D-26, F.A.C. concurrently with this rule. Subsection 40D-26.201(2), F.A.C., requires applicants for funding to submit to the District the information contained on District Form No. LEG-R.22.00 (8/08). This form requires information necessary for the District to determine eligibility, project ranking and cost-share rates of a proposed project under the FARMS Program.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.083(1), 373.0831(3), 373.196(1), 373.1961(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Beth McNeil, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (26) No change.

SURFACE WATER

(1) through (15) No change.

OTHER

(1) No change.

(2) FACILITATING AGRICULTURAL RESOURCE MANAGEMENT SYSTEMS PROGRAM FUNDING APPLICATION FORM, FORM LEG-R.22.00 (8/08)

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented ~~373.0831(3)~~, 373.116, ~~373.196(1)~~, ~~373.1961(3)~~, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History--New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1) and (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric DeHaven, P.G., Resource Data and Restoration Director, 7601 Highway 301 N, Tampa, Florida 33637 (813)985-7481, extension 2118

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.021	Definitions
40D-2.041	Permits Required
40D-2.091	Publications Incorporated by Reference
40D-2.321	Duration of Permits
40D-2.501	Permit Use Types
40D-2.621	Water-Conserving Credits

PURPOSE AND EFFECT: The Southwest Florida Water Management District’s Water Use Permit (WUP) rules are being revised in association with the District’s ongoing development, implementation and refinement of its comprehensive electronic permitting and information system known as the Water Management Information System or WMIS. As part of this overall effort, proposed amendments to Chapter 40D-2, F.A.C., and the District’s Water Use Permit Information Manual Part B, Basis of Review, are intended to refine the permit category now informally known as “Small

General” WUPs and to incorporate the term, “Small General,” into existing rules. Additional amendments are also proposed for Chapter 40D-1, F.A.C., as part of this effort. The overall purpose of this rulemaking is to re-define the Small General WUP category based upon minimal risk to the water resource for most water demands of less than 100,000 gallons per day, and to reduce where appropriate the level of information required to be submitted in support of applications for and compliance monitoring of Small General WUPs. The effect of this rulemaking package will be to limit the types of permits appropriate for the Small General permit category to those water uses that do not require significant evaluation or monitoring due to little-to-no risk of adverse impacts.

Some additional amendments not specifically limited to Small General WUPs are also proposed at this time for clarification purposes. The effect of these clarifying amendments will be to make existing WUP rules, practices and forms more consistent. SUMMARY: As to those rule amendments related to the Small General WUP category, Rule 40D-2.041, F.A.C., is amended to define the Individual, General and Small General WUP categories, as the General WUP category will now include some water uses that previously would have been considered as Small General WUPs. Rule 40D-2.621, F.A.C., is amended to limit water-conserving credits to General and Individual WUPs. Rule 40D-2.091, F.A.C., is amended to adopt an updated version of the District’s BOR, which is being revised to reduce the permit application submittal and compliance monitoring requirements for Small General WUPs. BOR sections 1.9, 1.11 and Rule 40D-2.321, F.A.C., are also amended to delete provisions relating to the District’s one-time permit renewal redistribution process for Small General and General WUPs, as this process has been completed and is no longer needed. Rule 40D-2.621, F.A.C., is amended to clarify that water-conserving credits are applicable to Individual and General WUPs issued in the Southern Water Use Caution Area of the District and may be used for the water source for which they were earned. Several additional BOR sections are amended to clarify those reporting and other information requirements that apply only to Individual and General WUPS and do not apply to Small General WUPs.

As to those amendments not specifically limited to Small General WUPs, Rule 40D-2.021, F.A.C., is revised to identify more correctly those definitions that apply only in the Southern Water Use Caution Area. Rule 40D-2.091, F.A.C., is amended to move the list of irrigation water use forms used for monitoring purposes to Rule 40D-1.659, F.A.C. Rule 40D-2.501, F.A.C., is amended to use the term “permit use types” instead of “permit classification” when referring to the types of water uses authorized in WUPs. BOR sections 1.4, 1.6, 3.6, 3.7 are amended to clarify the use of forms for permit applications and for reporting irrigation water use.

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

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

SPECIFIC AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.236, 373.239, 373.243, 373.246 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 RULES IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-2.021 Definitions.

The following definitions shall apply when used in this chapter and in the District's Water Use Permit Information Manual Part B, "Basis of Review" incorporated by reference in Rule 40D-2.091, F.A.C. within the Southern Water Use Caution Area:

(1) through (2) No change.

(3) "Change in Ownership or Control" with respect to Self-Relocation within the Southern Water Use Caution Area (SWUCA) means a person other than the permittee that has been granted a real property interest or lease interest in the property subject to the permit; but does not include a person with a familial relationship to the permittee.

(4) through (5) No change.

(6) "Net Benefit" means activities or measures that will result in an improvement to a Minimum Flow or Level water body within the SWUCA that more than offsets the impact of a proposed withdrawal.

(7) "New Quantities" within the SWUCA means water that is not currently authorized to be withdrawn by the applicant or not currently authorized to be used for the intended use by the applicant. This includes applications to modify existing permits to increase quantities, and/or change the Permit Use Type (affecting only the modified portion) and applications for an initial permit. A modification to change crops or plants grown under an Agricultural Permit Use Type Classification or to change withdrawal location or Use Type that is authorized by the terms of the permit or site certification at the time of issuance, is not a change in Permit Use Type

provided that the quantities do not increase. In addition, when land is mined and the land will be returned to the Use Type operation authorized under the Water Use Permit that existed prior to mining, such activity does not constitute a change in Use Type or New Quantity.

(8) through (10) No change.

(11) "SWUCA" means the Southern Water Use Caution Area as described in paragraph 40D-2.801(3)(b), F.A.C.

~~(12)(H)~~ No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History-New 1-1-07, Amended 7-20-08, _____.

40D-2.041 Permits Required.

(1) No change.

(2) Water Use Permit categories are based on the combined annual average daily water demand, defined as the total reasonable-beneficial water quantity necessary for the proposed water use, to be obtained during one year from ground water, surface water, alternative water supply, imported water or any other water source, divided by 365 days and expressed in gallons per day (gpd). The District issues the following categories of Water Use Permits:

(a) Individual. Water Use Permits for a combined annual average daily water demand of 500,000 gpd or greater are issued as Individual Water Use Permits. Individual Water Use Permits ~~Water Use Permits~~ must receive approval from of the Governing Board if the annual average daily withdrawal equals or exceeds 500,000 gpd.

(b) General. Water Use Permits for the following are issued by District staff as General Water Use Permits, except as provided in Chapter 4, Section 4.3 A.1.a.ii.(4) of the Basis of Review:

1. A combined annual average daily water demand less than 500,000 gpd but greater than or equal to 100,000 gpd; or

2. A combined annual average daily water demand less than 100,000 gpd when:

a. The drought annual average is 100,000 gpd or more in the Southern Water Use Caution Area;

b. Withdrawal is for mining or dewatering;

c. Withdrawal is from a surface water source; or

d. The withdrawals are required by the permit to be metered and withdrawal quantities reported to the District.

(c) Small General. Water Use Permits for a combined annual average daily water demand less than 100,000 gpd are issued as Small General Water Use Permits unless any criteria listed above for General Water Use Permits apply. Small General Water Use Permits are issued by staff.

~~(3) Water Use Permits with an annual average daily withdrawal less than 500,000 gpd may be issued by District staff as general permits.~~

~~(3)~~(4) The District shall require a water use permit when evidence indicates the withdrawal is likely to cause significant adverse impacts to existing water or land uses or the water resource or the withdrawal is within an area that is experiencing or is projected to experience withdrawal-related adverse water resource or environmental impacts.

(4) Upon the effective date of amendments defining water use permits as provided in section (2) above, any permit issued which, as a result of such amendments, is thereafter defined as a different permit for which a higher fee is required shall be converted by the District to the applicable permit without any fee payment. If a submitted application for a permit is pending as of the effective date of amendments defining water use permits and, as result of such amendments, will be issued as a permit requiring a higher application fee payment, no additional fee payment shall be required in order for the application to be considered complete.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.219, 373.223, 373.224, 373.226 FS. History-Readopted 10-5-74, Amended 12-31-74, 10-24-76, 9-4-77, 10-16-78, Formerly 16J-2.04(1), (2), (4), (5), Amended 9-1-84, 11-4-84, 10-1-89, 2-10-93, 4-11-94, 1-1-07,_____.

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

(1) Water Use Permit Information Manual Part B, “Basis of Review” (____) ~~(7/08)~~; and

(2) Water Use Permit Information Manual Part D, “Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area” (1/07);

~~(2) “Irrigation Water Use Form – Annual Crops” Form 46.20-010 WUP-10 (10/01);~~

~~(3) “Irrigation Water Use – Annual Recreational/Aesthetic/Golf” Form 46.20-009 WUP-11 (10/01);~~

~~(4) “Irrigation Water Use – Summer/Fall Seasonal”, 46.20-011 WUP-13 (10/01); and~~

~~(5) “Irrigation Water Use – Winter/Spring Seasonal”, 46.20-012 WUP-12 (10/01).~~

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History-New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08,_____.

40D-2.321 Duration of Permits.

(1) through (5) No change.

~~(6) Permits with annual average daily withdrawals of less than 500,000 gpd shall be eligible for extension of the expiration date in accordance with procedures set forth in Section 1.9 of the District’s “Basis of Review for Water Use Permit Applications” as described in Rule 40D 2.091, F.A.C.~~

~~(6)~~(7) No change.

Specific Authority 373.044, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.236 FS. History-Readopted 10-5-74, Amended 12-31-74, 10-24-76, 1-6-82, 3-11-82, Formerly 16J-2.13, Amended 10-1-89, 7-28-98, 1-1-03, 1-1-07, 2-13-08,_____.

40D-2.501 Permit Use Types Classification.

Each Water Use Permit shall authorize water withdrawals for as many of the following use types as are applicable, and shall be classified according to the source, use type for which the greatest withdrawal quantities are authorized. Permit use types are as follows, and method of withdrawal in one or more of the following categories:

(1) through (3) No change.

(4) Industrial or Commercial, and

(5) Mining or Dewatering, and

~~(6) Standby Alternative Source.~~

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.219, 373.246 FS. History-Readopted 10-5-74, Amended 12-31-74, Formerly 16J-2.16, Amended 11-4-84, 10-1-89, 1-1-03,_____.

40D-2.621 Water-Conserving Credits.

(1) On January 1, 2003, permits authorizing a water withdrawal within the SWUCA Southern Water Use Caution Area as described in paragraph 40D-2.801(3)(b), F.A.C., for irrigation shall be assigned an initial Water-Conserving Credit by the District for a quantity of water as set forth in Chapter 3 of the Basis of Review incorporated by reference in Rule 40D-2.091, F.A.C.

(2) Beginning on January 1, 2003, all Permittees with an Individual or General Water Use Permit authorizing a water withdrawal within the SWUCA as described in paragraph 40D-2.801(3)(b), F.A.C., for irrigation may earn Water-Conserving Credits to withdraw additional quantities of ground water for use at the site at which they were earned and for the source for which they were earned. Water-Conserving Credits are earned if less than the allowable amount of groundwater is applied to actual, planted acreage as set forth in Chapter 3 of the Basis of Review incorporated by reference described in Rule 40D-2.091, F.A.C.

(3) Withdrawals under the Water-Conserving Credits shall meet the Conditions for Issuance set forth in subsection 40D-2.301(1), F.A.C.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216, 373.219, 373.223, 373.239 FS. History—New 1-1-03, Amended 1-1-07, _____.

WATER USE PERMIT INFORMATION MANUAL PART B,
BASIS OF REVIEW

1.0 PERMITTING PROCEDURES

1.4 APPLICATION FORMS

Permit applicants shall submit the Individual, General or Small General Water Use Permit Application Form, incorporated by reference in Rules 40D-1.659(8), (9) and (10), F.A.C., that is appropriate to the combined annual average demand for the proposed use annual average quantities requested, as provided in Rule 40D-1.659(8), (9), and (10), F.A.C. Applicants for Individual and General Water Use Permits 100,000 gpd or more annual average quantities shall also submit all of the Water Use Permit Application Supplemental Form(s) incorporated by reference in subsections 40D-1.659(11) through (15), F.A.C., that are applicable to their water uses type, as provided in subsections 40D-1.659(11) through (15), F.A.C. Applicants for a Letter Modification to their water use permit shall submit the Modification Short Form, incorporated by reference in subsection 40D-1.659(16), F.A.C. These forms may be obtained from any District Service Office, or from the District website at www.watmatters.org.
New 1-1-03, Amended 11-25-07, _____.

1.6 APPLICATION REVIEW PROCESS

First 4 paragraphs – No change.

General water use permits may be issued by District staff for applications which meet the following criteria:

1. The average annual daily withdrawal is less than 500,000 gpd;
2. The application meets the Conditions for Issuance set forth in Rule 40D-2.301, F.A.C.
Amended 1-1-07, 12-24-07, _____.

1.9 PERMIT DURATION

The District typically issues permits in accordance with the following guidelines:

1. through 6. No change.
7. ~~One time Permit Renewal Redistribution Process for Small General and General Permits:~~
 - a. ~~General Provisions:~~
 - (1) ~~The following definitions shall apply to this subsection~~
 6.
 - (a) ~~General Permit~~—A permit with an annual average daily withdrawal of greater than or equal to 100,000 gpd and less than 500,000 gpd.
 - (b) ~~Small General Permit~~—A permit with an annual average daily withdrawal of less than 100,000 gpd.
 - b. ~~Specific Provisions:~~
 - (1) ~~Random Selection of Permits for Extension:~~

~~A one-time random selection process that will be performed as follows:~~

~~(a) For each year of the 10 year period, which years begin on October 1 and end at 11:59 p.m. September 30, beginning October 1, 1998 and ending September 30, 2008, the District will randomly select permits expiring in that year for extension of the expiration date in order to reduce the variability of the projected number of permit renewal applications to be received by the District. The number of permits extended for any given year will depend on the number of permits expiring that year which are determined to be in excess of the targeted average annual number of renewal applications.~~

~~(b) The random selection of permits for extension will be performed individually for each year in succession, beginning with October 1, 1998 and ending with September 30, 2008. Permits will be selected for extension until the number of permits in excess of the targeted average annual number of renewal applications is reached.~~

~~(c) Permits not selected for extension shall retain the expiration date shown on the face of the permit.~~

~~(2) Assignment of Extension Duration:~~

~~(a) Permits selected for extension shall be subject to a second random selection process in which the duration of extension will be assigned. Expiration dates of randomly selected permits will be extended to the first future year, beginning with the year starting October 1, 2008, in which available capacity exists below the targeted average annual number of renewal applications. Permit durations will be extended to that year until the targeted average annual number of renewal applications is reached. Any remaining permits representing additional excess over the targeted average annual number of renewal applications will be assigned to the next successive year in which available capacity exists below the targeted average annual number of renewal applications.~~

~~(b) In assigning the extension, the District shall not extend the expiration date of any permit beyond September 30, 2018.~~

~~(3) Permit Renewal Allocation/Expiration Date Assignment:~~

~~(a) Permits extended shall be subject to a third random selection process in which the actual day and month of the selected year between October 1, 2008 and September 30, 2018 is assigned to each specific permit. This process shall be performed individually for each year in succession and will facilitate an even distribution of permit expiration dates within each year.~~

~~(b) Permittees whose permits are extended and whose permits which, prior to extension, would have expired on or between October 1, 1998 and September 30, 2007, shall be notified by the District of the revised expiration date by August 1, 1998.~~

~~(e) Permittees whose permits are extended and whose permits which, prior to extension, would have expired on or between October 1, 2007 and September 30, 2008, shall be notified by the District of the revised expiration date by January 1, 1999.~~

~~e. Permits for which the expiration date is extended pursuant to this subsection 6. shall continue to meet all conditions for issuance set forth in Rule 40D 2.301, F.A.C., including compliance with minimum flows and levels and associated prevention and recovery strategies, and are subject to modification and revocation pursuant to Rules 40D 2.331 and 40D 2.341, F.A.C.~~

Revised 8-23-07, 2-13-08, _____.

1.11 RENEWAL OF PERMITS

1. No change.

~~2. Subsection 1. above shall be applicable to those permits which are not extended pursuant to Rule 40D 2.321(6), F.A.C., and Section 1.9 above, based on the expiration date on the face of the permit.~~

~~3. Subsection 1. above shall be applicable to those permits which are extended pursuant to Rule 40D 2.321(6), F.A.C., and Section 1.9 above, based on the revised expiration date assigned to the permit.~~

1-1-07, Revised 8-23-07, 4-7-08, _____.

3.0 REASONABLE WATER NEEDS

3.1 DETERMINING REASONABLE QUANTITIES

ALTERNATIVE WATER SUPPLIES WITHIN THE SWUCA
 Reuse Feasibility Investigation Within The SWUCA – Investigation of the feasibility of the use of reclaimed water (reuse) shall be required within the SWUCA for all Individual and General Water Use Permit applicants and permittees uses, and reuse shall be required where economically, environmentally and technically feasible. For those water use permittees also required to investigate reuse pursuant to Section 403.064, F.S., the investigation shall be in accordance with Section 403.064, F.S., and any rules promulgated thereunder. Reclaimed water suppliers whose reclaimed water is 100% reused, reclaimed water users whose water use is 100% reclaimed water, and permittees with a reuse plan already accepted by the District, shall not be required to conduct a reuse feasibility study. Reuse of reclaimed water as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all appropriate Individual and General Water Use Permit applicants or permittees. Applicants for Individual and General Water Use Permits these water uses shall provide an analysis of reclaimed sources for the area, including the relative location of these sources to the applicant's or pPermittee's property, the quantity and timing of reclaimed water availability, costs associated with obtaining

the reclaimed water, the suitability of reclaimed water for the intended use, and an implementation schedule for reuse. Infeasibility shall be supported with a detailed explanation.

Small General Water Use Permit applicants who have not incorporated Alternative Water Supplies will be required to confirm that there are no Alternative Water Supply sources that are technically, economically and environmentally feasible to use as a water source for the applicant's intended use. Small General Water Use Permits will be conditioned to require that the permittee notify the District of any future connection to an Alternative Water Supply source, and the permit will be modified to require the permittee to use the Alternative Water Supply to the greatest extent practicable.

1-1-03, Amended _____.

REPORTING ALTERNATIVE WATER SUPPLY QUANTITIES WITHIN THE SWUCA

Alternative Water Supply Receivers Within The SWUCA – All Individual and General Water Use permitted uses permittees within the SWUCA ~~that which~~ receive reclaimed water, or stormwater or other Alternative Water Supply for all or a part of their combined annual average daily water demands (e.g. golf courses, industrial/commercial uses, agricultural uses, etc.) shall be required to meter, record and report Alternative Water Supply quantities and sources on a monthly basis. Permittees shall list the Alternative Water Supply supplier's name, location, and quantities obtained in gallons per day, for each source. This requirement shall be implemented by attaching a permit condition to all applicable permits.

1-1-03, Amended 1-1-07, _____.

CONSERVATION

Alternative Water Supplies Within the SWUCA – Individual and General Water Use Permit a Applicants will be required to evaluate the use of potentially appropriate Alternative Water Supplies for technical, economic and environmental feasibility. This evaluation must determine whether alternatives are available to offset all or part of quantities obtained from any non-alternative water supply, as well as whether an offset is only available seasonally or on a time-limited basis.

New 1-1-07, Amended _____.

3.3 AGRICULTURE

REPORTING REQUIREMENTS FOR IRRIGATION WATER USE WITHIN THE SWUCA

Crop Reports – All Individual and General Water Use pPermittees whose annual average daily permitted use is equal to or exceeds 100,000 gpd shall record for each metered permitted withdrawal point the following information on the applicable Irrigation Water Use Form incorporated by reference in subsections 40D-1.659(26), (28) and (29), F.A.C. GROUNDWATER according to crop type, for all Those that

~~irrigate seasonal crops (examples: vegetables or other row crops) shall provide items 1. through 8. and nurseries; Those that irrigate a~~ Annual crops and plants (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture, golf courses, lawn & landscape) may omit items ~~5., and 6. and 7.:~~

1. through 4. No change.
5. Use or non-use of plastic mulch;
- ~~6.5.~~ Planting dates;
- ~~7.6.~~ Season length; and
- ~~8.7.~~ Crop protection quantities.
8. Number of acres of trees and greens.

1-1-03, Amended.

Irrigation Pumpage Compliance Within The SWUCA – Permittees who exceed the allocated quantities, which include standard and drought quantities as applicable, shall submit a report to the District which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Allocated quantities are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per crop. Reports for pPermittees not achieving the allotted quantities are subject to District approval.

Transferred from Chapters 7.1 and 7.2, 1-1-07, Amended.

3.4 INDUSTRIAL OR COMMERCIAL CONSERVATION PLANS FOR INDUSTRIAL AND COMMERCIAL USES WITHIN THE SWUCA

All permit applicants for Individual or General Water Use Permits for ground water withdrawals within the SWUCA for industrial or commercial uses are required to submit to the District at time of application, a water conservation plan describing where and when water savings can be reasonably achieved and specifically addressing all components of use and loss in the water balance, including but not limited to recycling, reuse and; landscaping and an implementation schedule ~~to the District at time of application~~. Existing permittees with ground water withdrawals not previously within a Water Use Caution Area shall submit a conservation plan by January 1, 2003.

1-1-03, Amended.

3.6 PUBLIC SUPPLY SWUCA REQUIREMENTS

The following water conservation requirements designated to apply within the SWUCA shall apply to all public supply utilities and suppliers with Individual and General Water Use Permits that are granted for an annual average daily quantity of 100,000 gallons per day or greater, as well as wholesale customers supplied by another entity which obtain an annual

average daily quantity of 100,000 gallons per day or greater, either indirectly or directly under water use permits within the SWUCA, regardless of the name(s) on the water use permit. Failure of a wholesale customer to comply may result in modification of the wholesale permit to add a permit condition limiting or reducing the wholesale customer’s quantities, or other actions by the District.

Transferred from Chapters 7.1 and 7.2, 1-1-07, Amended.

CONSERVATION REQUIREMENTS WITHIN THE SWUCA

Exemptions from Water Conservation Requirements – Small General Water Use pPermittees within the SWUCA ~~whose permitted annual average quantity is less than 100,000 gallons per day~~ are exempted from the residential water use report, water conserving rate structure, customer billing and meter reading criteria, and water audit requirements.

1-1-03, Amended.

3.7 RECREATION OR AESTHETIC CONSERVATION PLANS FOR RECREATION OR AESTHETIC USES WITHIN THE SWUCA

All Individual and General Water Use Ppermit applicants for ground water withdrawals within the SWUCA for recreation or aesthetic uses are required to submit a water conservation plan to the District at the time of application describing where and when water savings can be reasonably achieved and specifically addressing all components of use and loss in the water balance, including but not limited to recycling, reuse and; landscaping, and an implementation schedule ~~to the District at time of application~~. Existing permittees with ground water withdrawals not previously within the Eastern Tampa Bay Water Use Caution Area or the Highlands Ridge Water Use Caution Area shall submit a conservation plan by January 1, 2003.

1-1-03, Amended.

GOLF COURSE CONSERVATION WITHIN THE SWUCA Conservation Plans – All Individual and General Water Use Permit new and renewal permit applicants for new permits, renewal permits and modifications to increase quantities for ground water withdrawals within the SWUCA for golf course irrigation are required to submit a water conservation plan to the District at the time of application specifically addressing:

1. Conversion to low volume irrigation methods for areas other than fairways;
2. through 6. No change.

1-1-03, Amended 1-1-07, Amended.

Submittal of Plans – Applicants for new permits shall submit this plan to the District at the time of application. Existing permittees with ground water withdrawals not previously located within the Eastern Tampa Bay Water Use Caution Area

~~or the Highlands Ridge Water Use Caution Area shall submit a conservation plan by January 1, 2003. The District publishes a document titled Golf Course Conservation Guidelines which may be consulted in order to prepare the conservation plan required by this provision. The Guidelines are available from the District upon request and from the District's website at www.watermatters.org.~~

1-1-03, Amended _____.

REPORTING REQUIREMENTS FOR RECREATION OR AESTHETIC IRRIGATION WATER USE WITHIN THE SWUCA

To ensure compliance with the total allocated acre-inches per acre per season per crop or plant and the assigned efficiency standards, the District requires the following data to be submitted by all Individual or General Water Use permittees.

Irrigation Water Use Report – The following information shall be reported on the Irrigation Water Use Form – Annual Recreation/Aesthetic/ Golf, Form No. LEG-R.018.00 (8/08) incorporated by reference in subsection 40D-1.659(27), F.A.C., GROUNDWATER, for all recreational and aesthetic irrigation (examples: golf course turf, sports field turf, lawn and landscape in parks, playgrounds, theme parks, etc.):

1. Irrigated plant type (golf course turf, lawn and landscape, sports field);
2. Total acres per plant type;
3. Acres shrubs and/or trees;
4. Number of acres of tees and greens; and
5. The dominant soil type or acres by dominant soil type.

New _____.

5.0 MONITORING REQUIREMENTS

5.1 WITHDRAWAL QUANTITY

Individual and General Water Use ~~Generally, p~~Permittees will be required to monitor the quantity of water withdrawn from any source in accordance with the guidelines described in this section. Monitoring of actual pumpage provides a means to develop historical records in order to accurately project future reasonable demand, assess impacts to the resource and existing water and land uses, and ensure that quantities withdrawn do not exceed permitted pumpage. Monitoring methods must maintain plus or minus 5% accuracy, and must be approved by the District. Permittees shall use direct flow measuring devices unless the District determines direct methods are inappropriate for the particular water use system.

Permittees shall monitor withdrawal quantities from each withdrawal point when:

1. Issued an Individual Water Use Permit ~~The annual average withdrawal is greater than or equal to 500,000 gpd;~~
2. Issued a General Water Use Permit ~~The annual average withdrawal is greater than or equal to 100,000 gpd for public supply use;~~

~~3. Issued a General Water Use Permit~~ ~~The annual average withdrawal is greater than or equal to 100,000 gpd and one or more of the withdrawal points is located within the SWUCA or NTBWUCA; or-~~

4. No change.

7.0 WATER USE CAUTION AREAS

7.3 NORTHERN TAMPA BAY WATER USE CAUTION AREA

2. Agriculture

2.2 Monitoring Requirements for Agricultural Water Use

To ensure compliance with the total allocated inches per acre per season per crop, the District requires the following data to be submitted. ~~Although the permittee is not required to be in compliance with allocation requirements until January 1, 1993, the permittee is required to submit these data beginning with the first appropriate date in 1991, as specified in the permit conditions below.~~

1. All Individual and General Water Use pPermittees whose average daily permitted use is equal to or exceeds 100,000 gpd shall record the following information listed below for all seasonal crops irrigated (examples: vegetables or other row crops) and nurseries; ~~Permittees that irrigate a~~Annual crops (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture) may omit items e. and f.; Requested information is to be reported on the Agricultural Water Use Form – Seasonal Report, Form WUP-14.1 (1/93) and Agricultural Water Use Form – Annual Report, Form WUP-15 (1/93), appropriate Irrigation Water Use Form incorporated by reference in subsections 40D-1.659(17) and (18), F.A.C., GROUNDWATER.

- a. through d. No change.
- e. Planting dates; and,
- f. No change.

2. through 3. No change.

Amended _____.

3. Recreational, Industrial, and Mining

3.1 Conservation Plan

All Individual and General Water Use pPermit applicants for recreational/aesthetic, industrial/commercial, and mining/dewatering uses; are required to submit to the District at time of application a water conservation plan specifically addressing recycling, reuse and landscaping to the District at time of application. ~~Existing permittees shall submit a conservation plan by July 31, 1992. The following condition shall be placed on all appropriate permits, and the elements listed in the condition below shall be addressed in all new applications:~~

~~The permittee shall submit to the District a conservation plan by July 31, 1992. This plan shall include documentation and assessment of current and potential internal reuse, as well as~~

external reuse sources. This plan shall also address reducing irrigation withdrawals through evaluation of the use of drought tolerant landscaping for landscaped areas, where present.

3.2 Golf Courses Conservation Plan

All Individual and General Water Use Permit applicants for golf course irrigation are required to submit a water conservation plan to the District at time of application specifically addressing conversion to low volume irrigation methods, increased system management, limiting frequent irrigation to water-critical areas, and limiting irrigation of other areas, ~~to the District at time of application~~. Existing permittees shall submit a conservation plan by July 31, 1992. In addition to the conservation plan requirements ~~permit condition~~ listed in 3.1, above, the following permit condition shall be applied to all existing golf course permits, and the elements listed in the condition below shall be addressed in all new golf course permit applications:

The permittee shall submit a report to the District by July 31, 1992, detailing how and when the following items shall be implemented, and the expected reduction in withdrawals to be achieved through implementation:

- 1. through 5. No change.

Amended _____.

6. Alternative Sources

6.2 Reuse

Investigation of the feasibility of reuse may be required for all appropriate uses, and reuse shall be required where feasible. Reuse of treated wastewater as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all Individual and General Water Use Permit ~~appropriate~~ applicants or permittees. This item shall be implemented through inclusion of the following condition on all applicable permits with agricultural irrigation, recreational or aesthetic irrigation, industrial or commercial, or mining or dewatering uses:

No change.

All Individual and General Water Use Permit applicants for water uses where reclaimed water is appropriate shall provide documentation from the local wastewater entity indicating whether reclaimed water is available or is planned to be available within the next six years. Permittees generating reclaimed water shall respond to such requests by permit applicants in a timely manner. If reclaimed water is available, or is planned to be available within the next 6 years, the local wastewater entity shall provide a cost estimate for connection to the permit applicant. If reclaimed water is planned to be available within the next 6 years, the local wastewater entity shall provide an estimate of when the reclaimed water will become available. If the wastewater generator does not hold a

valid water use permit and does not supply the requested information, the applicant shall be required to prepare a cost-estimate for connection.

No change.

Amended _____.

6.3 Reporting Reuse Quantities

2. Reclaimed Water Receivers

All Individual and General Water Use permittees that ~~permitted uses which~~ receive reclaimed water (e.g., golf courses, industrial/commercial uses, etc.) shall be required to record and report reuse quantities and sources on a monthly basis. This requirement shall be implemented by applying the Alternative Water Supplies metering condition cited in Chapter 6 of this Basis of Review ~~the following permit condition~~ to all applicable permits.:

~~The Permittee shall report to the District existing connections to reclaimed water by July 1, 1991. New connections to reclaimed water shall be reported to the District within 30 days of connection to the reuse source. The Permittee shall list the reuse supplier's name, location, and quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.~~

The following condition shall be applied to Individual and General Water Use Permits that currently do not receive reclaimed water ~~applicable permits for new use~~:

The Permittee shall report any connection(s) to reclaimed water to the District within 30 days of connection to the reclaimed water ~~reuse~~ source. The Permittee shall list the reclaimed water ~~reuse~~ supplier's name, location, and reclaimed quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.

Amended _____.

6.4 Investigate Desalination

All Individual and General Water Use Permit applicants for new industrial and public supply ~~applicants for new~~ quantities shall be required to investigate the feasibility of desalination to provide all or a portion of requested quantities. This requirement shall be implemented by applying the following permit condition to all applicable permits:

No change.

Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha A. Moore, Senior Attorney, Office of General Counsel,
2379 Broad Street, Brooksville, FL 34604-6899,
(352)796-7211, extension 4651

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2008

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Beth McNeil, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-26.011	Policy and Purpose
40D-26.021	Definitions
40D-26.091	Publications Incorporated by Reference
40D-26.101	Conditions of Eligibility
40D-26.201	Program Application
40D-26.301	Eligibility Determination
40D-26.401	Cost-Share Rates

PURPOSE AND EFFECT: Chapter 40D-26, F.A.C., is created to implement the Facilitating Agricultural Resource Management Systems (FARMS) Program, a cost-share reimbursement program with the purpose of implementing agricultural best management practices that will result in reductions in water use and improvements in water quality and to natural systems within the District.

SUMMARY: Section 373.196(1), F.S., encourages cooperation in the development of water supplies and to provide for alternative water supply development. Sections 373.196(1)(f) and 373.196(3)(a), F.S., authorize the District to provide funding assistance to private water users for the development of alternative water supplies. Section 373.0831(3), F.S. authorizes the District to fund water resource development. Pursuant to these statutes, the FARMS Program was developed to provide funding assistance to agricultural water users for the implementation of alternative water supply development and water resource development projects. Chapter 40D-26, F.A.C., establishes definitions, conditions of eligibility, application procedures, eligibility determination, ranking criteria, and cost-share rates for the FARMS Program.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.083(1), 373.0831(3), 373.196(1), 373.196(3) FS.

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

40D-26.011 Policy and Purpose.

(1) The purpose of the Facilitating Agricultural Resource Management Systems (FARMS) Program is to expedite the implementation of water resource development and alternative water supply development projects by providing funding assistance for the development of production-scale Best Management Practices (BMPs) for agriculture that will result in reductions in water use and improvements in water quality and to natural systems within the District.

(2) This Chapter sets forth the procedures for the FARMS Program and the requirements for obtaining funding assistance.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.196(3) FS. History—New

40D-26.021 Definitions.

When used in this Chapter:

(1) “Agriculture” means the science and art of production of plants and animals and includes aquaculture, horticulture, floriculture, viticulture, forestry, nurseries, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production.

(2) “Best Management Practice” means a practice or combination of practices based on research, field-testing, and expert review, to be the most practicable on-location means, including economic and technological considerations, for improving water conservation and quality in agricultural discharges. BMPs for agricultural discharges shall reflect a balance between water resource improvements and agricultural productivity.

(3) “District” means the Southwest Florida Water Management District.

(4) “Equipment” means the tangible items and components of a project including software and internet services for the first year of a project’s operation.

(5) “Model Farms Costs” means those estimated costs developed to identify reasonable costs associated with implementing various water conservation methods by a variety of agricultural operations as set forth in the District’s 2001 Model Farms Costs incorporated herein by reference in Rule 40D-26.091, F.A.C.

(6) “Program” means the Facilitating Agricultural Resource Management Systems Program described in this Chapter.

(7) “Project Area” means the land upon which the components of the BMPs are located and includes the land to be served by a project.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.1961(3) FS. History–New _____.

40D-26.091 Publications Incorporated by Reference.

The following document is hereby incorporated by reference into this Chapter and is available from the District upon request:

Southwest Florida Water Management District's 2001 Model Farms Costs (effective date August 1, 2001).

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.1961(3) FS. History–New _____.

40D-26.101 Conditions of Eligibility.

(1) Agricultural operations located within the District that are in compliance with all applicable federal, state and local laws, rules and regulations, District issued permits and District funding agreements and that have been operational for the preceding 3 years are eligible for the Program. Agricultural operations less than 3 years old are eligible if the project will result in a reduction in the use of ground water. A project shall not be eligible if the applicant previously received Program funds and construction of the funded project has not commenced.

(2) The following projects are eligible for the Program:

(a) Implementation of BMPs that reduce withdrawals from the Upper Floridan aquifer or from any combination of ground, surface or reclaimed water sources and have a cost-benefit that is equal to or less than the Model Farms Costs;

(b) Implementation of BMPs that improve ground or surface water quality impacted by ground water withdrawals; and

(c) Implementation of BMPs that improve natural system functions within the Upper Myakka River Watershed.

(3) Projects that retrofit or upgrade an irrigation system shall be eligible only if the applicant previously applied for funding assistance under the United States Department of Agriculture, Natural Resources Conservation Service's Environmental Quality Incentives Program within the preceding 3 years and that otherwise meet the requirements of this rule.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.1961(3) FS. History–New _____.

40D-26.201 Program Application.

(1) Applicants shall consult with District FARMS Program staff at a pre-application meeting to discuss proposed projects before submitting their applications.

(2) Applicants for funding shall submit to the District the information required on District Form LEG-R.22.00 (8/08) adopted by reference in Rule 40D-1.659, F.A.C.

(3) Applications for leased property shall be a joint application signed by the lessee and property owner. If there are multiple owners, all owners shall sign the application form or sign an attachment to the application form indicating they join in the application.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.1961(3) FS. History–New _____.

40D-26.301 Eligibility Determination.

(1) The District shall fund projects that meet all conditions of eligibility set forth in Rule 40D-26.101, F.A.C., subject to available funding. If the District receives completed applications for projects that exceed available funding, the District shall first fund those projects that qualify for a 75% cost-share rate as set forth in paragraph 40D-26.401(1)(b), F.A.C., and then those projects that have the greatest reduction in withdrawals from the Upper Floridan aquifer, provided there are sufficient funds to fully fund each project as set forth in Rule 40D-26.401, F.A.C. A complete application means that all information in Rule 40D-26.201, F.A.C., has been submitted with sufficient detail for the District to determine eligibility.

(2) The District shall notify an applicant in writing as to whether a project is eligible. The notice shall constitute agency action subject to the provisions of Chapter 120, F.S. If the District denies eligibility, the notice of denial shall specify the reasons for the denial.

(3) If an application is funded, all property owners and lessees shall enter into a legally binding agreement with the District.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(1), 373.0831(3), 373.196(1), 373.1961(3) FS. History–New _____.

40D-26.401 Cost-Share Rates.

(1) The District's cost-share rate for a funded project shall be based upon a project's resource benefit as follows:

(a) Equipment costs shall be reimbursed up to a maximum of 50% of the total project cost when a project:

1. Reduces withdrawals from the Upper Floridan aquifer by less than 50%;

2. Reduces withdrawals from any combination of ground, surface or reclaimed water sources;

3. Improves ground or surface water quality impacted by ground water withdrawals; or

4. Improves natural system functions within the Upper Myakka River Watershed.

(b) Equipment costs shall be reimbursed up to a maximum of 75% of the total project cost when a project:

1. Reduces withdrawals from the Upper Floridan aquifer by 50% or more; or

2. Reduces withdrawals by 15% or more from any combination of ground, surface or reclaimed water sources of which a minimum of 5% of the total withdrawal reduction is from the Upper Floridan aquifer and the project improves water quality in surface or ground water impacted by ground water withdrawals or improves natural system functions within the Upper Myakka River Watershed.

(2) Only costs for Equipment procured in accordance with the terms of the agreement between the applicant and the District shall be eligible for reimbursement.

(3) Applicants shall fund a minimum of 25% of the total project cost exclusive of any funding provided by other sources.

(4) For purposes of this rule, costs associated with a project's excavation activities shall not be included in the total cost of the project; however, these costs shall count towards applicant's minimum 25% funding requirement if as-built construction drawings certified by a licensed professional engineer or surveyor are provided to the District and then to the following extent:

(a) 100% of the costs if excavated material will not be removed from owner's property.

(b) 50% of the costs if excavated material will be removed from owner's property.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0831(3), 373.196(1), 373.1961(3) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric DeHaven, P.G., Resource Data and Restoration Director,
7601 Highway 301 N, Tampa, Florida 33637, (813)985-7481
extension 2118

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2008

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008; August 22, 2008

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.001	Medicaid Providers Who Bill on the CMS-1500

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference in rule the revised Florida Medicaid Provider Reimbursement Handbook, CMS-1500, July 2008. The revised handbook includes paper claim billing instructions for home and community-based waiver services and targeted case management services. The revised handbook also includes information on the new Medicaid fiscal agent, Electronic Data Systems (EDS), and the new Medicaid computer system. In addition, the handbook

contains updated billing instructions for entering National Drug Codes on claims for HCPCS codes for drugs and for entering prior authorization numbers for Medical Foster Care and Prescribed Pediatric Extended Care Center Services. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, July 2008.

In the Notice of Rule Development, published in Vol. 33, No. 48, Florida Administrative Weekly, dated November 30, 2008, we stated that the handbook effective date was March 2008. We changed this date to July 2008.

SUMMARY: The purpose of this rule amendment is to incorporate by reference in rule the revised Florida Medicaid Provider Reimbursement Handbook, CMS-1500, July 2008. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, July 2008.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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: Monday, October 6, 2008, 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Girard, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)488-9711, girardk@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.001 Medicaid Providers Who Bill on the CMS-1500.

(1) All Medicaid providers and their billing agents who submit claims on behalf of an enrolled Medicaid provider who are required by their service specific coverage and limitations handbook or other notification by the Medicaid Program to bill the Florida Medicaid Program on a paper CMS-1500 claim form for reimbursement of services performed on a Medicaid eligible recipient, must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, July 2008 ~~February 2006, updated January 2007 and November 2007~~, which is incorporated by reference. The

handbook is available from the Medicaid fiscal agent's Web Portal website at http://mymedicaid-florida.com ~~floridamedicaid.aes-inc.com~~. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Contact Center Inquiry at (800)289-7799 ~~377-8216~~ and selecting Option 7.

(2) The following forms that are included in the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, are incorporated by reference: in Chapter 1, the CMS-1500 Claim Form, Approved OMB-0938-0999 Form CMS-1500 (08-05), one page double-sided; and in Chapter ~~32~~, the Healthy Start Prenatal Risk Screening Instrument, DH 3134, ~~2/01 9/97~~, one page. ~~The following forms that are included in Chapter 2 of the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, are incorporated by reference in Rule 59G-4.160, F.A.C.:~~ State of Florida, Florida Medicaid Authorization Request, PA01 ~~07/08 04/2002~~, one page; Medically Needy Billing Authorization, DF-ES 2902, June 2003, one page; ~~State of Florida, Sterilization Form, HHS-687 (11/2006) SCF 7/94, doublesided one page; Consentimiento Para La Esterilización, HHS-687-1 (11/2006), doublesided;~~ State of Florida, Hysterectomy Acknowledgment Form, HAF 07/1999, one page; State of Florida, Exception to Hysterectomy Acknowledgment Requirement, ETA 07/2008~~1~~, one page; State of Florida, Abortion Certification Form, AHCA-Med Serv Form 011, August 2001, one page. All the forms except for the Healthy Start Prenatal Risk Screening Instrument are available from the Medicaid fiscal agent by calling the Provider Contact Center Inquiry at (800)289-7799 ~~377-8216~~ and selecting Option 7 or from its Web Portal website at http://mymedicaid-florida.com ~~floridamedicaid.aes-inc.com~~. Click on Public Information for Providers, then on Provider Support, and then on Medicaid Forms. The Healthy Start Prenatal Risk Screening Instrument is available from the local County Health Department.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912 FS. History--New 10-1-03, Amended 7-2-06, 3-7-07, 4-9-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Girard
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 28, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 30, 2007

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.130
RULE TITLE: Home Health Services

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate by reference in rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008. The handbook was revised to allow independent providers to enroll to provide personal care services and to allow the provision of private duty nursing services to an eligible child by a parent or legal guardian who has a valid license as a RN or LPN in the State of Florida and who is employed by a Medicaid enrolled home health agency. The effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008.

SUMMARY: The purpose of this rule amendment is to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008. The effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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: Monday, October 6, 2008, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Kinser, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)410-1677, kinserk@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July ~~2008~~ ~~2007~~, 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 Web Portal website at <http://mymedicaid-florida.com>, <http://floridamedicaid.aes-inc.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at ~~4(800)289-7799~~ 377-8216 and selecting Option 7.

(3) No change.

(4) The following forms that are ~~is~~ included in the Florida Medicaid Home Health Services Coverage and Limitations Handbook are ~~is~~ incorporated by reference: Home Health Certification and Plan of Care, Form CMS-485(C-3)(02-94) (Formerly HCFA-485), in Appendix B, one page; and in Appendix C, the Authorization for Private Duty Nursing Provided by a Parent or Legal Guardian, AHCA-Med Serv Form 046, July 2008, one page. Both forms are available by photocopying them from the handbook.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, 5-30-00, 11-24-03, 10-30-07, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Kinser

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 28, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-4.220	Amount and Duration of Cash Payment

PURPOSE AND EFFECT: This proposed rule amendment explains agency error policy for purposes of cash assistance benefits, resulting in a clarification of when agency policy will not result in a redetermination of cash assistance benefit amount. The proposed rule also removes the shelter obligation verification requirement.

SUMMARY: The proposed rule amendment clarifies agency policy pertaining to agency error and the effect of agency error on the calculation of the cash assistance benefit amount.

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

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

SPECIFIC AUTHORITY: 414.045 FS.

LAW IMPLEMENTED: 414.095 FS.

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

DATE AND TIME: October 8, 2008, 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 IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.220 Amount and Duration of Cash Payment.

(1) ~~The Department determines~~ The amount of cash assistance payment that a person receives is determined by using the applicable payment standard minus the total net available income. A resulting deficit must be rounded down to the nearest \$1.00 in determining the benefit amount. The minimum grant is \$10. Persons eligible for entitled to benefits of under \$10 do not receive ~~Temporary Cash Assistance (TCA)~~ but are considered TCA temporary cash assistance recipients for other purposes, including Medicaid and ~~Food~~ sStamp coverage.

(2) ~~The TCA temporary cash assistance Pprogram uses~~ utilizes consolidated standards of basic needs, which include food, clothing, household incidentals and shelter. The eligibility specialist selects the applicable standards for the assistance group ~~are selected~~ based on the size of the assistance group and the assistance group's ~~verified~~ shelter obligation.

(a) The three shelter payment standards ~~shown in a chart~~ in Section 414.095(104), F.S., are referred to ~~in this rule~~ as Tiers I, II and III. They may also be referred to as payment standards. ~~The tier that chart applies~~ The tier that chart applies to an assistance group individual with a shelter obligation greater of more than \$50; or that is the shelter standard for the homeless and a teen parent incurring a shelter obligation in alternate living arrangements is Tier I. ~~The tier that chart applies~~ The tier that chart applies to an assistance group individual with a shelter obligation greater than \$0 and less than or equal to \$50 is Tier II. ~~The tier that chart applies~~ The tier that chart applies to an assistance group individual with a zero shelter obligation and a teen parent living in the home of a parent, other adult relative, or legal guardian regardless of any shelter obligation is Tier III.

~~(b) The Department uses Tier I and II standards are used~~ for assistance groups who have a ~~purchase~~ shelter obligation such as a mortgage payment, rent, or room and board payment, purchase contract, etc. ~~In order for Tier I or Tier II to be budgeted, the recipient must verify a shelter obligation.~~ A shelter obligation exists when the assistance group recipient has the responsibility to pay for the cost of ~~their~~ housing. When the parent or relative payee's needs are included in the benefit amount, ~~their~~ shelter obligation ~~is used~~ must be verified. When the parent or stepparent payee's needs are not included, they must indicate that the child(ren) is required to share their shelter cost ~~and verify their shelter obligation~~. When a relative payee's needs are not included, the Department accepts their statement that the child(ren) is required to share their shelter cost ~~is accepted~~. ~~Assistance group members added at one-half the benefit increase for an additional member are added at \$31 for Tier I, \$26 for Tier II and \$24 for Tier III.~~

~~(c)(b) The Department uses Tier Chart III standards are used~~ for assistance groups who do not have a ~~verified~~ shelter obligation. These assistance groups may be responsible for shelter related costs such as water, sewage, garbage, taxes, insurance and upkeep, or have no shelter or shelter related costs.

(3) In order for an assistance group to be eligible on the factor of need, the Department must make an initial determination ~~must be made~~ that the assistance group's adjusted gross income does not exceed the applicable ~~Department~~ eligibility standard ~~in subsection (4) of this rule~~. The eligibility standard is equal to 185 percent of the Consolidated Need Standard (CNS) and is ~~selected~~ based on the size of the assistance group ~~and whether or not the assistance group has a verified shelter obligation~~.

~~(4)(a) The Consolidated Need Standard is equal to based on 100 per cent of the current federal poverty level standard. The Eligibility Standard is based on 185 percent of the current federal poverty standard.~~

~~(4)(b) For the purpose of the three tier shelter standard, the definition of a homeless family is defined as one which lacks a fixed, regular, and adequate nighttime residence, victims of domestic violence, or one whoich has a primary nighttime residence that is:~~

~~(a)1. A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including homeless shelters and shelters for victims of domestic violence;~~

~~(b)2. An institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c)3. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for people human beings.~~

(5) Payments are made in monthly increments throughout the period of eligibility (i.e. – until determined ineligible).

~~(6) The Department may continue a~~ Assistance ~~can be continued~~ for only one month following the month of departure when the recipient moves out of the state and requests the extension.

(7) The amount of cash assistance payment is determined based on existing eligibility policies. When eligibility policy changes become effective, the amount of cash assistance previously determined to be the correct benefit amount will not automatically be reviewed or redetermined under the new policy. However, if the assistance group can establish that an error in calculating the benefit amount was made by the Department, the case will be reviewed and appropriate corrective action will be taken.

(8) For purposes of subsection (7) of this rule, a change in eligibility policy does not automatically establish agency error or mistake. The case review referred to in subsection (7) will not be made if the sole basis of the assistance group's claim of error or mistake is the new policy, unless a case review on that basis is expressly and clearly required by law. A change in policy does not constitute an agency error. Therefore a benefit modification may only be provided back to the month of the policy change.

Specific Authority 414.045 FS. Law Implemented 414.095 FS. History–New 1-31-94, Amended 10-9-96, Formerly 10C-1.504, Amended 11-30-98, Formerly 65A-1.504, Amended 2-10-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jennifer Lange

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 30, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: 69L-6.009 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: To revise the following forms to comply with Section 119.071(5), F.S. (2007), that precludes an agency from requesting an individual's social security number unless such collection conforms to the specified provisions of that statute. The following forms are revised: Form DWC 250 (Notice of Election to be Exempt), is amended to include a purpose and use statement regarding the collection of the social security number; Form DWC 250-R (Notice of Revocation of Election to be Exempt), DWC 251 (Notice of Election of Coverage), and DWC 251-R (Revocation of Election of Coverage), are amended so that the collection of the social

security number is discontinued. This amendment also makes a clerical revision to the existing rule relating to a field office address.

SUMMARY: Revision of forms to eliminate the collection of social security numbers.

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

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

SPECIFIC AUTHORITY: 440.05(9), 440.591 FS.

LAW IMPLEMENTED: 440.05 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, October 8, 2008, 10:00 a.m.

PLACE: 104J, Hartman Building, 2012 Capital Circle S.E., 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: Tasha Carter (850)413-1878. If you are 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: Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, phone (850)413-1878

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.009 Forms and Instructions.

(1) The following forms are hereby adopted for use in connection with these rules:

(a) DWC 250 Notice of Election to be Exempt, (eff. ~~1/08~~); and instructions for same (Instructions for Completing Notice of Election to be Exempt, (eff. ~~1/08~~).

(b) DWC 250-R Revocation of Election to be Exempt, eff. revised 2/00.

(c) DWC 251 Notice of Election of Coverage, eff. revised 2/00.

(d) DWC 251-R Revocation of Election of Coverage, eff. revised 2/00.

(e) DWC 252, Certificate of Election to be Exempt, (eff. 1/08).

(2) The forms may be obtained from the Bureau of Compliance, Division of Workers' Compensation website at: www.fldfs.com/WC/ or from any field office, unless otherwise limited to direct issuance by the Division.

(3) The field offices of the Division of Workers' Compensation, Bureau of Compliance, are:

921 North Davis Street, 1111 N. E. 25th Avenue, Suite Building B 403 Ocala, FL 34470 Suite 250 Jacksonville, FL 32209 Telephone (352)401-5350 Telephone (904)798-5806

2012 Capital Circle, S. E. 3111 South Dixie Highway Suite 106102, Hartman Bldg. Suite 123 Tallahassee, FL 32399-2161 West Palm Beach, FL 33405 Telephone (850)413-1609 Telephone (850)837-5716

610 East Burgess Road 4415 Metro Parkway Pensacola, FL 32504-6320 Suite #300 Ft. Myers, FL 33916 Telephone (850)453-7804 Telephone (239)938-1840

499 N.W. 70th Avenue Live Oak Business Center Suite 116 5969 Cattlemen Lane Plantation, FL 33317 Sarasota, FL 34232 Telephone (954)321-2906 Telephone (941)329-1120

1313 North Tampa Street 401 N.W. 2nd Avenue Suite 503 South Tower, Suite 321 Tampa, FL 33602 Miami, FL 33128 Telephone (813)221-6506 Telephone (305)536-0306

400 West Robinson Street Suite N 512, North Tower Orlando, FL 32801 Telephone (407)835-4406 or (407)245-0896

Specific Authority 440.05(9), 440.591, FS. Law Implemented 440.05, FS. History-New 11-20-79, Amended 4-15-81, 1-2-86, Formerly 38F-6.09, Amended 5-28-91, 2-15-94, 2-2-00, 3-5-02, Formerly 38F-6.009, 4L-6.009, Amended 2-19-07, 1-7-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Division Director, Division of Workers' Compensation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

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."

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-2.091	Publications Incorporated by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 35, August 29, 2008 issue of the Florida Administrative Weekly. The Notice of Change published in Vol. 34, No. 35, August 29, 2008, issue of the Florida Administrative Weekly incorrectly refers to the proposed rule published in Vol. 34, No. 34, August 22, 2008. The proposed rule was published in Vol. 34, No. 27, July 3, 2008.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-20.091	Publications Incorporated by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 35, August 29, 2008 issue of the Florida Administrative Weekly. The Notice of Change published in Vol. 34, No. 35, August 29, 2008, issue of the Florida Administrative Weekly incorrectly refers to the proposed rule published in Vol. 34, No. 34, August 22, 2008. The proposed rule was published in Vol. 34, No. 27, July 3, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-285.400	Adoption of California Motor Vehicle Emissions Standards

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 35, August 29, 2008 issue of the Florida Administrative Weekly.

The department makes the following two corrections to the Notice of proposed Rulemaking: (1) the Notice of Proposed Rule Development was published in the FAW on July 27, 2007, not May 23, 2008; and (2) the rule adoption hearing scheduled for September 25, 2008 has been cancelled.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-730.171	Transfer Facilities
62-730.182	Criteria to Determine Whether Changes Constitute a "Substantial Modification" at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards
62-730.900	Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 31, August 1, 2008 issue of the Florida Administrative Weekly.

62-730.171 Transfer Facilities.

(1) No change.

(2)(a) The transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less (hereinafter referred to as "the transfer facility") shall obtain an EPA/DEP identification number for each transfer facility location and notify the Department using Form 62-730.900(1)(c) ~~62-730.900(1)(b)~~, 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is hereby adopted and incorporated by reference ~~at paragraph 62-730.150(2)(a), F.A.C. This Form can be obtained on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm or by contacting the Hazardous Waste Regulation Section, MS 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

(b) through (c) No change.

(d) The transfer facility shall annually submit updated information on Form 62-730.900(1)(c) ~~62-730.900(1)(b)~~, 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is adopted and incorporated by reference at paragraph 62-730.171(2)(a) ~~62-730.150(2)(a)~~, F.A.C.

(3)(a)1. No change.

2. Completed Form ~~62-730.900(1)(c)~~ ~~62-730.900(1)(b)~~, 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is adopted and incorporated by reference at paragraph ~~62-730.171(2)(a)~~ ~~62-730.150(2)(a)~~, F.A.C.

3. through (8) No change.

62-730.182 Criteria to Determine Whether Changes Constitute a “Substantial Modification” at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards.

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

(d) Hazardous waste facilities that meet all siting requirements of Section ~~403.7211~~ ~~403.7224~~, F.S.

(2) through (5)(g)1. No change.

a. The inhalation toxic endpoints shall be determined in accordance with the hierarchy provided in the “Technical Report for the Substantial Modification Rule for Chapter 62-730, F.A.C.” dated August 1, 2008, which is hereby adopted and incorporated by reference ~~technical report dated _____~~.

b. through (7)(a)1. No change.

2. Separated from the existing hazardous waste storage, treatment, disposal units, or areas by a sufficient distance (to be specified in the site-specific permit or other authorization based upon the flammability and explosive potential of the permitted waste types at their maximum permitted mass or volume; the types of containers and building materials; the available data on wind speed and relative humidity; any passive fire suppression systems; and the presence of natural or manmade features between the existing and proposed units) such that a spill, fire, or other accidental release will not result in the spread of a fire, spill, or other accidental release to the new unit or units.

(b) through (8) No change.

Specific Authority ~~403.0877~~, 403.7211 FS. Law Implemented ~~403.0877~~, ~~403.7211~~ ~~402.7214~~ FS. History–New _____.

62-730.900 Forms.

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

(c) 8700-12FL – Florida Notification of Regulated Waste Activity, _____, [Form number 62-730.900(1)(c)]

(2) through (8) No change.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-53
RULE TITLE: Instant Game Number 767, LUCKY 7’s

SUMMARY: This emergency rule describes Instant Game Number 767, “LUCKY 7’s,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-53 Instant Game Number 767, LUCKY 7’s.

(1) Name of Game. Instant Game Number 767, “LUCKY 7’s.”

(2) Price. LUCKY 7’s lottery tickets sell for \$5.00 per ticket.

(3) LUCKY 7’s lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY 7’s lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The play symbols and play symbol captions are as follows:


1	2	3	4	5	6	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	EIGHT	NINE	TEN
11	12	13	14	15	16	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	28	29	30
TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYEIGHT	TWENTYNINE	THIRTY
							7	77
							SEVEN	DOUBLE


(5) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$5.00 FIVE	\$7.00 SEVEN	\$10.00 TEN	\$20.00 TWENTY
\$25.00 TWENTY FIVE	\$50.00 FIFTY	\$75.00 SEVENTY FIVE	\$77.00 SEVENTY SEVEN	\$100 ONE HUNDRED
\$250 TWO HUNDRED FIFTY	\$300 THREE HUNDRED	\$500 FIVE HUNDRED	\$777 SEVENTY SEVEN	\$1,000 ONE THOUSAND
\$5,000 FIVE THOUSAND	\$7,777 SEVENTY SEVEN	\$10,000 TEN THOUSAND	\$77,777 SEVENTY SEVEN	

\$500	\$500	20,000.00	336
\$50 (77) + \$77 + \$300 (77)	\$777	672,000.00	10
\$777	\$777	672,000.00	10
\$100 x 10	\$1,000	1,680,000.00	4
\$1,000	\$1,000	1,680,000.00	4
\$7,777	\$7,777	1,344,000.00	5
\$5,000 (77)	\$10,000	1,680,000.00	4
\$10,000	\$10,000	1,680,000.00	4
\$77,777	\$77,777	672,000.00	10

(6) Determination of Prizewinners.

(a) A ticket having a “ SEVEN” symbol and corresponding caption in the play area shall entitle the claimant to the prize

shown for that symbol. A ticket having a “ SEVENTY SEVEN” symbol and corresponding caption in the play area shall entitle the claimant to double the prize shown for that symbol.

(b) The prizes are: \$2.00, \$5.00, \$7.00, \$10.00, \$20.00, \$25.00, \$50.00, \$75.00, \$77.00, \$100, \$250, \$300, \$500, \$777, \$1,000, \$5,000, \$7,777, \$10,000 and \$77,777.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 767 are as follows:

(8) The estimated overall odds of winning some prize in Instant Game Number 767 are 1 in 3.38. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Instant Game Number 767, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) By purchasing a LUCKY 7’s lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(11) Payment of prizes for LUCKY 7’s lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS, History—New 8-29-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: August 29, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-54
RULE TITLE: Instant Game Number 768, WINFALL

SUMMARY: This emergency rule describes Instant Game Number 768, “WINFALL,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: This emergency rule describes Instant Game Number 768, “WINFALL,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	672,000
\$5 + \$2	\$7	30.00	224,000
\$7	\$7	30.00	224,000
\$5 (77)	\$10	30.00	224,000
\$10	\$10	20.00	336,000
\$2 + (\$5 x 3)	\$17	120.00	56,000
\$5 (77) + \$7	\$17	120.00	56,000
\$10 (77)	\$20	120.00	56,000
\$20	\$20	120.00	56,000
\$5 x 10	\$50	240.00	28,000
\$25 (77)	\$50	480.00	14,000
\$50	\$50	480.00	14,000
\$2 + (\$5 x 13) + \$10	\$77	2,608.70	2,576
\$2 + \$5 (77) + \$5 + \$10 + \$25 (77)	\$77	2,608.70	2,576
\$77	\$77	2,608.70	2,576
\$2 + (\$7 x 14)	\$100	1,500.00	4,480
\$5 (77) + \$20 (77) + \$25 (77)	\$100	1,500.00	4,480
\$50 (77)	\$100	1,500.00	4,480
\$100	\$100	1,500.00	4,480
(\$50 x 3) + \$75 (77) + \$100 (77)	\$500	20,000.00	336
\$250 (77)	\$500	20,000.00	336

sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-54 Instant Game Number 768, WINFALL.

(1) Name of Game. Instant Game Number 768, "WINFALL."

(2) Price. WINFALL lottery tickets sell for \$2.00 per ticket.

(3) WINFALL lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WINFALL lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$2.00	\$3.00	\$4.00	\$5.00	\$6.00	\$10.00	\$15.00	\$20.00	\$25.00
TWO	THREE	FOUR	FIVE	SIX	TEN	FIFTEEN	TWENTY	TWENTY FIVE	
\$30.00	\$50.00	\$100	\$250	\$500	\$1,000	\$2,000	\$5,000	\$12,000	
THIRTY	FIFTY	ONE HUND	TWOHUND FTY	FIVE HUN	ONE THOU	TWO THOU	FIVE THOU	TLV THOU	

(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the prize shown for that play symbol. A ticket having three like prize amounts and prize amount captions in the "YOUR NUMBERS" play area shall entitle the claimant to that amount.

(b) The prizes are: TICKET, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$250, \$500, \$1,000, \$2,000, \$5,000 and \$12,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a WINFALL lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 768 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	1 IN 12.50	604,800
\$2	\$2	25.00	302,400
\$2 x 2	\$4	25.00	302,400
\$5	\$5	18.75	403,200
\$2 + (\$4 x 2)	\$10	75.00	100,800
\$5 x 2	\$10	150.00	50,400
\$10	\$10	150.00	50,400
\$10 + \$15	\$25	360.00	21,000
\$5 + (\$10 x 2)	\$25	300.00	25,200
\$25	\$25	321.43	23,520
(\$5 x 2) + (\$10 x 2) + \$20	\$50	1,800.00	4,200
\$10 + (\$20 x 2)	\$50	1,800.00	4,200
\$50	\$50	3,600.00	2,100
(\$25 x 2) + \$50	\$100	1,636.36	4,620
(\$2 x 2) + (\$3 x 2) + \$4 + \$5 + \$6 + \$20 + \$25 + \$30	\$100	9,000.00	840
\$100	\$100	9,000.00	840
(\$50 x 2) + \$100	\$200	15,000.00	504
(\$250 x 2) + \$500	\$1,000	180,000.00	42
\$1,000	\$1,000	180,000.00	42
\$2,000 + (\$5,000 x 2)	\$12,000	1,512,000.00	5
\$12,000	\$12,000	1,512,000.00	5

(10) The estimated overall odds of winning some prize in Instant Game Number 768 are 1 in 3.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 768, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a WINFALL lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for WINFALL lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-29-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: August 29, 2008

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."

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68DER08-2	Emergency Regulation of Vessel Traffic – St. Johns River and Tributaries

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Recent rains from Tropical Storm Fay have caused severe flooding along various portions of the St. Johns River. The river has overflowed its banks in many places and expanded into the flood plain. This flooded condition has created an immediate danger to vessels transiting the area. Objects previously well above the water and objects previously on dry land have become wholly or partially submerged, creating hazards to navigation. These objects include without limitation, dwellings, electrical and telephone wires, utility poles, trees and stumps, docks and wharfs, boat houses, and sheds. The turbulent and muddy water has caused boats to allide dangerously upon submerged objects without warning. The flood now submerges the accustomed footpaths and handholds. Within these submerged areas, vessel wakes could cause persons to slip and fall, perhaps into the river. Under these circumstances, there is a substantial likelihood of injury or death. Operation of vessels on the waters of the St. Johns River, its associated lakes, and its tributaries from Lake George to State Road 50 presents an immediate danger to vessels and their occupants and to persons in or near the river when the

river is at or above flood stage. Based on river flood levels, emergency regulations either exclude or restrict vessel operation to Idle Speed No Wake.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: There is general concurrence from Volusia, Seminole, Brevard, Orange and Lake Counties, the Florida Fish & Wildlife Conservation Commission's field office in Ocala, and the FWC Boating and Waterways Section, that enactment of the restricted areas based on water levels and gauge readings within segments of the St. Johns River, its associated lakes, and its tributaries is essential for the protection of public safety.

The boating restricted areas established in this emergency rule shall be active and enforceable only when the water levels are as specified in each area. The Commission established regulations based on the United States Geological Survey gauge levels as displayed by the National Weather Service's Advanced Hydrologic Prediction Service. These river levels are available in real time to the general public and to law enforcement agencies through the National Weather Service's web site at www.weather.gov/ahps.

This emergency rulemaking is being coordinated with the United States Coast Guard, the United States Army Corps of Engineers, and the sheriffs of the affected counties. The Commission has consulted with the Executive Office of the Governor and through the sheriffs of the respective counties coordinated this action with the Board of County Commissioners of each county in which the restricted areas are located. The emergency rule will be forwarded to the United States Coast Guard Seventh District for publication in their weekly Local Notice to Mariners. The boating public will be notified by publication in the local notice, by marine VHF radio broadcast of the Coast Guard's local notice, by personal contact from law enforcement officers, and by regulatory markers posted at boat ramps and other access points to the boating restricted areas.

Because the water levels on the St. Johns River are in constant flux, varying in response to wind directions, wind speed, and accumulated rainfall, the danger to life and property is such that normal rulemaking procedures would not adequately protect the public from the anticipated harm. The procedures used in this emergency rulemaking action are therefore fair under the circumstances.

SUMMARY: This emergency rule supersedes and replaces Emergency Rule 68DER08-1 filed for adoption with the Department of State on August 25, 2008. This action establishes: 1) An Idle Speed No Wake boating restricted area on the waters south of Lake George fender system to the Highlands Park Canal at Day Mark 39 to be in effect and enforceable when the St. Johns River level is at specified flood stage levels, 2) An Idle Speed and No Vessel boating restricted area from the Highlands Park Canal at Day Mark 39 and the I-4 Bridge to be in effect and enforceable when the St. Johns River

level is at specified flood stages, 3) An Idle Speed boating restricted area from the I-4 Bridge to a select location within the southern portion of Lake Monroe to be in effect and enforceable when the St. Johns River level is at specified flood stages, and 4) An Idle Speed and No Vessel boating restricted area south of a select location within the southern portion of Lake Monroe to State Road 50 Bridge to be in effect and enforceable when the St. Johns River level is at specified flood stages. The exclusion areas will not apply to vessels under the command of U.S. Coast Guard licensed Masters, vessels owned or operated by governmental entities or are being used for governmental purposes, or persons resident at riparian property. Vessels are required to proceed only at Idle Speed No Wake. Residents will be allowed access to their properties at Idle Speed No Wake, but will be required to carry proof of residency and have it available for inspection.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Major Paul Ouellette, Boating and Waterways Section, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE EMERGENCY RULE IS:

68DER08-2 Emergency Regulation of Vessel Traffic – St. Johns River and Tributaries.

(1) This emergency rule supersedes and replaces Emergency Rule 68DER08-1 filed for adoption with the Department of State on August 25, 2008.

(2) For the purpose of protecting public safety during flood conditions, the following boating restricted areas are established on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, as follows:

(a) Lake George fender system and Highlands Park Canal at Day Mark 39 – An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Lake George fender system south to the line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39, to be in effect and enforceable when the St. Johns River level is at 2.8 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 40 Bridge over the St. Johns River at Astor (ASTF1).

(b) Highlands Park Canal at Day Mark 39 and the I-4 Bridge –

1. An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39 to the centerline of the north span (westbound lanes) of the I-4 Bridge over the St. Johns River, to be in effect and enforceable when the St. Johns

River level is at 4.2 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 44 Bridge over the St. Johns River near Deland (DLAF1).

2. A No Vessel boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39 to the centerline of the north span (westbound lanes) of the I-4 Bridge over the St. Johns River, to be in effect and enforceable when the St. Johns River level is at 5.0 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 44 Bridge over the St. Johns River near Deland (DLAF1).

(c) I-4 Bridge and Lake Monroe Vicinity - An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from the centerline of the north span (westbound lanes) of the I-4 Bridge south and east to a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe, to be in effect and enforceable when the St. Johns River level is at 7.0 feet or higher as indicated by the United States Geological Survey gauge at the U.S. Highway 17/92 Bridge over the St. Johns River near Sanford (SNFF1).

(d) Lake Monroe to State Road 50 Bridge –

1. An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, south and east of a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe east and south to the centerline of the S.R. 50 Bridge, to be in effect and enforceable when the St. Johns River level is at 8.5 feet or higher as indicated by the United States Geological Survey gauge at the S.R. 46 Bridge over the St. Johns River above Lake Harney near Geneva (GENF1).

2. A No Vessel boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, south and east of a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe east and south to the centerline of the S.R. 50 Bridge, to be in effect and enforceable when the St. Johns River level is at 9.0 feet or higher as indicated by the United States Geological Survey gauge at the S.R. 46 Bridge over the St. Johns River above Lake Harney near Geneva (GENF1).

(3) (a) The restrictions in this rule do not apply:

1. In situations requiring immediate action to protect life, limb, and property from imminent danger;

2. To law enforcement or fire fighting vessels;

3. To rescue vessels owned or operated by governmental entities;

(b) The No Vessel restrictions in paragraph (2) do not apply to the following vessels:

1. Any vessel under the command of an individual licensed by the United States Coast Guard to serve as Master of Steam or Motor Vessels;

2. Vessels owned or operated by governmental entities or are being used for governmental purposes under contract with a governmental entity.

3. Vessels operated by individuals resident at riparian property within the No vessel boating restricted area may traverse these waters but must proceed directly to and from their properties without delay or diversion and must carry proof of residency and have it available for inspection on board the vessel.

4. Proceed only at Idle Speed No Wake.

(4) When in Effect – each boating restricted area established in subsection (2) shall be active and enforceable only when the water level is as specified in each respective paragraph. For purposes of this emergency rule, all referenced river levels are as displayed by the National Weather Service’s Advanced Hydrologic Prediction Service on its web site at www.weather.gov/ahps.

(5) As provided in Section 327.70, F.S., this emergency rule shall be enforced by the Division of Law Enforcement of the Fish and Wildlife Conservation Commission and its officers, the sheriffs of the various counties through which these waters flow and their respective deputies, and any other duly constituted law enforcement officers.

(6) Except as provided in subsection (7), any person failing to comply with the provision of this emergency rule shall be guilty of a noncriminal infraction, punishable as provided in Section 327.73, F.S.

(7) No person shall at any time willfully or wantonly operate any vessel at a speed or in a manner so as to cause a wake that endangers or is likely to endanger life or limb, or damage the property of, any person. Section 327.33(1), F.S., provides that any person who willfully or wantonly operates any vessel at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, any person, commits the offence of reckless operation, a misdemeanor of the first degree, punishable as provided in Section 775.082 or Section 775.083, F.S.

(8) This emergency rule takes effect immediately upon being filed with the Department of State and will continue in effect for 90 days or until the Executive Director of the Agency finds that the flooding conditions have sufficiently abated so that the restrictions are no longer justified.

(9) This emergency rule does not affect existing state boating restricted areas described in Rules 68C-22.012 and 68D-24.018, F.A.C. that are outside the areas regulated in this emergency rule.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.33, 327.46 FS. History—New 8-29-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: August 29, 2008

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on September 2, 2008, the Criminal Justice Standards and Training Commission, received a petition for a temporary waiver of subsection 11B-27.002(4), F.A.C., by the City of St. Petersburg Police Department on behalf of Christopher Dixon. This rule requires a candidate to complete basic recruit training, pass the State Officer Certification Examination, and obtain employment within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

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 THAT the Florida Public Service Commission has received a petition from Florida Division of Chesapeake Utilities Corporation, filed August 15, 2008, in Docket No.: 080547-EI, seeking a permanent waiver of the requirements of subsections 25-7.084(2) and 25-7.085(4), Florida Administrative Code. The rules require monthly meter readings taken from the meter at the customers’ premises. The company is currently installing automatic meter-reading equipment throughout its system, which alleviates the need for meter readings on the customers’ premises. Comments on the petition should be filed with the Florida Public Service Commission, Office of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition may be obtained by contacting: Florida Public Service Commission,

Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (<http://www.psc.state.fl.us/>). For additional information, please contact Martha Brown, Office of the General Counsel, at the above address or telephone (850)413-6187.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on August 29, 2008, the South Florida Water Management District received a request for withdrawal of a Petition for Waiver regarding Application No. 04-0315-4 for utilization of Works or Lands of the District known as the Hillsboro Canal, Section 36, Township 47S, Range 42E, Palm Beach County. The District originally, received a petition for waiver from John and Wendy Keever on July 15, 2004 and Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 30, No. 31, on July 30, 2004. No public comment was received.

A copy of the Withdrawal Request may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, (561)682-6320 or e-mail: kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 25, 2008, the Board of Accountancy, received a petition for Robert A. Ortega, seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, which requires that an applicant for reactivation demonstrate successful completion of the required number of continuing professional education hours.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on August 20, 2008, the Board of Accountancy, received a petition for Robert L. Trescott, seeking a variance or waiver of subsection 61H1-31.001(4), F.A.C., which requires a fee of \$250.00 for reactivation of a delinquent status license. Petitioner also seeks a variance or waiver of paragraph 61H1-33.003(1)(a), Florida Administrative Code, which requires that in any given reestablishment period, at least 80 hours of continuing education credits must be earned and paragraph 61H1-33.003(1)(b), F.A.C., which requires that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period. Petitioner also seeks a variance or

waiver of subsection 61H1-33.003(6), F.A.C., which requires that each CPA shall, on or before July 15 prior to the licensee's biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Petitioner is also seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, which requires that an applicant for reactivation demonstrate successful completion of the required number of continuing professional education hours.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on August 21, 2008, the Florida Department of Environmental Protection (Department), received a petition for waiver under Section 120.542, Florida Statutes, from Eagle Bay Landing, LLC, to obtain a waiver of the provisions of subsection 62-312.080(7), Florida Administrative Code, which restrict the Department when issuing a permit for dredging and filling in Class II or III waters approved for shellfish harvesting.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Woodrow Speed, Florida Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501, (850)595-8300, ext. 1287.

Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on August 19, 2008, the Bureau of Beaches and Coastal Systems, received a petition for variance or waiver, pursuant to Section 120.542, Florida Statutes, and Chapter 28-104, F.A.C., from subsections 62B-33.002(18), (43), and (63) F.A.C., which defines "eligible structures", "nonconforming structures," and "vulnerable," respectively, and from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the condition where construction of armoring shall be authorized is for the protection of an eligible structure. The petition was received from Thomas G. Tomasello, on behalf of himself, C. T. Fitzpatrick, Mr. & Mrs.

Kimmerling, Mr. & Mrs. Hodges, and Mr. & Mrs. Lester, regarding WL-927 AR ATF. The properties are located at 23, 57, 77 Highland Ave., Santa Rosa Bch. in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail at: rosaline.beckham@dep.state.fl.us. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida, 32399-3000, and should be submitted within 14 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on August 27, 2008, the Board of Clinical Laboratory Personnel has issued an order.

Petition for Variance or Waiver of subsection 64B3-5.004(3), F.A.C., filed by Priyanka D. Patel ("the Petitioner") on July 8, 2008. The initial notice was published on July 18, 2008 in Vol. 34, No. 29, Florida Administrative Weekly. Subsection 64B3-5.004(3), F.A.C. entitled "Technician" sets forth the requirements one must satisfy in order to obtain a technician's license. The Board considered this matter during a duly-noticed, telephonic meeting on August 19, 2008 and determined the Petition should be denied on the following grounds:

1. Section 120.542(2), Florida Statutes (2007), provides that "[v]ariations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate the principles of fairness."
2. After considering her testimony, the Board concluded that the Petitioner failed to demonstrate that requiring her to fulfill the experience requirement of subsection 64B3-5.004(3), F.A.C., would create a substantial hardship or violate the principals of fairness.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT the Petition for Waiver and/or Variance filed by Ronald A. Light, M.D., on June 27, 2008, seeking a waiver or variance from subsection 64B8-5.001(2), F.A.C., has been withdrawn. The Notice was published in Vol. 34, No. 29, of the July 18, 2008, Florida Administrative Weekly.

The person to be contacted with regard to this notice is: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on August 28, 2008, the Board of Medicine received a petition filed by Ronald A. Light, M.D., seeking a waiver or variance from subsection 64B8-2.001(2), F.A.C., with regard to the score on the FLEX examination. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on December 21, 2007, the Board of Physical Therapy Practice has issued an order.

The Order is regarding the Petition for Waiver or Variance, which was filed on October 29, 2007, by Gabriela A. Motta. The Notice of Petition for Waiver or Variance was published in Vol. 33, No. 45, of the November 9, 2007, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance with regard to the requirement that an applicant provide evidence of successful completion of a Board approved English proficiency examination if English was not the language of instruction as evidenced by a minimum score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension, as provided under paragraphs 64B17-3.001(5)(c) and (d), F.A.C., entitled "Licensure as a Physical Therapist by Examination." The Board considered the instant Petition at a duly-noticed meeting, held December 7, 2007, in Tampa, Florida.

The Board's Order denied the petition finding that Petitioner had not established that the purpose of the underlying statute, Section 486.051, F.S., would be met by granting a variance or waiver from paragraphs 64B17-3.001(5)(c) and (d), F.A.C. The Board further finds that Petitioner has not established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on August 21, 2008, the Department of Financial Services, Division of State Fire College has issued an order.

The Order has been assigned the number 95585-08-FM. Petitioner sought a variance of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, which set forth the requirements for firefighter supplemental compensation.

Because Petitioner holds a degree from a foreign educational institution, Petitioner sought a variance from the requirement that an “eligible Bachelor’s Degree” must be conferred by a post-secondary institution that has received accreditation “from an accrediting agency that is recognized by the U.S. Department of Education.” The Department examined the documentation submitted by Petitioner in support of his Petition and determined that a variance or waiver of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, was warranted to the limited extent that “accredited” does not require “accreditation from an accrediting agency that is recognized by the U.S. Department of Education” under these particular facts and circumstances.

A copy of the Order may be obtained by contacting: Regina Keenan, Senior Attorney, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Financial Services Commission
 Department of Veterans’ Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Department of Education
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: September 30, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the

Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans’ Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department’s mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs’ budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 1, 2008, 12:00 Noon
PLACE: Mission San Luis Archaeology Lab, 2021 Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities, upcoming special events and other board business.

A copy of the agenda may be obtained by contacting: Ms. Jessica Shiver at (850)487-1666.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Jessica Shiver at (850)487-1666.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2008, 9:30 a.m. – 3:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

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: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The **Department of Agriculture and Consumer Services, Division of Animal Industry** announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2008, 2:00 p.m. – 5:00 p.m.

PLACE: Buena Vista Palace Hotel and Spa, Lake Buena Vista, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Animal Industry Technical Council (AITC), an advisory council to the Commissioner of Agriculture. Meeting is open to the public.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Anne Vuxton at (850)410-0914.

If you are 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, please contact: Anne Vuxton at (850)410-0914.

The **Pesticide Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 30, 2008, 9:00 a.m.

PLACE: North Florida Research and Education Center, 155 Research Road, Fountain H. May Sr. Building, Quincy, Florida 32351, (850)875-7100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting human health and the environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Mail L-29, Tallahassee, Florida 32399-1650 or by calling (850)487-0532.

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2008, 9:00 a.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399, (850)487-2130.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section at (850)487-2130 or from the PREC Web Site at: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399, (850)487-2130.

The **Aquaculture Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 7, 2008, 10:00 a.m.

PLACE: Tropical Aquaculture Lab, 1408 24th Street, S. E., Ruskin, FL 33570

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda may be obtained by contacting: Kim Norgren, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, FL 32301, (850)488-4033.

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: Kim Norgren at (850)488-4033. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kim Norgren at (850)488-4033.

DEPARTMENT OF EDUCATION

The Facilities Committee, the Budget Committee, and the Strategic Planning and Academic and System Oversight Committee of the **Board of Governors**, State University System announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 8:00 a.m. – 12:00 Noon

PLACE: Marshall Center, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SUS Response to the Governor's "Accelerate Florida: Extending Florida's Economic Horizons" economic stimulus plan; Review 2009-2010 SUS Fixed Capital Outlay Legislative Budget Request; Review Facilities and Real Estate Committee Workplan; Approve Notice of Intent to Amend BOG Regulation 14.055, Certification and Competitive Selection for Construction Management Services and Design-Build Services; Approve 2008-2009 SUS Operating Budgets; Follow-up on 2008-2009 utility increases and university energy efficiencies; Approve Notice of Intent to amend BOG Regulation 9.013, Auxiliary Operations; Review Budget Committee Workplan; Review BOG Regulations for approval: 7.001, Tuition and Associated Fees; 7.002, Tuition and Fee Assessment, Collection, Accounting and Remittance; 7.003, Fees, Fines and Penalties; 7.008, Waiver of Tuition and Fees; 7.004, Deferred Payment of Fees; and 7.015, Florida National Guard Educational Assistance Programs; Presentation on Florida Center for Library Automation; Update, Florida College System; Update, University Compacts; Review Workplan for Strategic Planning and Academic and System Oversight Committee; Status Report, Johnnie B. Byrd, Sr. Alzheimer's Center and Research Institute, Inc.; and other matters pertaining to the Board of Governors.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE, (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 12:00 Noon – 5:00 p.m.

PLACE: Marshall Center, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SUS Response to the Governor's "Accelerate Florida: Extending Florida's Economic Horizons" economic stimulus plan; Approve 2009-2010 SUS Fixed Capital Outlay Legislative Budget Request; Approve Notice of Intent to Amend BOG Regulation 14.055, Certification and Competitive Selection for Construction Management Services and Design-Build Services; Approve 2008-2009 SUS Operating Budgets; Follow-up on 2008-2009 utility increases and university energy efficiencies; Approve Notice of Intent to Amend BOG Regulation 9.013, Auxiliary Operations; Final adoption of BOG Regulations on tuition and fees: 7.001, Tuition and Associated Fees; 7.002, Tuition and Fee Assessment, Collection, Accounting and Remittance; 7.003, Fees, Fines and Penalties; 7.008, Waiver of Tuition and Fees; 7.004, Deferred Payment of Fees; 7.015, Florida National Guard Educational Assistance Program; Review, Florida Center for Library Automation; Update, University Compacts; Status Report, Johnie B. Byrd, Sr., Alzheimer's Center and Research Institute, Inc.; Approval, Amended BOG Regulation 10.001, Self-Insurance Programs; Presentation, USF research; and other matters pertaining to the Board of Governors.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Department of Education** announces a public meeting to which all persons are invited.

DATES AND TIMES: October 1-3, 2008; October 22-23, 2008; November 5-6, 2008, 8.00 a.m.

PLACE: Sheraton Orlando Downtown, 60 South Ivanhoe Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Instructional Materials submitted for adoption in the following categories: English for Speakers of Other Languages; Music; Language Arts; Literature; Advanced Placement Language and Composition; Advanced Placement Literature and Composition

A copy of the agenda may be obtained by contacting: Florida Department of Education, Office of Instructional Materials, 424 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

For more information, you may contact: Office of Instructional Materials, 424 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0425.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIMES: September 18, 2008, Administrator Hearing Panel: 9:00 a.m. or as soon thereafter as can be heard; Business Meeting: 9:30 a.m. or as soon thereafter

PLACE: Senate Office Building (S-37), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

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

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: September 19, 2008, A Teacher Hearing Panel: 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (S-37), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

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

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The Florida Rehabilitation Council for the Blind and the **Division of Blind Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 17, 2008, 10:00 a.m. (EST)

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introduction of new DBS Director and the selection process; also status of expired terms on Council.

A copy of the agenda may be obtained by contacting: Teleconference number obtained through: Phyllis Dill, AAIL, Council Staff at (850)595-5282 or phyllis.dill@dbs.fldoe.org.

The **Division of Blind Services**, Direct Support Organization announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 18, 2008, 1:30 p.m. – 3:30 p.m.

PLACE: Teleconference number is: 1(877)347-0176; Passcode 720674. Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, Telephone (850)345-9122

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: Craig Kiser, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Craig Kiser at (850)345-9122. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Division of Community Colleges** announces a workshop to which all persons are invited.

DATE AND TIME: October 8, 2008, 9:00 a.m. – 12:00 Noon

PLACE: 325 West Gaines Street, Room 1706, Turlington Building, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Address an act related to textbook affordability in postsecondary education, Section 1004.085, Florida Statutes.

A copy of the agenda may be obtained by contacting: Julie Alexander at julie.alexander@fldoe.org or (850)245-9523.

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: Julie Alexander at julie.alexander@fldoe.org or (850)245-9523. If you are 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: Julie Alexander at julie.alexander@fldoe.org or (850)245-9523.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF CHANGE – The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: This is to amend the previous noticed date: October 8, 2008, 10:00 a.m.

PLACE: MEETING TO BE CONDUCTED USING COMMUNICATIONS MEDIA TECHNOLOGY, specifically Conference Call: 1(888)808-6959, Code: 9221867. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Code Administration Technical Advisory Committee to consider glitch code changes to the 2007 Florida Building Code, and petitions for Declaratory Statement.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824.

The **Florida Building Commission** announces a workshop to which all persons are invited.

DATE AND TIME: October 15, 2008, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an additional workshop on Rule 9B-3.047, Florida Administrative Code. An additional workshop was originally scheduled to be held on August 20, 2008. This meeting was

cancelled as a result of Tropical Storm Fay. The purpose of this workshop is to consider additional proposed changes to the Florida Building Code as well as comments from the public and Technical Advisory Committees. The proposed changes to be considered by the Commission can be viewed online at http://www.floridabuilding.org/BCISold/bc/bc_comm_srch.asp.

A copy of the agenda may be obtained by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247.

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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247. If you are 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247

The **Florida Building Commission** announces a hearing to which all persons are invited.

DATE AND TIME: October 15, 2008, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an additional hearing on 9B-13.0041 and Rule 9B-13.0061, Florida Administrative Code. An additional hearing was originally scheduled for August 20, 2008, but was cancelled as a result of Tropical Storm Fay. This hearing supplements the information provided in the Notice of Proposed Rulemaking published on April 11, 2008 and the Notice of Change published on August 1, 2008.

A copy of the agenda may be obtained by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida

32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824.

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

The **Investment Advisory Council (IAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2008, 9:00 a.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1253.

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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **State Board of Administration** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 14, 2008, 9:00 a.m. – until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Apalachee Parkway and Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on October 14, 2008, will consider proposed amended rules and will be asked for permission to file for adoption. Rule 19-11.002, F.A.C.,

Designation of Beneficiaries; Rule 19-11.004, F.A.C., Excessive Trading; Rule 19-11.006, F.A.C., Procedures for New Hires; Rule 19-11.007, F.A.C., Procedures regarding Second Elections; Rule 19-11.008, F.A.C., Forfeitures; and Rule 19-11.009, F.A.C., Reemployment after Retirement: are amended to establish new policies and to address new legislation. Notice of Proposed Rule for these rules was published in the F.A.W. on June 27, 2008. No hearing was held because it was not requested.

A copy of the agenda may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cindy Morea, State Board of Administration at (850)413-1491. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: September 29, 2008, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: September 29, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing to: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.florida.psc.com>, at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** will consider at its Agenda Conference, Docket No.: 080567-GU, Application by Florida Public Utilities Company (FPUC or Company) for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue, sell, and/or exchange any combination of the long-term debt, short-term notes, and equity securities and/or to assume

liabilities or obligations as guarantor, endorser, or surety in an incremental amount not to exceed \$45,000,000, excluding retained earnings during the calendar year 2009.

DATE AND TIME: Monday, September 29, 2008, 9:30 a.m., although the time at which this item will be heard cannot be determined

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No.: 080567-GU.

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

EMERGENCY CANCELLATION OF HEARING: If a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

For additional information, please contact Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** announces a public hearing to which all persons are invited.

DATES AND TIME: Wednesday, October 1, 2008, 10:00 a.m.; Thursday, October 2, 2008 (If required – TBA)

PLACE: Old City Hall, City Commission Chambers, 510 Greene Street, Key West, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 070293-SU – Application for increase in wastewater rates in Monroe County by K W Resort Utilities Corp.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the hearing is to give customers, other interested persons, and the parties an opportunity to present testimony on the quality of service the Utility provides, the proposed rate increase, and to ask questions on other issues identified at the Prehearing Conference held on September 15, 2008.

EMERGENCY CANCELLATION OF HEARING: If a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2008, 11:00 a.m.

PLACE: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 6:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting

by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 7:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 17, 2008, 10:00 a.m.

PLACE: 631 N. Wymore Road, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075 or by email at rlittle@ecfrpc.org.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Tampa Bay Regional Planning Council, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 10, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are 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: Wren Krahl at (727)570-5151, ext. 22.

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 10, 2008, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

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

A copy of the agenda may be obtained by contacting: www.tbprc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are 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: Wren Krahl at (727)570-5151, ext. 22.

The Tampa Bay Regional Planning Council, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 10, 2008, 11:30 a.m.
PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl at (727)570-5151, ext. 22.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are 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: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 13, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd. #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Suzanne Cooper at (727)570-5151, ext. 32. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 14, 2008, 9:30 a.m.

PLACE: 4000 Gateway Center Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are 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: Wren Krahl at (727)570-5151, ext. 22.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2008, 10:00 a.m.

PLACE: Board Room of the South Florida Regional Transportation Authority, Administration Building, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: OPERATIONS TECHNICAL COMMITTEE MEETING.

A copy of the agenda may be obtained by contacting: SFRTA Operations Office at (954)788-7945.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 9:00 a.m.

PLACE: Board Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: LEGISLATIVE COMMITTEE MEETING.

A copy of the agenda may be obtained by contacting: SFRTA Executive Office at (954)788-7915.

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: Executive Office, 800 N. W. 33rd Street, Suite 100,

Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The South Florida Regional Transportation Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 9:30 a.m.

PLACE: Room of the South Florida Regional Transportation Authority, Administration Building, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting.

A copy of the agenda may be obtained by contacting: Executive Office at (954)788-7915.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The South Florida Regional Transportation Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 1:00 p.m. – 4:30 p.m.

PLACE: Florida Atlantic University, Live Oak Pavilion, 777 Glades Road, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Florida Regional Transportation Authority (SFRTA) Workshop, Phase 1, Palm Beach County.

A copy of the agenda may be obtained by contacting: SFRTA at (954)788-7958.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Tampa Bay Regional Area Transportation Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The TBARTA Board will convene to discuss developing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties.

The Citizens Advisory Committee (CAC) will meet on Wednesday, September 17, 2008, 9:00 a.m., University Area Community Development Center, 14013 N. 22nd Street, Tampa, FL. This group of volunteers provides region-oriented advice to the Board from a citizen's perspective. The Transit Management Committee (TMC) will meet on Wednesday, September 17, 2008, 1:30 p.m., with a workshop at 3:30 p.m. following the regular meeting at the Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL. Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on the technical development of the Master Plan and its future implementation.

The Land Use Working Group will meet on Friday, September 19, 2008, 9:30 a.m., Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, St. Petersburg, FL. The participants in this group include planners from the counties and cities throughout the region. Members of the public are also invited to join the meetings. The ultimate goal of the Land Use Working Group is to ensure the comprehensive plans and Long Range Transportation Plans will work together.

All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Agendas for the Board, CAC, TMC, and Land Use Working Group meetings will be available online approximately three to five days prior to each meeting at <http://www.tbarta.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brandie Miklus, Transportation Planner at (813)217-4037. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or

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

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 4:00 p.m. (Central Daylight)

PLACE: Jackson County Commission Chambers, 2864 Madison Street, Marianna, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

OTHER MEETINGS HELD ON SEPTEMBER 25, 2008:

- 1:30 p.m. – 2:30 p.m. (CDT) District Lands Committee – to discuss Land Acquisition Matters
- 2:30 p.m. – 2:45 p.m. (CDT) Administration, Budget and Finance Committee – to discuss the Final Amendment to the Fiscal Year 2008-2009 Budget
- 2:45 p.m. – 3:45 p.m. (CDT) Regulations Committee – to discuss Environmental Resource Permitting
- 4:15 p.m. (CDT) Public Hearing on Consideration of Regulatory Matters
- 4:30 p.m. (CDT) Public Hearing on Consideration of Land Acquisition Matters
- 5:05 p.m. (CDT) Public Hearing on Consideration of Adoption of Fiscal Year 2008-2009 Millage Rate and Tentative Proposed Budget

A copy of the agenda may be obtained by contacting: Robin Tucker, NWFWMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available on the Internet at www.nfwfwm.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 72 hours before the workshop/meeting by contacting: Larry Wright. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2008, 3:00 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 3:00 p.m. Governing Board Workshop
- 5:30 p.m. Final Public Hearing on FY 2008-2009 budget and proposed millage rate.

A copy of the agenda may be obtained by contacting: Lisa M. Cheshire at lmc@srwmd.org or off of the District’s website: mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 29, 2008, 1:00 p.m. – 2:30 p.m.

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss draft rule development for Chapter 40B-2, F.A.C., and draft proposed Water Use Permitting Guide with agricultural commodity groups.

A copy of the agenda may be obtained by contacting: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only).

NOTICE OF CANCELLATION – The **St. Johns River Water Management District** hereby provides notice of cancellation of a public meeting.

DATE AND TIME: Cancellation of public meeting advertised for Tuesday, September 23, 2008, 3:00 p.m. – advertised in F.A.W., Vol. 34, No. 36, September 5, 2008.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday and Friday, September 25-26, 2008, 9:00 a.m.

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: CENTURY COMMISSION'S 2008 WATER CONGRESS: To develop a comprehensive set of sustainable water use and supply action steps. Ad Order 30148.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

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: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Water Resources Advisory Commission (WRAC)** Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: October 21, 2008, 10:00 a.m. – 2:00 p.m.

PLACE: Riverside Community Center, 3061 East Riverside Dr., Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: C-111 Spreader Canal Expedited Project, Operational Plan Development.

A copy of the agenda may be obtained by contacting: Joni Warner at (561)682-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The District's Clerk Office, Jacki McGorty at

(561)682-208. If you are 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 **Water Resources Advisory Commission (WRAC)** Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: John Boy Auditorium, 1200 South WC Owens Ave., Clewiston, FL 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Lake Okeechobee service area water supply needs. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: September 30, 2008, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an additional rule development workshop to propose new Rule Chapter 40E-10, F.A.C., regarding protection of waters for the natural system from consumptive uses, Rule 40E-10.011, F.A.C., Purpose and General Provisions; Rule 40E-10.021, F.A.C., Definitions; Rule 40E-10.031, F.A.C., Implementation Tools; Rule 40E-10.221, F.A.C., Protected Natural Systems Water Bodies; Rule 40E-10.321, F.A.C., Regional Wetland Systems; Rule 40E-10.421, F.A.C., Water Reservations; Rule 40E-10.431, F.A.C., Water Reservation Areas: Lower West Coast; Rule 40E-10.441, F.A.C., and amendments to Rules 40E-2.011, 40E-2.091, 40E-2.301, 40E-2.331, 40E-20.091, 40E-20.301, 40E-20.302, and 40E-20.331, F.A.C. The purpose of the proposed new rules and amendments is to identify authorities and regulatory tools to be used to protect water from the natural system from

consumptive uses and defining the volume and timing of water to be reserved from allocation for the Picayune Strand Restoration Project.

This workshop is in addition to the workshops previously conducted on June 17, 2008; July 24, 2008; August 27, 2008; and September 24, 2008. The purpose of this additional workshop is to present the third draft of proposed rule text based on comments received from the previous workshops as well as direction received from the Governing Board during its workshop on August 13, 2008. The third draft of the proposed rule text will be posted on the District's website on September 17, 2008, at www.sfwmd.gov/watersupplyruledvelopment, or may be obtained by contacting one of the contact persons listed below.

A copy of the agenda may be obtained by contacting: Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208.

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4224 or (561)682-4224; Brenda Mills, Lead Planner, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 4208 or (561)682-4208; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6343 or (561)682-6343.

For procedural issues, contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

2009 BOARD MEETING SCHEDULE

DATE AND TIME: January 26, 2009, 9:00 a.m. unless stated otherwise

PLACE: 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adopted meeting schedule for the Tampa Bay Water Board of Directors:

January 26, 2009 – Tampa Bay Water/SWFWMD Joint Meeting

Brooker Creek Preserve, Tarpon Springs

February 16, 2009; April 20, 2009 (8:30 a.m. Budget Workshop)

June 15, 2009; August 17, 2009; October 19, 2009; December 21, 2009

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Holly Wells at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the Records Department at (727)796-2355.

SPACE FLORIDA

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

DATE AND TIME: September 24, 2008, 8:30 a.m. – 5:00 p.m.

PLACE: Hyatt at Orlando International Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Advisory Committee Meetings.

A copy of the agenda may be obtained by contacting: Deb Spicer at dspicer@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deb Spicer at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deb Spicer at dspicer@spaceflorida.gov.

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

DATE AND TIME: Thursday, September 25, 2008, 8:30 a.m. – 1:00 p.m. (Eastern Time)

PLACE: Hyatt at Orlando International Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Deb Spicer at dspicer@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deb Spicer at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deb Spicer at dspicer@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

The **Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 24, 2008, 9:00 a.m.

PLACE: Call In Telephone Number: 1(888)808-6959, Conference Code Number: 4142163

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Long-Term Care Ombudsman Program, Advocacy Committee will perform a review of rule workshop and planning of legislative strategy during this conference call.

A copy of the agenda may be obtained by contacting: Aubrey Posey at (850)414-2323.

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: Aubrey Posey at (850)414-2323. If you are 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: Aubrey Posey at (850)414-2323.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration, Division of Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 6, 2008, 10:00 a.m. – 4:00 p.m.

PLACE: Renaissance Orlando Hotel-Airport, 5445 Forbes Place, Orlando, Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council including but not limited to review of Medicaid organ transplant policies, site visit requirements, guidelines for authorization of global payments and recommendations for Medicaid State Plan changes.

A copy of the agenda may be obtained by contacting: Theresa Kumar, Transplant Coordinator, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7322, or kumart@ahca.myflorida.com.

People with disabilities wishing to attend this meeting should contact Theresa Kumar at least 2 business days prior to the meeting in order to request any special assistance.

DEPARTMENT OF MANAGEMENT SERVICES

The **Southwood Shared Resource Center (SSRC)** announces a public meeting to which all persons are invited.

DATES AND TIME: September 17, 18 and 19, 2008, 1:30 p.m. – 5:30 p.m. or until board business is concluded

PLACE: Neil Kirkman Building, 2900 Apalachee Parkway, Room A436, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SSRC Board of Trustees; Executive Director Applicant Review Committee will be reviewing applications in order to propose a final slate of candidates for consideration by the full SSRC board.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com.

The Florida **Commission on Human Relations** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2008, 9:00 a.m.

PLACE: Florida Commission on Human Relations. The phone number to contact is 1(888)808-6959, when prompted enter the VCS Conference Code 1021548, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, FLorida 32301,

(850)488-7082, ext. 1032. If you are 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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, FLorida 32301, (850)488-7082, ext. 1032.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATES AND TIME: October 2-3, 2008, 9:00 a.m.

PLACE: Embassy Suites – Ft. Lauderdale, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700.

GENERAL SUBJECT MATTER TO BE CONSIDERED: October 2, 2008 at 9:00 a.m. – General Business including disciplinary cases, if time allows to be followed by General Business discussion items (architecture profession, interior design profession, rules and reports).

October 3, 2008 at 9:00 a.m. – General Business discussion items continued (architect profession, interior design profession, rules, reports) and review of applications.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: September 23, 2008, 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 32399, (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 agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Landscape Architecture** announces a public meeting to which all persons are invited.

DATE AND TIME: October 24, 2008, 9:00 a.m.

PLACE: Pink Shell Beach Resort, 275 Estero Blvd., Fort Myers Beach, FL 33931, (239)463-6181

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 10, 2008, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee meeting.

A copy of the agenda may be obtained by contacting: Board Office, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, October 20, 2008, 9:00 a.m. – until all Probable Cause Panel business is concluded; Monday, October 20, 2008, 1:00 p.m. – until all Long Range Planning business is concluded; Tuesday, October 21, 2008, 9:00 a.m. – until all Board Meeting business is concluded

PLACE: Sheraton Suites, 4400 West Cypress Street, Tampa Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to discuss Long Range Planning issues; this is a public meeting and will be available by conference call, the Call In Number is 1(888)808-6959, Conference Code 9299108. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting. Note: Portions of the Probable Cause Panel meeting may be closed to the public.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville,

Florida 32607. Anyone wishing to participate in the Long Range Planning meeting should notify June Carroll, 240 N. W. 76th Drive, Suite A, Gainesville Florida 32607.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: June Carroll.

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.

DATES AND TIMES: Tuesday, September 30, 2008, 2:00 p.m. – 6:00 p.m.; Wednesday, October 1, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Room 2103, The Capitol, 402 South Monroe St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Steve Wolfe at steven.wolfe@dep.state.fl.us or (850)245-2102.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Steve Wolfe at steven.wolfe@dep.state.fl.us or (850)245-2102. If you are 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 public meeting to which all persons are invited.

DATES AND TIMES: October 1, 2008, 10:00 a.m. – 5:30 p.m. (ET); October 2, 2008, 9:00 a.m. – 1:00 p.m. (ET); November 12, 2008, 10:00 a.m. – 5:30 p.m. (ET); November 13, 2008, 9:00 a.m. – 1:00 p.m.

PLACE: Science Applications International Corp. (SAIC), Science Bldg. II, Florida Room, 12809 Science Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: During these two-day meetings, the Technical Advisory Committee will consider design and performance standards for stormwater treatment systems, with particular emphasis on reducing nutrient discharges, as part of a new statewide stormwater quality rule, Chapter 62-347, F.A.C. These meetings are being re-noticed because they will now be two-day meetings.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, Mary.VanTassel@dep.state.fl.us, (850)245-8486, or facsimile (850)245-8499. Information on this rulemaking, including the ability to sign-up for electronic notifications, may be found at <http://www.dep.state.fl.us/water/wetlands/erp/rules/stormwater/index.htm>. (OGC No. 07-0552)

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

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2008, 9:00 a.m.

PLACE: Council Chambers, Orlando City Hall, 2nd Floor, 400 S. Orange Avenue, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rule development workshop to discuss possible changes to Chapter 62-709, F.A.C., Solid Waste Composting. These changes may include the development of registrations or general permits for compost facilities using yard trash, manure and vegetative food wastes as feedstocks to their processes, as well as requirements for proper operation of these facilities and any necessary testing requirements. The Department is particularly interested in gathering any available data on the estimated regulatory cost of proposed rule changes. This will be the last public meeting regarding Chapter 62-709, F.A.C., prior to rule adoption.

A copy of the agenda may be obtained by contacting: Francine Joyal, 2600 Blair Stone Road, MS 4565, Tallahassee, Florida 32399-2400, (850)245-8747, or by visiting http://www.dep.state.fl.us/waste/categories/solid_waste/pages/IWDR.htm.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by

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

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATES AND TIME: October 27-31, 2008; November 3-7, 2008, 1:00 p.m.

PLACE: (Week 1) Wellington Community Center, Grand Cypress Room, Village of Wellington, Parks & Recreation, 12165 West Forest Hill Blvd., Wellington, Florida; (Week 2) Holiday Inn Palm Beach Airport Hotel & Community Center, 1301 Belvedere Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge Bram D.E. Canter will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed FPL West County Unit 3 Project application for site certification number PA05-47SA1, DOAH Case number 07-5574EPP, DEP Office of General Counsel Case Number 07-2198, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. Judge Canter will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board, based on the hearing. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the water management district, the Department of Environmental Protection, the regional planning council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant, may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of chapter 120, upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant

to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with Administrative Law Judge Canter, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant.

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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: Jill Stoyshich, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, September 24, 2008, 10:30 a.m. – Conclusion; Thursday, September 25, 2008, 8:30 a.m. – Conclusion

PLACE: University of South Florida Marshall Student Center, 4202 East Fowler Avenue, Tampa, FL 33620. * This is a newly-constructed building. For further assistance on directions please call the Marshall Student Center reception at (813)974-3180.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the third in-person meeting of the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report by March 20, 2009. Public comment will be heard on Thursday, September 25, 2008. The general public is encouraged to attend. However, their role is observational. Members of the general public can present

comments on the date listed above. Times and deadlines for public comment will be noted on meeting agendas available at the meeting site.

A copy of the agenda may be obtained by contacting: www.healthyfloridians.com/autism.html, or by contacting Lona Taylor at (850)245-4242 or Lona_Gibson-Taylor@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lona Taylor at (850)245-4242 or Lona_Gibson-Taylor@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.healthyfloridians.com/autism.html.

The **Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2008, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida, Meet Me Number 1(888)808-6959, Conference Code 9849329103

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Dentistry**, Council of Dental Hygiene announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 7, 2008, 5:30 p.m.

PLACE: Conference Call: 1(888)808-6959 when prompted, enter Conference Code: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Dental Hygiene issues.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing 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 **Board of Hearing Aid Specialists** announces a public meeting to which all persons are invited.

DATES AND TIMES: November 13, 2008, 3:00 p.m. (Reconsiderations); November 14, 2008, 9:00 a.m. (General Business)

PLACE: Miami Beach Resort and Spa, 4833 Collins Ave., Miami Beach, FL 33141, (305)532-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: PCP with Reconsiderations and General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing 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 at least one week prior to meeting date.

The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2008, 9:00 a.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819, Hotel phone #: (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Shamyah Gibson at Shamyah_Gibson@doh.state.fl.us or call (850)245-4131, ext. 3518.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Shamyah Gibson at shamyah_gibson@doh.state.fl.us or call (850)245-4131, ext. 3518. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Rules and Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2008, 4:00 p.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819, Hotel phone #: (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, October 3-4, 2008, 8:00 a.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819, Hotel phone #: (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the board.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 25, 2008, 2:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Code 2458182

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by writing: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 23, 2008, 2:00 p.m. or soon thereafter

PLACE: Meet Me Number is: 1(888)808-6959. After dialing the meet me number, when prompted, enter conference code 4246812343 followed by the # sign in order to join the meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation and Training of New Psychology Board Members.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Council of Licensed Midwifery** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, October 3, 2008, 9:00 a.m. or soon thereafter

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by contacting: Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C 06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact: Council of Licensed Midwifery, (850)245-4161 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Division of Children's Medical Services** announces a telephone conference call to which all persons are invited.

DATES AND TIME: September 5, 2008; September 19, 2008; October 3, 2008; October 17, 2008; October 31, 2008, 8:00 a.m. – 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9217263#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Care Transition Services Task Force for Youth and Young Adults with Disabilities Financing and Structure Subcommittee.

For more information, you may contact: Linda Reynolds at (850)245-4213.

The **Department of Health, Children's Medical Services** announces a telephone conference call to which all persons are invited.

DATES AND TIME: September 18, 2008; October 1, 2008; October 16, 2008; November 5, 2008, 8:00 a.m. – 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9217263#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Care Transition Services Task Force for Youth and Young Adults with Disabilities Services and Models of Delivery Subcommittee.

For more information, you may contact: Linda Reynolds at (850)245-4213.

The **Department of Health**, Office of Trauma announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, October 8, 2008, 1:00 p.m.

PLACE: Okaloosa County Health Department, Auditorium, 221 Hospital Drive, N.E., Ft. Walton Beach, FL 32358. The workshop will also be held via conference call for individuals who cannot attend in person. The Conference Call Number is: 1(888)808-6959, Conference Code: 2354440. DIRECTIONS: Please contact Tammy Brown at (850)833-9240, ext. 2112.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive input from the trauma system stakeholders on the apportionment of trauma centers within a trauma service area.

A copy of the agenda may be obtained by contacting: Susan McDevitt at (850)245-4440, ext. 2760 or via email at susan_mcdevitt@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Janet Collins at (850)245-4440, ext. 2775 or via email at janet_collins@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan McDevitt at (850)245-4440, ext. 2760 or via email at susan_mcdevitt@doh.state.fl.us.

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the physician component of the Healthcare Practitioner Workforce Ad Hoc Committee.

A copy of the agenda may be obtained by contacting: Jessica Swanson Rivenbark, Department of Health at (850)245-4144, ext. 2711, Jessica_Swanson@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jessica Swanson Rivenbark, Department of Health at (850)245-4144, ext. 2711, Jessica_Swanson@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Swanson Rivenbark, Department of Health at (850)245-4144, ext. 2711, Jessica_Swanson@doh.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 9:30 a.m.

PLACE: Department of Children and Family Services, 1055 U.S. Hwy. 17 N., Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Chapter 39 Local Planning Team of the Office of Adoption and Child Protection.

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)619-4100.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diane Dvorak, DCF at (863)619-4100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Dvorak, DCF at (863)619-4100.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 1, 2008; Friday, October 17, 2008, 10:00 a.m. (Eastern Time)

PLACE: Florida Housing Finance Corporation, Rick Seltzer Conference Room, Suite 6000, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, evaluate and score the proposals submitted in response to Florida Housing Finance Corporation’s Request for Proposals #2008-05 for fully inclusive affordable housing locator services.

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: Robin Grantham at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF FINANCIAL SERVICES

The **Financial and Cash Management System Task Force** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 15, 2008, 1:00 p.m. – until the conclusion of business; October 21, 2008, 3:00 p.m. – until the conclusion of business; November 12, 2008, 3:00 p.m. – until the conclusion of business; December 10, 2008, 3:00 p.m. – until the conclusion of business; December 17, 2008, 3:00 p.m. – until the conclusion of business

PLACE: The Capitol, Cabinet Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business related to the oversight for a successor financial and cash management system for the State of Florida. A copy of the agenda may be obtained by contacting: Susan Sloan at (850)413-4660 or susan.sloan@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Susan Sloan at (850)413-4660 or susan.sloan@my

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

For more information, you may contact: Susan Sloan at (850)413-4660 or susan.sloan@myfloridacfo.com.

PASCO-PINELLAS AREA AGENCY ON AGING

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2008, 9:30 a.m.

PLACE: New Port Richey Public Library, 5939 Main Street, New Port Richey, FL 34652

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2008, 10:00 a.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Information Technology Consulting Services – Selection Committee.

A copy of the agenda may be obtained by contacting: Dave Kershaw, TRDA Deputy Director at (321)872-1050, ext. 102 or dkershaw@trda.org.

The **Technological Research and Development Authority** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 18, 2008, 10:30 a.m. (Eastern time)

PLACE: Dial In: 1(888)808-6959, Conference Code: 7338869 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of the NASA Alliance for Small Business Opportunity (NASBO) grant recipients and identification of award amounts.

A copy of the agenda may be obtained by contacting: Mary Baker at (321)872-1050, ext. 110.

For more information, you may contact: Mary Baker at (321)872-1050, ext. 110.

FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION

The **Florida Substance Abuse and Mental Health Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 17, 2008, 9:00 a.m. – 5:30 p.m.; September 18, 2008, 8:30 a.m. – 12:00 Noon

PLACE: Sheraton Tampa Riverwalk Hotel, 200 North Ashley Drive, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board of Directors meeting. Committee reports. Annual report planning. Legislative issues. Public Hearing on September 18, 2008, 11:00 a.m.

A copy of the agenda may be obtained by contacting: linda_rayner@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: linda_rayner@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SOIL AND WATER CONSERVATION DISTRICTS

The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2008, 8:00 a.m.

PLACE: USDA Service Center, 750 S. Military Trail, Suite H, West Palm Beach, FL 33415

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Laura at (561)683-2285, ext. 3.

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: Omelio or Laura at (561)683-2285, ext. 3. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Laura at (561)683-2285, ext. 3.

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 1:00 p.m.

PLACE: Dallas Townsend Agricultural Building, 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled board meeting.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.

The **Moffitt Cancer Center and Research Institute** announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2008, 11:30 a.m.

PLACE: Stabile Research Building Trustee Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612. If you are 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: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2008, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lori Payne, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

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

FLORIDA LEAGUE OF CITIES

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 11:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida, (305)445-8066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Pension Trust Fund.

A copy of the agenda may be obtained by contacting: Jeannie Garner at jgarner@flcities.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeannie Garner at jgarner@flcities.com.

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 2:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida, (305)445-8066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Investment Trust.

A copy of the agenda may be obtained by contacting: Jeannie Garner at jgarner@flcities.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Linda Bridges at lbridges@flcities.com. If you are

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeannie Garner at jgarner@flcities.com.

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2008, 2:30 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida, (305)445-8066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council.

A copy of the agenda may be obtained by contacting: Jeannie Garner at jgarner@flcities.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.

For more information, you may contact: Jeannie Garner at jgarner@flcities.com.

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2008, 9:30 a.m.

PLACE: The Biltmore, 1200 Anastasia Avenue, Coral Gables, Florida 33134, (800)915-1926

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 26, 2008, 8:30 a.m.

PLACE: Conference Room 4F, Fourth Floor, City Hall, City of Tallahassee, 300 South Adams Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy at (850)878-1874 or ssgfc@embarqmail.com.

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

The Florida Network of Youth and Family Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 21, 2008, 10:30 a.m. – 3:30 p.m.

PLACE: 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda Items:

1. Introduction of any new Board Members
2. Approve minutes and reports
3. Voting on Officers of the Board
4. Annual Calendar Planning
5. Roles of the Board
6. Expectations of the Executive Director
7. Proposed term limits for the Board Members
8. State Office Policies
9. Discuss proposed Goal-setting to discuss with the membership
10. Executive Director Update
11. Annual Membership Meeting
12. Membership Update and Round Robin
13. Nomination and selection of committee members and chairs

A copy of the agenda may be obtained by contacting: Mary D. Richter, Executive Director, Florida Network of Youth and Family Services at (850)922-4324.

**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 MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received the petition for declaratory statement from the Hernando County Board of County Commissioners, Case No. DS-2008-002, filed on August 22,

2008. The petition seeks the agency's opinion as to the applicability of Chapter 447, Florida Statutes, as it applies to the petitioner.

Whether a wall-to-wall bargaining unit of all County employees can include employees of the Hernando County Water and Sewer District, a County dependent special district.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Suite 150, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from Jerry's Famous Deli, Inc. The petition seeks the agency's opinion as to the applicability of Section 561.20(2)(a), Florida Statutes; Rule 61A-3.0141, Florida Administrative Code; Section 565.045, Florida Statutes; Rule 61A-3.055, Florida Administrative Code as it applies to the petitioner.

Petitioner filed an Amended Petition for Declaratory Statement and Permission to Sell Products Other Than Those Listed in Rule 61A-3.055, Florida Administrative Code, which amends the Petition for Declaratory Statement previously filed by Petitioner on August 1, 2008. In its Amended Petition, Petitioner requests a declaratory statement concerning whether its business model violates Florida Beverage Law codified as Section 561.20(2)(a), Florida Statutes, and related administrative regulations, including Rules 61A-3.0141 and 61A-3.055, Florida Administrative Code, and whether it is therefore prohibited from transferring and holding a series 4-COP State of Florida alcoholic beverage license. The Petitioner further requests permission to sell products other than those listed in Rule 61A-3.055, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Cecelia Jefferson Chief Attorney Division of Alcoholic Beverages and Tobacco Department of Business and Professional Regulation 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT the Department of Environmental Protection has received the petition for declaratory statement from Ty M. Mullis. The petition seeks the agency's opinion as to the applicability of Rule 62-4.030, F.A.C., as it applies to the petitioner.

Whether or not the operation and maintenance of public roads constructed or maintained with materials or methods not specifically approved by FDOT standards (unpaved public roads) is exempt from the permitting requirements of Rule 62-4.030, F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Patricia Comer, Senior Assistant General Counsel, Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #35, Tallahassee, FL 32399-3900, (850)245-2242.

Please refer all comments to: Patricia Comer, Senior Assistant General Counsel, Office of General Counsel at the information given above.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from Scott Alef of Protection Design Co., LLC on or about August 11, 2008. The petition seeks the agency's opinion as to the applicability of Chapter 61G15, Florida Administrative Code, as it applies to the petitioner.

Can a Fire Protection Contractor be required to have their layout documents signed and sealed by a registered professional engineer if there is already a different existing Engineer of Record that has prepared engineering documents on the project?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@myflorida.cfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Morris M.

Hochberg filed on or about August 20, 2008. The petition seeks the agency's opinion as to the applicability of Section 718.3026, Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@myflorida.cfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Eric A. Neilinger on July 1, 2008. The following is a summary of the agency's disposition of the petition:

The Petitioner was seeking interpretation of NFPA 72 Sections 6.9.4.2 and 6.9.4.3 and also NFPA 72 6.9.4.6 as they applied to the Petitioner's particular set of circumstances. THE PETITION WAS WITHDRAWN BY PETITIONER ON August 25, 2008.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Clu D. Wright on July 23, 2008. The following is a summary of the agency's disposition of the petition:

PETITIONER HAS WITHDRAWN HIS PETITION ON August 22, 2008.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB09SVF-117, W/O 955623, SCADA, Substations Nos. 1-4, estimated budget: \$800,000, to be opened October 13, 2008 at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Upgrade the existing electromechanical relay protection and controls in Substations 1-4 with new microprocessor based systems. These new systems will allow adding these substations to the existing Power Rich SCADA system for improved communication, control and monitoring capability. Mandatory Pre-Bid Meeting will be held September 22, 2008 at 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit 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, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE TO ARCHITECT/ENGINEERS

The Florida International University Board of Trustees announces that services in the discipline of Architecture/Engineering are required for the project identified below:

Project Name and Number: Graduate Housing, BT- 892

Project Location: University Park, Miami, Florida

Project Description: The building program of the project includes a 400 bed graduate student housing complex with retail and support space, including office facilities. The project site will be adjacent to the Panther Garage in the existing surface parking lot #10. This project is expected to be completed and operational no later than June, 2011.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999 with FIU revisions dated 2/22/2008. Applications on any other form will not be considered. It is the intent of FIU to encourage participation by qualified Minority Business Enterprises however, State of Florida MBE Certification is not a factor in the selection process. Disregard paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate Governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

The plans and specifications for A/E are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms and the Project Fact Sheet, which incorporates the selection process for this Project and additional information regarding the Project scope, may be obtained from the web-site <http://facilities.fiu.edu> (Applicant firms may find project under Selection Process Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Real Estate Development and Planning at (305)348-4090 or via email to cecilia@fm.fiu.edu. Submit qualifications to: Selection Committee, Florida International University, Real Estate Development and Planning, Campus Support Complex, Room #236, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), on October 10, 2008. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Request for Qualifications – RFQ 09-11
 Science and Humanities Building

The University of North Florida – Board of Trustees, a public body corporate, announces that Professional Services in the discipline of Programming, Architecture and Engineering will be required for the project termed RFQ 09-11 Science and Humanities Bldg.

Preliminary needs analysis indicates there is a need for a laboratory building to house the bulk of the Biology Department currently occupying 2 buildings on campus. It is anticipated that the program will call for a building of approximately 90,000 GSF and will be locate adjacent to the existing Social Sciences Building, Bldg. 51.

The preliminary tentative schedule for this project:

Programming	December 2008
Schematic Design	March 2009
Design Development	June 2009
Construction start	December 2009

INSTRUCTIONS:

Firms wishing to apply for consideration shall submit a letter of application with the appropriate documents from RFQ 09-11.

The letter of application should have attached:

1. The most recent version of the “Professional Qualifications Supplement,” completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Submit 7 complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplemental forms, descriptive project information, and selection criteria may be obtained electronically online at the UNF Purchasing department website: <http://www.unf.edu/dept/purchasing/bids.html>, or by emailing:

Dianna White (904)620-1731; Dianna.white@unk.edu;
 AND
 Evelyn Jenkins Burton (904)620-1732; e.jenkins@unf.edu
 University of North Florida
 Purchasing Dept.
 Bldg. 6/Rm. 1301
 1 UNF Drive
 Jacksonville, FL 32224

Submit one (1) original and six (6) complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2:00 p.m. (Local Time), on October 15, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR MECHANICAL ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20090001

PROJECT NAME: Cary White Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Engineering services including, but not limited to, the replacement of all HVAC systems with updated, code compliant energy efficient systems. The program recommends minor architectural

elements, expansion of the fire suppression, alarm and notification systems, lighting retrofit, plumbing renovation, and power distribution.

The facility is 80,330 square foot two story structure which consist of dormitory areas, classrooms, and administrative spaces to serve FSDB students and special needs.

PROJECT BUDGET: \$8,165,000.00

FSDB PROJECT MANAGER: Greg Clements

PHONE NUMBER: (904)827-2372

RESPONSE DUE DATE: Thursday, October 16, 2008, no later than 3:00 p.m.

INSTRUCTIONS FOR SUBMITTAL

Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email: Laura Bowden, Contract Administrator at bowdenl@fsdb.k12.fl.us or John Connor, Purchasing Director at connorj@fsdb.k12.fl.us requesting instruction booklet "Selection Criteria of the Architect/Engineer dated December 2007."

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

REQUEST FOR PRINTING BIDS

The North Central Florida Regional Planning Council, on behalf of the Original Florida Tourism Task Force, seeks qualified printer to print 5,000 copies of a spiral bound 11 inches by 5.5 inches waterproof paddling guide containing 80 pages (including covers). Bids will be received until 3:00 p.m. on September 24, 2008. All bids must be submitted on the required bid form. Any bids received after the specified time and date will not be considered. Please mark the envelope, "Sealed Bid." Facsimile or electronic mail bids will not be accepted. The complete request for bids and bid form may be obtained, by emailing thomas@ncfrpc.org or writing to: Bryan Thomas, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY OF FLORIDA COASTAL MANAGEMENT PROGRAM FUNDS FOR STATE AGENCIES AND WATER MANAGEMENT DISTRICTS FY 2009-2010

The Florida Coastal Management Program (FCMP) announces the availability of funds for activities related to implementation of the statutory authorities included in the federally-approved FCMP. A complete list of these statutes can be found at http://www.dep.state.fl.us/cmp/federal/23_statutes.htm. Funding proposals should contribute to the protection, management and enhancement of Florida's ocean and coastal resources, and also focus on achieving the policy issues identified in the Coastal Zone Management Act, including: natural resource protection and management; hazard mitigation; water quality protection; siting of major developments; public access; redevelopment of urban, cultural and historic features; expedited governmental decisionmaking; effective coordination with federal agencies; effective public and local government participation; comprehensive planning and management of living marine resources; shoreline erosion and land subsidence; and ocean resource management. Within the context of these established coastal management priorities, there is a current national focus on the effects of climate change; energy use and development; and improving the ability of coastal communities to recover from, and adapt to, both short and long-term changes related to coastal hazards, climate change, resource management, commerce and business, fisheries, public access, and land use.

Priority consideration for funding will be given to proposals that complement other state and federal ocean and coastal resource management programs and meet or reduce unmet needs. Eligible applicants include state agencies and water management districts. Applicants should note the following:

- Financial assistance is available in the form of reimbursement grants in amounts ranging from \$15,000 to \$150,000, depending on the availability of federal coastal management funds received from the National Oceanic & Atmospheric Administration (NOAA). The FCMP anticipates that grant recipients will not be required to provide non-federal matching funds or services.
- Rules 62S-4.0045, .0055 and .007(3), F.A.C. describe the procedures for submitting applications and the criteria and procedures by which applications will be evaluated. A copy of the rule may be printed from the FCMP website at http://www.dep.state.fl.us/cmp/grants/files/62S_0407.pdf. There is no specific application form; however, proposals must not exceed 10 pages in length (excluding the cover page).
- For projects involving construction, exotic species removal, habitat restoration and land acquisition, applicants must include a completed and signed '306A Checklist' with the application. The checklist may be

obtained at http://www.dep.state.fl.us/cmp/grants/files/306A_0507.doc.

- Selected proposals will be included in the FCMP application to NOAA for FY 2009-2010. The funding cycle begins July 1, 2009 and ends June 30, 2010.
- Applications must be received no later than 4:00 p.m. (EST), November 12, 2008. Mail applications to: FCMP, MS 27, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000.

Questions regarding this notice should be directed to: Ms. Lynn Griffin at (850)245-2163 or by email to Lynn.Griffin@dep.state.fl.us.

PETER R. BROWN CONSTRUCTION, INC.

Notice of Request for Proposals

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the FDOH Orange County Health Department, 3rd Floor Renovation hereby solicits sealed proposals for the referenced project in accordance with the proposal documents to include but not limited to the following: The Scope of Work for this project includes but is not limited to the following:

This project consists of an existing 9,467 sq. ft. office space located within the existing Orange County Health Department Downtown Office Building. New partition walls, flooring finishes and acoustical ceiling system are to be installed to accommodate the new layout which will be utilized as a Public Health Clinic. The Health Clinic includes nine exam rooms, thirty offices, a specimen lab, nurse work area, public waiting area, check-in and check-out areas, two new restrooms and storage areas.

This renovation includes the addition of eighteen new plumbing fixtures including a mop sink in a new Janitor Room. The existing air distribution system and thermostats will be adjusted to accommodate the new floor layout, new HVAC equipment is not required. Existing fire sprinkler heads will be adjusted to accommodate the new floor layout as well.

The electrical portion of this project consists of new lighting fixtures, receptacles, fire alarm devices, panel boxes and rough-ins for telecommunications & security devices. New panels for the 3rd floor connected to the existing fusible BUS plug, re-feed existing 4th floor panels from the new 3rd floor panels and connect 3rd floor panels to existing emergency panel located in basement.

A pre-proposal meeting will be held at 10:00 a.m. (Local Time); Tuesday September 23, 2008 at the following location:

Orange County Health Department
 Downtown Center
 832 West Central Blvd. – Building – 3rd Floor
 Orlando, FL 32805

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., October 9, 2008. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Subcontractors must submit pre-qualification prior to September 23, 2008 in order to be considered for this project. Please contact the following person to obtain information or documents about the pre-qualification requirements for this project:

Jenny Sanchez, Estimator
 Phone: (727)535-6407 – Fax: (727)539-8485

Florida Department of Health and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available September 12, 2008. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

Florida Department of Health and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to: Construction Manager, in writing by September 30, 2008. The Owner and Architect will not accept calls regarding this project.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.3177(2), FLORIDA STATUTES
 DCA DOCKET NO. 01-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Alachua County School Board and Alachua County, pursuant to Section 163.3177, F.S., to be consistent with the minimum requirements of Sections 163.3177(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Alachua County, Department of Growth Management, Office of Planning and Development, 111 S. W. 1st Street, Gainesville, Florida 32601-6294.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Alachua County School Board and Alachua County. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Director, Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTIONS 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NUMBER 10-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Clay County, Green Cove Springs, Keystone Heights, Orange Park and the Clay County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Clay County Engineering Division, 477 Huston Street, Green Cove Springs, Florida 32043.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Clay County, Green Cove Springs, Keystone Heights, Orange Park and the Clay County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not

available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charlie Gauthier, AICP
Director, Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2), FLORIDA STATUTES DCA
DOCKET NO. 42-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the MARION County School Board and each of the following local governments: Marion County and the City of Dunnellon, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Marion County, Planning Department, 2710 East Silver Springs Boulevard, Ocala, Florida 34470-7006.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Marion County School Board, Marion County, Dunnellon. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida

32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Director, Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTIONS 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NUMBER 55-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by St Johns County, Hastings, St Augustine, St Augustine Beach and the St. Johns County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the St. Johns County School District, 40 Orange Street, St. Augustine, Florida 32084.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to St Johns County, Hastings, St Augustine, St Augustine Beach and the St. Johns County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charlie Gauthier, AICP
Director, Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by Jeffrey Scott (party requesting the interpretation) on August 25, 2008 (BOAF's date). The following is a summary of the interpretation:

As per Section R101.2 of the 2004 Florida Building Code, Residential, the building in question falls outside the scope of the 2004 Florida Building Code, Residential and therefore is subject to the requirements of the 2004 Florida Building Code, Building.

A copy of the Interpretation may be obtained at http://www.floridabuildingorg/bi/bi_default.aspx.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY HAINES CITY, FLORIDA BY
ORDINANCE NO. 07-1309

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6) and (11), Florida Statutes (2006), approving a land development regulation adopted by Haines City, Florida (the "City"), as set forth below.

FINDINGS OF FACT

1. On May 20, 2008, the Department received for review Haines City Ordinance No. 07-1309, which was adopted by the City Commission of Haines City on November 1, 2007. Ordinance No. 07-1309 amends Chapters 5 and 6 of the Haines City Land Development Code.
2. The purpose of the text amendments to Chapters 5 and 6 of the Haines City Land Development Code is to provide a description of the allowed and prohibited uses within the Industrial-North Ridge Zoning Category.
3. Ordinance No. 07-1309 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Section 380.05(6) and (11), Florida Statutes (2006).
5. Haines City is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2006) and Chapter 28-26, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2006). The regulations adopted by Ordinance No. 07-1309 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). Section 380.05(6), Florida Statutes (2006). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-27.002, Florida Administrative Code. ("Principles").
8. Ord. 08-04 promotes and furthers the following Principles in Rule 28-27.002, Florida Administrative Code:
 - (1) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands and flood-detention areas.
 - (2) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
 - (3) Protect the water available for aquifer recharge.
 - (4) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.
 - (5) Protect the normal supply of ground and surface water.
 - (6) Prevent further salt water intrusion into the Floridan Aquifer.
 - (7) Protect or improve existing ground and surface water quality.
 - (8) Protect the water retention capabilities of wetlands.

- (9) Protect the biological filtering capabilities of wetlands.
- (10) Protect the natural flow regime of drainage basins.
- (11) Protect the design capacity of flood detention areas and the water management objectives of these areas through the maintenance of hydrological characteristics of drainage basins.

9. Ord. 08-04 is consistent with the Principles for Guiding Development in Rule 28-27.003, Florida Administrative Code as a whole.

WHEREFORE, IT IS ORDERED that Ordinance No. 07-1309 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Charles Gauthier, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON

ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned 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 3rd day of September, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Phillip Hinkle
Mayor-Commissioner
City of Haines City
P. O. Box 1507
Haines City, Florida 33845-1507

Mark J. Bennett, AICP
Planning Manager
P. O. Box 1507
Haines City, Florida 33845-1507

Thomas A. Cloud, City Attorney
City of Haines City
GrayRobinson P.A.
P. O. Box 3068
Orlando, Florida 32802-3068

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Southfork Heliport, a private airport, in Osceola County, at Latitude 28° 13' 37" and Longitude 81° 21' 59.5", to be owned and operated by Mr. John Russell, 2645 Cherokee Rd., Saint Cloud, FL 34772.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must

conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hanma Enterprises, Inc., intends to allow the establishment of ABC Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 5384 Dawn Court, Tallahassee (Leon County), Florida 32303, on or after August 21, 2008.

The name and address of the dealer operator(s) and principal investor(s) of ABC Powersports, Inc. are dealer operator(s): Donny Friesen, 5384 Dawn Court, Tallahassee, Florida 32303; principal investor(s): Donny Friesen, 5384 Dawn Court, Tallahassee, Florida 32303.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hui Shan, Hanma Enterprises, Inc., 10540 Bissonnet Street, #100, Houston, Texas 77099.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of In Deco USA, Inc. d/b/a A+ Cars Sales, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 1641 Northwest 27 Avenue, Miami (Dade County), Florida 33125, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of In Deco USA, Inc. d/b/a A+ Car Sales are dealer operator(s): Carlos Vargas, 1641 Northwest 27 Avenue, Miami, Florida 33125 and Frank Vargas, 1641 Northwest 27 Avenue, Miami, Florida 33125; principal investor(s): Carlos Vargas, 1641 Northwest 27 Avenue, Miami, Florida 33125 and Frank Vargas, 1641 Northwest 27 Avenue, Miami, Florida 33125.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of A1 Scoot, Skate & Bike, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 1800 Biscayne Boulevard, Suite #CU-10, Miami (Dade County), Florida 33137, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of A1 Scoot, Skate & Bike, Inc. are dealer operator(s): Darren Venditti, 1800 Biscayne Boulevard, Suite #CU-10, Miami, Florida 33137 and Donald Vernon, 1800 Biscayne Boulevard, Suite #CU-10, Miami, Florida 33137; principal investor(s): Darren Venditti, 1800 Biscayne Boulevard, Suite #CU-10, Miami, Florida 33137 and Donald Vernon, 1800 Biscayne Boulevard, Suite #CU-10, Miami, Florida 33137.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Atlantic Scooter and Action Sports, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 9 Hibiscus Avenue, Pompano Beach (Broward County), Florida 33062, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Atlantic Scooter and Action Sports, LLC are dealer operator(s): Frank Stute, 9 Hibiscus Avenue, Pompano Beach, Florida 33062 and Chris Monaco, 9 Hibiscus Avenue, Pompano Beach, Florida 33062; principal investor(s): Ibrahim Hanna, 9 Hibiscus Avenue, Pompano Beach, Florida 33062 and Chris Monaco, 9 Hibiscus Avenue, Pompano Beach, Florida 33062.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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 WITHDRAWAL

Notice is hereby given that the publication of Fun By Land and Sea, Inc. d/b/a Bankstons Kawasaki, as a new point for United Motors of America (UNMO) motorcycle franchise dealership in Volusia County by United Motors of America, published in Vol. 34, No. 35, page 4538 of the Florida Administrative Weekly on August 29, 2008, has been withdrawn.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hanma Enterprises, Inc., intends to allow the establishment of Cajun Moto Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 5200 Park Street, St. Petersburg (Pinellas County), Florida 33710, on or after August 22, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cajun Moto Scooters, LLC are dealer operator(s): Steve Humphries, 5200 Park Street, St. Petersburg, Florida 33710; principal investor(s): Steve Humphries, 5200 Park Street, St. Petersburg, Florida 33710.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hui Shan, Hanma Enterprises, Inc., 10540 Bissonnet Street, #100, Houston, Texas 77099.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Comfort Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 2309 South State Road 7 (441), Hollywood (Broward County), Florida 33023, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Comfort Scooters, Inc. are dealer operator(s): Igal Aslan, 2309 South State Road 7 (441), Hollywood, Florida 33023 and Maria Tetra, 2309 South State Road 7 (441), Hollywood, Florida 33023; principal investor(s): Igal Aslan, 2309 South State Road 7 (441), Hollywood, Florida 33023 and Maria Tetra, 2309 South State Road 7 (441), Hollywood, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Express Auto Wholesalers, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 600 South State Road 7 (441), Plantation (Broward County), Florida 33317, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Express Auto Wholesalers, Inc. are dealer operator(s): Ibrahim Hanna, 600 South State Road 7 (441), Plantation, Florida 33023; principal investor(s): Ibrahim Hanna, 600 South State Road 7 (441), Plantation, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, 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: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Family Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 7200 Ridge Road, Suite 108, Port Richey (Pasco County), Florida 34668, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Family Powersports, LLC are dealer operator(s): Louis Mazzaresse, 7200 Ridge Road, Suite 108, Port Richey, Florida 34668 and Janet Tretter, 7200 Ridge Road, Suite 108, Port Richey, Florida 34668; principal investor(s): Louis Mazzaresse, 7200 Ridge Road, Suite 108, Port Richey, Florida 34668 and Janet Tretter, 7200 Ridge Road, Suite 108, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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 WITHDRAWAL

Notice is hereby given that the publication of Hot Scooter Rental, Inc., as a new point for Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) motorcycle franchise dealership in Broward County by JMSTAR Powersports, Inc., published in Vol. 34, No. 34, pages 4429 to 44430 of the Florida Administrative Weekly on August 22, 2008, has been withdrawn.

NOTICE OF WITHDRAWAL

Notice is hereby given that the publication of Hot Scooter Rental, Inc., as a new point for Shanghai Honling Motorcycle Corp. (HONL) motorcycle franchise dealership in Broward County by JMSTAR Powersports, Inc., published in Vol. 34, No. 34, page 4429 of the Florida Administrative Weekly on August 22, 2008, has been withdrawn.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of JAA World Motorcycle Corp., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 5610 East 8th Avenue, Hialeah (Dade County), Florida 33013, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of JAA World Motorcycle Corp. are dealer operator(s): Jan Alonso Artalejo, 5610 East 8th Avenue, Hialeah, Florida 33013; principal investor(s): Jan Alonso Artalejo, 5610 East 8th Avenue, Hialeah, Florida 33013.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 3705 U.S. Highway 98 South, Suite 1, Lakeland (Polk County), Florida 33812, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV are dealer operator(s): Mike Highsmith, 3705 U.S. Highway 98 South, Suite 1, Lakeland, Florida 33812; principal investor(s): Mike Highsmith, 3705 U.S. Highway 98 South, Suite 1, Lakeland, Florida 33812.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Micro Solutions of Florida, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 6020 Northwest 99 Avenue, Doral (Dade County), Florida 33178, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Micro Solutions of Florida, Inc. are dealer operator(s): Francisco Alberto Chacon, 1470 Northwest 107th Avenue, Suite T, Miami, Florida 33172; principal investor(s): Francisco Alberto Chacon, 1470 Northwest 107th Avenue, Suite T, Miami, Florida 33172.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Superior Engineering Corp. of America, Inc. d/b/a Motor Toys, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 4520 North Tamiami Trail, Naples (Collier County), Florida 34103, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Superior Engineering Corp. of America, Inc. d/b/a Motor Toys are dealer operator(s): George Burt, 830 Cassena Road, Naples, Florida 34108; principal investor(s): George Burt, 830 Cassena Road, Naples, Florida 34108.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, Verucci Motorcycles, LLC., 7853 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Nice Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 815 North State Road 7, Hollywood (Broward County), Florida 33021, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Nice Scooters, Inc. are dealer operator(s): Camilo Meneses, 815 North State Road 7, Hollywood, Florida 33021; principal investor(s): Camilo Meneses, 815 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Goldens of Florida, LLC d/b/a Scooter 2 Go, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 261 West Cocoa Beach Causeway, Cocoa Beach (Brevard County), Florida 32931, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Goldens of Florida, LLC d/b/a Scooter 2 Go are dealer operator(s): Orlando Buitrago, 261 West Cocoa Beach Causeway, Cocoa Beach, Florida 32931; principal investor(s): Orlando Buitrago, 261 West Cocoa Beach Causeway, Cocoa Beach, Florida 32931.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Scoots USA of Florida, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 13191 56th Court, Suite 106, Clearwater (Pinellas County), Florida 33760, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scoots USA of Florida, Inc. are dealer operator(s): Mark Welton, 13191 56th Court, Suite 106, Clearwater, Florida 33760; principal investor(s): Mark Welton, 13191 56th Court, Suite 106, Clearwater, Florida 33760.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 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, notice is given that BMS Motorsports, Inc., intends to allow the establishment of Sunstate Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 825 Mason Avenue, Daytona Beach (Volusia County), Florida 32117, on or after August 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Sunstate Powersports, LLC are dealer operator(s): Siegfried Kientoff, 825 Mason Avenue, Daytona Beach, Florida 32117; principal investor(s): Siegfried Kientoff, 825 Mason Avenue, Daytona Beach, Florida 32117.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Patrick Kim, President, BMS Motorsports, Inc., 1201 Jellick Avenue, City of Industry, California 91748.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BMS Motorsports, Inc., intends to allow the establishment of Sunstate Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 825 Mason Avenue, Daytona Beach (Volusia County), Florida 32117, on or after August 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Sunstate Powersports, LLC are dealer operator(s): Siegfried Kientoff, 825 Mason Avenue, Daytona Beach, Florida 32117; principal investor(s): Siegfried Kientoff, 825 Mason Avenue, Daytona Beach, Florida 32117.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Patrick Kim, President, BMS Motorsports, Inc., 1201 Jellick Avenue, City of Industry, California 91748.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of H Long Investments Corp. d/b/a Tropical Scooters of Vero Beach, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 4901 North U.S. Highway 1, Unit J, Vero Beach (Indian River County), Florida 32967, on or after July 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of H Long Investments Corp. d/b/a Tropical Scooters of Vero Beach are dealer operator(s): Heidi Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967; principal investor(s): Heidi Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, Verucci Motorcycles, LLC, 7853 Northwest 46 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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of H Long Investments Corp. d/b/a Tropical Scooters of Vero Beach, as a dealership for the sale of motorcycles manufactured by Taizhou Wangye Power Co. Ltd. (ZHEJ) at 4901 North U.S. Highway 1, Unit J, Vero Beach (Indian River County), Florida 32967, on or after July 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of H Long Investments Corp. d/b/a Tropical Scooters of Vero Beach are dealer operator(s): Heidi Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967; principal investor(s): Heidi Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, Verucci Motorcycles, LLC, 7853 Northwest 46 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.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application for an emergency service exemption from Metropolitan Hospital of Miami, located at 5959 N. W. 7th Street, Miami, FL 33126, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Jack Plagge, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)414-6938 or by e-mail at plaggej@ahca.myflorida.com.

The Agency for Health Care Administration has received an application for an emergency service exemption from Northwest Medical Center, 2801 N. State Road 7, Margate, FL 33063, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Ophthalmology services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Teresa Wooten, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)414-6942 or by e-mail at wootent@ahca.myflorida.com.

GRACE PERIOD LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the September 10, 2008 application filing date for Hospital Beds and Facilities batching cycle:

County: Alachua	District: 3
Date Filed: 8/11/2008	LOI #: H0808006
Facility/Project: Psycare Services of Central Florida, LLC	
Applicant: Psycare Services of Central Florida, LLC	
Project Description: Establish an adult inpatient psychiatric hospital of up to 40 beds	

County: Orange District: 7
Date Filed: 8/11/2008 LOI #: H0808007
Facility/Project: Central Florida Behavioral Hospital
Applicant: La Amistad Residential Treatment Center, Inc.
Project Description: Establish an adult inpatient psychiatric hospital of up to eight beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 15, 2008, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on September 26, 2008.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON
GEOLOGICAL AND GEOPHYSICAL PERMIT
APPLICATION FOR FEDERAL WATERS OFFSHORE
FLORIDA**

U.S. Department of the Interior, Minerals Management Service, Geological/Geophysical Permit Applications submitted by Coastal Technology Corporation, to collect seismic and bathymetry data in federal waters off Flagler County, were received by the State of Florida.

The permit applications are available for inspection at: Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by September 24, 2008. Contact: Shana Kinsey or Debby Tucker at (850)245-2163, email: Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN August 25, 2008
 and August 29, 2008**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF STATE

1-2.0031	8/28/08	9/17/08	34/27	
----------	---------	---------	-------	--

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-2.028	8/29/08	9/18/08	34/29	
5E-14.102	8/28/08	9/17/08	34/14	34/29
5E-14.105	8/28/08	9/17/08	34/14	34/29
5E-14.110	8/28/08	9/17/08	34/14	34/29
5E-14.111	8/28/08	9/17/08	34/14	34/29
5E-14.112	8/28/08	9/17/08	34/14	34/29
5E-14.142	8/28/08	9/17/08	34/14	34/28
5E-14.142	8/28/08	9/17/08	34/14	34/29

DEPARTMENT OF REVENUE

Sales and Use Tax

12A-1.043	8/26/08	9/15/08	34/12	34/26
12A-1.053	8/26/08	9/15/08	34/15	
12A-1.056	8/26/08	9/15/08	34/23	
12A-1.087	8/26/08	9/15/08	34/15	
12A-1.105	8/26/08	9/15/08	34/23	
12A-17.003	8/26/08	9/15/08	34/23	
12A-17.005	8/26/08	9/15/08	34/23	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Miscellaneous Tax

12B-6.001	8/29/08	9/18/08	34/20	34/32
12B-6.0015	8/29/08	9/18/08	34/20	34/32
12B-6.0021	8/29/08	9/18/08	34/16	
12B-6.005	8/29/08	9/18/08	34/20	34/32
12B-6.0051	8/29/08	9/18/08	34/20	
12B-6.008	8/29/08	9/18/08	34/20	

Division of Child Support Enforcement

12E-1.032	8/29/08	9/18/08	34/15	34/23
-----------	---------	---------	-------	-------

DEPARTMENT OF TRANSPORTATION

14-85.004	8/27/08	9/16/08	34/30	
-----------	---------	---------	-------	--

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.705	8/27/08	9/16/08	34/19	34/30
65A-1.711	8/27/08	9/16/08	34/19	34/30
65A-4.208	8/27/08	9/16/08	34/19	34/30

FINANCIAL SERVICES COMMISSION

OIR Insurance Regulation

69O-157.004	8/27/08	9/16/08	34/16	
69O-157.104	8/27/08	9/16/08	34/16	
69O-157.114	8/27/08	9/16/08	34/16	
69O-157.117	8/27/08	9/16/08	34/16	
69O-167.004	8/27/08	9/16/08	34/6	34/16
69O-203.070	8/27/08	9/16/08	34/16	