

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

### DEPARTMENT OF COMMUNITY AFFAIRS

#### Division of Community Planning

RULE NOS.:	RULE TITLES:
9J-5.003	Definitions
9J-5.006	Future Land Use Element
9J-5.010	Housing Element
9J-5.013	Conservation Element
9J-5.019	Transportation Element

**PURPOSE AND EFFECT:** The purpose and effect are to amend the rule to implement the new requirements established by Chapter 2008-191, Laws of Florida (CS/HB 697), and related requirements established by Chapter 2009-96 (CS/CS/SB 360), Laws of Florida.

**SUBJECT AREA TO BE ADDRESSED:** Rule 9J-5, F.A.C., is to be amended to establish minimum criteria to be used in reviewing comprehensive plans to determine whether they comply with the new requirements of Chapters 2008-191 & 2009-96, Laws of Florida, regarding energy efficient land use patterns accounting for existing and future electric power generation and transmission systems, greenhouse gas reduction strategies, strategies to address reduction in greenhouse gas emissions from the transportation sector, factors that affect energy conservation, depicting energy conservation on the future land use map series, energy efficiency in the design and construction of new housing, the use of renewable energy resources, the discouragement of urban sprawl, the achievement of healthy, vibrant urban centers, and strategies to support and fund mobility within certain transportation concurrency exception areas.

**RULEMAKING AUTHORITY:** 163.3177(9), (10) FS.

**LAW IMPLEMENTED:** 163.3177(6)(a), (b), (d), (f), (j), 163.3180 FS. (only as those sections were amended by Chapters 2008-191 & 2009-96, Laws of Florida).

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

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

**PLACE:** Florida Department of Transportation, District 4 Auditorium, 3400 W. Commercial Blvd., Ft. Lauderdale, Florida 33309-3421

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: Sheri Coven, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1681. 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: Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1735

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE AT: <http://www.dca.state.fl.us/fdcp/dcp/Legislation/2008/Files/DraftRules.pdf>

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

### DEPARTMENT OF COMMUNITY AFFAIRS

#### Division of Community Planning

RULE NOS.:	RULE TITLES:
9J-11.004	Submittal Requirements for Proposed Local Government Comprehensive Plans
9J-11.006	Submittal Requirements for Proposed Local Government Comprehensive Plan Amendments
9J-11.009	Action Upon Receipt of Proposed Local Government Comprehensive Plan Amendment
9J-11.011	Local Government Adoption of the Comprehensive Plan or Plan Amendment and Submittal for the Compliance Review
9J-11.012	Compliance Review and Notice of Intent
9J-11.015	Submittal Requirements for Adopted Amendments that Are Exempt from State and Regional Review
9J-11.019	Action to Require Local Government to Submit Land Development Regulations for Review
9J-11.021	Action if Local Government Has Failed to Adopt the Required Land Development Regulations

**PURPOSE AND EFFECT:** The purpose and effect is to revise the rule to conform to current statutory requirements.

**SUBJECT AREA TO BE ADDRESSED:** The revisions of Chapter 9J-11, F.A.C., pertaining to local government comprehensive plans, including submittal requirements, action upon receipt, review requirements and notices of intent. The revisions of Chapter 9J-11, F.A.C., pertaining to comprehensive plan amendments exempt from the twice per calendar year limitation on the adoption of comprehensive plan

amendments. The revision of Chapter 9J-11, F.A.C., pertaining to the submittal requirements for amendments that are exempt from State and regional review. The revision of Chapter 9J-11, F.A.C., pertaining to the submittal requirements for evaluation and appraisal reports and appraisal report-based amendments.

RULEMAKING AUTHORITY: 163.3177(9), 163.3202(5) FS. LAW IMPLEMENTED: 163.3167(2), (3), 163.3175(2), (3), (4), 163.3177(1), (3), (4), (6), (7), (9), (10), (12), (13), (14), 163.3184(1), (2), (3), (4), (5), (6), (7), (14), (15), (16), (17), (18), 163.3187(1), (2), (5), (6), 163.3189, 163.3191, 163.3202, 369.321(5), 163.3146(9), 380.06(6) 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: January 25, 2010, 9:00 a.m.

PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ray Eubanks, Plan Review Administrator, Division of Community Planning, Plan Review and Processing Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9J-11.004 Submittal Requirements for Proposed Local Government Comprehensive Plans.

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

(c) The comprehensive plan including goals, objectives, policies, maps in color format, and support documents which include data and analyses specified in Rule 9J-5.005, F.A.C. Summaries of support documents may be submitted consistent with subsection 9J-5.005(2), F.A.C.;

(d) In the event the local government does not include all of the goals, objectives, policies, maps in color format, and support documents which include data and analyses required by Chapter 9J-5, F.A.C., in its submittal, it shall include a list identifying all omitted items and the reason for each omission.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3167(2), 163.3177(1), (4)(b), (7), (9), 163.3184(2), (3), (14), (15), 163.3191 FS. History—New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, 11-24-02, 6-30-05, 4-17-06, \_\_\_\_\_.

9J-11.006 Submittal Requirements for Proposed Local Government Comprehensive Plan Amendments.

(1) The local government shall submit three copies of each proposed amendment, of which at least one copy shall be paper and up to two copies may be on CD ROM in Portable Document Format (PDF), including applicable supporting

documents which include data and analyses directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team, and one copy directly to the appropriate agencies list in subsection 9J-11.009(6), F.A.C. Proposed plan amendments, except those discussed under the exemption provisions of subparagraph 9J-11.006(1)(a)7., F.A.C., below, shall be consolidated into a single submission for each of the two plan amendment adoption ~~dates~~ times during the calendar year. The comprehensive plan submitted pursuant to Section 163.3167, F.S., shall be counted as one of the two plan amendment adoption times during the calendar year; however, only the submittal requirements of Rule 9J-11.004, F.A.C., must be followed. For each proposed plan amendment submittal package, the local governing body shall submit:

(a) through 7.g. No change.

~~h. An amendment that changes the schedule in T~~the capital improvement element annual update required by Section 163.3177(3)(b)1., F.S., and any amendments directly related to the schedule pursuant to Section 163.3187(1)(f), F.S.;

i. through p. No change.

~~q. An amendment adopting a boating facility siting plan or policy pursuant to Section 380.06(24)(k)1., F.S.;~~

r. through u. renumbered q. through t. No change.

~~v. An amendment to the capital improvements element to update the schedule of capital improvements on an annual basis pursuant to Section 163.3177(3)(b)1., F.S.;~~

~~w. An amendment to the capital improvements element other than an update to the schedule of capital improvements pursuant to Section 163.3177(3)(b)2., F.S.;~~

~~u.x.~~ No change.

~~v.y.~~ An amendment that is intended to designate an urban service boundary meeting the criteria of Section 163.3177(14), F.S., pursuant to Section 163.3177(14)(c)(b), F.S.;

z. through cc. renumbered w. through z. No change.

aa. An amendment to incorporate the interlocal service boundary agreement pursuant to Sections 171.203(6)(f), 171.203(9), and 171.203(11)(c), F.S.

bb. An amendment to incorporate recreational surface water use policies pursuant to Section 163.3177(6)(g)2., F.S.;

cc. An amendment that is related to an affordable housing density bonus pursuant to Section 420.615(5), F.S.;

dd. An amendment adopting a transportation concurrency backlog plan pursuant to Section 163.3182(4)(b), F.S.;

ee. An amendment that is consistent with the local housing incentive strategies identified in Section 420.9076, F.S., pursuant to Section 163.3187(1)(p), F.S.;

ff. An amendment to implement a Community Workforce Housing Innovation Pilot Program consistent with Section 420.5095, F.S., pursuant to Section 420.5095(9), F.S.;

gg. An amendment to establish public school concurrency pursuant to Section 163.3180(13), F.S., as specified in Section 163.3187(1)(j), F.S.;

hh. An amendment to adopt a municipal overlay pursuant to Section 163.3217(2)(b)2., F.S.

ii. An amendment to designate an urban service area as a transportation concurrency exception area under Section 163.3180(5)(b)2., or 3., F.S. pursuant to Section 163.3187(1)(q), F.S.

8. through 10. No change.

(b) The proposed amendment package shall include all proposed text in a strike through and underline format or similar easily identifiable format, maps in color format and support documents which includes data and analyses, ~~as reflected on new pages of the affected element in a strike through and underline format or similar easily identifiable format identifying the plan amendment number on each page affected.~~ In the case of future land use plan map amendments, the following additional information must be provided:

1. Future land use map(s) in color format depicting the following information:

a. through 5. No change.

(c) through (3) No change.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3177(3), (6), (9), (13), (14), 163.3184(1), (2), (3), (15), (17), (18), 163.3187(1), (2), (5), 163.3191, 369.321(5), 380.06(6) FS. History–New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, 1-8-01, 11-24-02, 6-30-05, 4-17-06, \_\_\_\_\_.

9J-11.009 Action Upon Receipt of Proposed Local Government Comprehensive Plan Amendment.

(1) through (5) No change.

(6) The local government shall transmit three copies of plans, parts of plan, or plan amendments of which at least one copy shall be paper and up to two copies may be on CD ROM in Portable Document Format (PDF) to the Department and one copy directly to the various agencies and governments, as appropriate, for their review and written response. These agencies and governments may include, but not be limited to, the following:

(a) through (7) No change.

(8) Local governments are prohibited from adopting some amendments to their comprehensive plans for failure to comply with the following statutory requirements:

(a) Pursuant to Section 163.3177(3)(b)1., F.S., future land use map amendments may not be adopted if the local government has failed to adopt the annual capital improvements update by December 1 each year beginning 2011 2007, except a local government may adopt emergency amendments pursuant to Section 163.3187(1)(a), F.S.;

(b) No change.

~~(c) Pursuant to Section 163.3177(12)(j), F.S., amendments which increase residential density may not be adopted if the local government has failed to adopt the public school facility element and enter into an approved interlocal agreement by December 1, 2008;~~

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

~~(e)(f)~~ Pursuant to Section 163.3191(10), F.S., no amendment may be adopted if the local government has failed to timely adopt and transmit the evaluation and appraisal report-based amendments ~~after July 1, 2006;~~ and

(g) If local governments are prohibited from amending the comprehensive plan pursuant to paragraphs 9J-11.009(8)(a) through ~~(e)(f)~~, F.A.C., then during the time period of the prohibition, amendments will not be processed by the Department, and will be returned to the local government. In order to secure review thereafter, the local government may readopt and resubmit the amendments in accordance with the requirements of Sections 163.3184, 163.3187, and 163.3189, F.S.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3167(2), (3), 163.3175(2), 163.3177(3), (6), (9), (12), 163.3184(2), (3), (4), (5), (6), 163.3187(6), 163.3191 FS. History–New 9-22-87, Amended 11-10-93, 11-6-96, 4-8-99, 1-8-01, 11-24-02, 6-30-05, 4-17-06, \_\_\_\_\_.

9J-11.011 Local Government Adoption of the Comprehensive Plan or Plan Amendment and Submittal for the Compliance Review.

(1) through (5)(a)5.e. No change.

f. If package contains a future land use map amendment adopted after December 1, 2011 2007, a statement indicating the date that the annual capital improvement element update has been adopted and submitted along with the summary of de minimis impact records.

6. through (b)1. No change.

2. In the case of a future land use map plan amendment, the adopted future land use map in color format reflecting the changes made when adopted. The map amendments shall be submitted on maps that indicate the ordinance number and date of each amendment update. Also, it is not mandatory that completely reprinted future conditions maps be provided unless major, jurisdiction-wide changes are made. Appropriately labeled and cross-referenced maps may be acceptable;

3. through 5. No change.

~~6. Copies of the comprehensive plan pages that contain the newly adopted comprehensive plan amendments replacing the existing comprehensive plan pages in a manner that will update the plan and incorporate all plan amendments. To avoid reprinting all pages in the plan, it is permissible to number pages that contain additions or deletions to be inserted in the plan with the appropriate page number followed by decimals or~~

~~some other equivalent sub-numbering system. These pages shall include the amendment ordinance number and adoption dates.~~

~~7. A new cumulative table of contents that includes all comprehensive plan amendments shall be submitted with each plan amendment package, and it shall indicate the revision date and ordinance numbers. The table of contents page(s) shall include the most recent amendment date.~~

(6) through (8)(a) No change.

(b) If the amendment is adopted to meet the annual update of the schedule or to eliminate, defer, or delay the construction for any facility listed in the 5-year schedule pursuant to Section 163.3177(3)(b), F.S., the local government must submit a copy of the executed ordinance, the amendment in strike thru and underline format, and a summary of the transportation concurrency de minimis impact records pursuant to Section 163.3180(6), F.S. The schedule must identify each year in fiscal year format. In the event local government does not grant exceptions for de minimis impact, an information statement indicating no records were included in the transmittal package must be submitted.

(9) through (10) No change.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3167(3), 163.3175(4), 163.3177(3), (9), 163.3184(1)(b), (2), (6), (7), (15), (16), 163.3187(1), 163.3189, 163.3191, 380.06(6) FS. History–New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, 1-8-01, 11-24-02, 6-30-05, 4-17-06,\_\_\_\_\_.

9J-11.012 Compliance Review and Notice of Intent.

(1) through (a) No change.

(b) In compliance or not in compliance within 45 calendar days after receipt of the complete adopted amendment, unless the amendment is the result of a compliance agreement entered into pursuant to Section 163.3184(16), F.S., in which case the time period for review and determination is 30 calendar days. The review period shall run from the determination of completeness pursuant to subsection 9J-11.012(1), F.A.C. If the Department did not, and was not, requested to review the proposed plan or plan amendment, the Department’s review must be based solely on the adopted plan or plan amendment.

(2) through (5) No change.

(6) If a Notice of Intent is issued to find the adopted plan or amendment not in compliance, the Department will forward a copy of the Notice of Intent to the Division of Administrative Hearings, Department of Management Services, requesting a hearing. During the review period provided in subsection 9J-11.012(1), F.A.C., the Department shall issue a written Statement of Intent describing how each portion of a comprehensive plan or plan amendment alleged to be not in compliance is not consistent with one or more provisions of Section 163.3177, F.S., ~~when local government adopts an educational facilities element~~, Sections 163.3178, 163.3180, 163.3191, and 163.3245, F.S., the state comprehensive plan,

the appropriate strategic regional policy plan, or Chapter 9J-5, F.A.C., and a statement of remedial actions that the local government may complete in order to bring the plan into compliance. A copy of the Statement of Intent shall be mailed to the local government and to persons who requested a copy of the Notice of Intent. The Department shall file a petition requesting an administrative hearing and relief with the Division of Administrative Hearings. The petition shall incorporate the issues contained in the Statement of Intent, and the Statement of Intent and the Notice of Intent shall be filed with the petition. The administrative law judge shall submit the recommended order to the Administration Commission for final agency action.

(7) through (g) No change.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3177(9), 163.3184(8), (9), (10) FS. History–New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 7-21-97, 4-8-99, 1-8-01, 11-24-02, 4-17-06,\_\_\_\_\_.

9J-11.015 Submittal Requirements for Adopted Amendments that Are Exempt from State and Regional Review.

(1) through (a)4.f. No change.

(b) The adopted amendment package shall include:

1. One copy of the future land use map in color format depicting the newly adopted land use designation and the boundaries and location of the subject property in relationship to the surrounding street and thoroughfare network;

2. through 4. No change.

5. A completed copy of Form RPM-BSP-Exempt Review, Form No. RPM-BSP-Exempt-1, effective 4-17-06, incorporated by reference with the amendment. Copies of Form RPM-BSP-Exempt Review may be obtained from the Department of Community Affairs, Division of Community Planning, Plan Processing Team and from the Department’s web site.

(2) No change.

Rulemaking Specific Authority 163.3177(9) FS. Law Implemented 163.3184(17), (18), 163.3187, 163.3246(9)(a) FS. History–New 11-10-93, Amended 11-6-96, 4-8-99, 6-30-05, 4-17-06,\_\_\_\_\_.

9J-11.019 Action to Require Local Government to Submit Land Development Regulations for Review.

(1) No change.

(2) The Department shall consider that reasonable grounds exist only if the ~~Chief, Bureau of Local Planning~~, Department of Community Affairs, Division of Community Planning, has received a letter stating facts which show that the local government has completely failed to adopt one or more of the regulations required by Section 163.3202(2), F.S., within one year after submission of its revised comprehensive plan for review pursuant to Section 163.3167(2), F.S., or if the Department has received a letter stating facts which show that

the local government has totally failed to adopt one or more of the regulations required by Section 163.3202, F.S. The letter shall include the name, address, telephone number and signature of the sender and shall provide any relevant background documentation and specific reasons for the assertion that the required regulations have not been adopted.

(3) If the Department has reasonable grounds to believe that a local government has completely failed to adopt one or more of the land development regulations required by Section 163.3202, F.S., the Department shall mail a certified letter, return receipt requested, to the chief local elected official requiring the local government to transmit two copies of whatever land development regulations have been adopted, including regulations of other agencies if incorporated into the local government’s development approval system, to the ~~Chief, Bureau of Local Planning,~~ Department of Community Affairs, Division of Community Planning ~~and Management~~, within 30 calendar days from receipt of the letter from the Department. The land development regulations submitted must include copies of any separate adopting or enabling legislation. All copies of regulations and legislation must be certified as true and correct copies of the originals by the city or county clerk.

(4) If the local government has not adopted the required land development regulations, it shall send a letter to the ~~Chief, Bureau of Local Planning,~~ Department of Community Affairs, Division of Community Planning ~~and Management~~, within 30 calendar days from receipt of the letter from the Department indicating that the regulations have not been adopted. The letter shall state what actions the local government has already taken to develop and adopt the required regulations and shall include a schedule approved by formal action of the local governing body for adoption of the regulations. The schedule must provide for the adoption of the required regulations within 120 calendar days from receipt of the Department’s initial letter requesting copies of the regulations unless the Department agrees to refrain from taking further action for an additional period of time during the 120 day period. If the local government requests that the Department refrain from taking further action, the Department will respond to that request within 14 calendar days of receipt of the request. The Department shall not agree to refrain from taking further action for an additional period of time unless there is substantial evidence that the local government is unable to adopt the regulations within the 120 day period.

(5) No change.

Rulemaking Specific Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History–New 11-6-96, Amended 4-8-99, 11-24-02, \_\_\_\_\_.

9J-11.021 Action if Local Government Has Failed to Adopt the Required Land Development Regulations.

(1) through (2) No change.

(3) The local government shall have 90 calendar days from receipt of the Department’s notification letter to adopt the required regulations, unless the Department agrees to refrain from taking further action for an additional period of time during the 90 day period. If the local government requests that the Department agree to refrain from taking further action for an additional period of time, the Department will respond to that request within 14 calendar days of receipt of the request. Every request that the Department refrain from taking further action must include a schedule approved by formal action of the local government that provides for the adoption of the required regulations during the extension period. The Department shall not agree to refrain from taking further action for an additional period of time unless there is substantial evidence that the local government is unable to adopt the regulations within the 90 day period. Upon adoption, the local government shall submit two copies of the required regulations, including copies of any separate adopting or enabling legislation, to the ~~Chief, Bureau of Local Planning,~~ Department of Community Affairs, Division of Community Planning. All copies of regulations and legislation must be certified as true and correct copies of the originals by the city or county clerk.

(4) through (6) No change.

Rulemaking Specific Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History–New 11-6-96, Amended 4-8-99, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

RULE NO.:	RULE TITLE:
12-19.005	Confidentiality of Reports; Disclosure of Information

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-19.005, F.A.C. (Confidentiality of Reports; Disclosure of Information), is to: (1) clarify that when the Department receives a written request for a report of large currency transactions from a federal, state, or local law enforcement agency or a prosecutorial agency, the Office of Financial Regulation, or the Department of Financial Services, the Department is authorized to provide the report, or the information contained within it, to the requesting agency; (2) update the information on where these agencies may submit a written request for reports of large currency transactions that are filed with the Department; and (3) removes the provision regarding the access to reports of large currency transactions by agents or employees of the Department that is redundant of subsection 12-22.003(1), F.A.C.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the clarification regarding the confidentiality of reports of large currency transactions that are filed with the Department.

RULEMAKING AUTHORITY: 896.102(3) FS.

LAW IMPLEMENTED: 213.053(9), 250.535(1)(e), 896.102 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: February 2, 2010, 9:00 a.m.

PLACE: Room 118, Carton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET site at: [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.:	RULE TITLE:
12D-7.020	Real Property Dedicated in Perpetuity for Conservation

PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule Development is to inform the public that the Department is developing a new rule for an exemption for real property dedicated in perpetuity for conservation. Chapter 2009-157, Laws of Florida (House Bill 7157), provided for the exemption starting January 1, 2010. This rule will address the subject matter of Rule 12DER09-16, Exemption for Real Property Dedicated in Perpetuity for Conservation, the rule that implemented the legislation beginning 2010. Such emergency rules are renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules. The effect of these actions is to inform property owners the qualifications and requirements for receive the exemption for land dedicated in perpetuity.

SUBJECT AREA TO BE ADDRESSED: The subject area that will be addressed is the exemptions for real property dedicated in perpetuity for conservation purposes. Rule text will be posted on or about January 25, 2010 on the Department's website at <http://dor.myflorida.com/dor/property/legislation/>. The Department encourages interested parties to submit written comments or other material that might assist the Department to [DORPTO@dor.state.fl.us](mailto:DORPTO@dor.state.fl.us).

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 196.011, 196.26, 704.06 FS.

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

DATE AND TIME: February 15, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)922-7945. 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: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). Copies of these rules will also be posted by the Department on its Internet site at <http://dor.myflorida.com/dor/property/legislation/>

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

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**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.:	RULE TITLE:
12D-16.002	Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed revisions to this rule is to list and adopt the proposed new and amended forms that will support the new exemption for dedicated conservation property and the classification for property subject to conservation easement. This rule will address the subject matter of Rule 12DER09-16, Exemption for Real Property Dedicated in Perpetuity for Conservation. Such emergency rules may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules.

SUBJECT AREA TO BE ADDRESSED: The subject area that will be addressed is application forms for the exemptions for real property dedicated in perpetuity for conservation purposes and application forms for property classified as conservation easement property. Rule text will be posted on or about January 25, 2010 on the Department's website at <http://dor.myflorida.com/dor/property/legislation/>. The Department encourages interested parties to submit written comments or other material that might assist the Department to [DORPTO@dor.state.fl.us](mailto:DORPTO@dor.state.fl.us).

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.  
 LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.253, 197.304, 197.3041, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS.

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

DATE AND TIME: February 15, 2010, 9:00 a.m.  
 PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)922-7945. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us. Copies of these rules will also be posted by the Department on its Internet site at <http://dor.myflorida.com/dor/property/legislation/>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Oversight Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

Form Number	Title	Effective Date
(2) through (13)(a)	No change.	
(b) DR-418C	<u>Real Property Dedicated in Perpetuity for Conservation Purposes Exemption Application (n. 12/09)</u>	_____
(c) DR-418CR	<u>Real Property Dedicated in Perpetuity for Conservation Exemption Renewal (n. 12/09)</u>	_____

(d)(b) DR-418E	Enterprose Zone Ad Valorem Property Tax Exemption-Child Care Facility Application For Exemption Certification (n. 12/99)	1/00
(14) through (22)	No change.	
(23)(a) DR-482	Application and Return for Agricultural Classification of Lands (r. 12/00)	1/01
(b) DR-482C	<u>Land Used for Conservation Assessment Application (n. 12/09)</u>	_____
(c) DR-482 CR	<u>Land Used for Conservation Assessment Reapplication (n. 12/09)</u>	_____
(d) DR-482HW	Application and Return for High-Water Recharge Classification of Lands (n. 12/99)	1/00
(e)(b) DR-482HP	Application and Return for Classification/Exemption of Property as Historic Property Used for Commercial or Certain Nonprofit Purposes (r. 12/04)	12/04
(f)(e) DR-483	Request for Extension of the time for Completion of Assessment Roll(s) (r. 08/97)	08/89
(24) through (61)(b)	No change.	

Rulemaking Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.253, 197.304, 197.3041, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS. History–New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07, \_\_\_\_\_.

**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 Cost Management and Control**

RULE NOS.:	RULE TITLES:
59B-16.001	Definitions
59B-16.002	Universal Patient Authorization Forms

59B-16.003 Rebuttable Presumption and Immunity from Civil Liability

**PURPOSE AND EFFECT:** The proposed rule development will establish universal patient authorization forms in both paper and electronic formats which may be used by a health care provider to document patient permission for the disclosure and use, in any form or medium, of an identifiable health record. The universal patient authorization forms must be accepted by a provider as valid authorization to release an identifiable health record if the form is completed according to the instructions accompanying the form. The proposed rule development will incorporate by reference a universal patient authorization form for the purpose of treatment and quality of care and a universal patient form that may be used for treatment or certain non-treatment purposes.

**SUBJECT AREA TO BE ADDRESSED:** The agency is proposing a rule development that will establish new Rules 59B-16.001 and 59B-16.003, F.A.C., providing for the incorporation by reference of the Universal Patient Authorization Form for Full Health Information Disclosure in Treatment and Quality of Care form, the Universal Patient Authorization for Limited Disclosure of Health Information and accompanying instructions. The rules provide instructions for the completion of the form that must be met to create the rebuttable presumption that the release of identifiable health record was appropriate.

**RULEMAKING AUTHORITY:** 408.15(8) FS.

**LAW IMPLEMENTED:** 408.051(4) FS.

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

**DATE AND TIME:** February 5, 2010, 10:00 a.m.

**PLACE:** Agency for Health Care Administration, Building 3, First Floor Conference Rooms A, 2727 Mahan Drive, Tallahassee, Florida 32308

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: Carolyn H. Turner at (850)922-5861. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Carolyn H. Turner, Florida Center for Health Information and Policy Analysis, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

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

59B-16.001 Definitions.

As used in Rules 59B-16.001 through 59B-16.003, F.A.C.:

(1) "Health care provider" means any other person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(2) "Electronic format" means a form as provided in 59B-16.002 that is completed, signed electronically and transmitted electronically to the health care provider if the signature is validated by the provider or third party on behalf of the provider through an authentication process consistent with national standards recognized by the Office of the National Coordinator for Health Information Technology.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History--New \_\_\_\_\_.

59B-16.002 Universal Patient Authorization Forms

(1) The Universal Patient Authorization for Full Information Disclosure in Treatment and Quality of Care form including instructions for completing the form is posted at: www.FHIN.net. The Universal Patient Authorization for Full Information Disclosure in Treatment and Quality of Care form dated 1.1.10 is incorporated by reference as AHCA Form FC4200-004.

(2) The Universal Patient Authorization for Limited Disclosure of Health Information form including instructions for completing the form is posted at: www.FHIN.net. The Universal Patient Authorization for Limited Disclosure of Health Information form dated 1.1.10 is incorporated by reference as AHCA Form FC4200-005.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History--New \_\_\_\_\_.

59B-16.003 Rebuttable Presumption and Immunity from Civil Liability

(1) The exchange by a health care provider of an identifiable health record upon receipt of a form in either paper or electronic format completed and submitted in accordance with agency instructions as provided in Rule 59B-16.002, F.A.C. creates a rebuttable presumption that the release of the identifiable health record was appropriate.

(2) A health care provider that discloses or uses an identifiable health record in reliance on the information provided to the health care provider on a properly completed authorization form that may be on paper or in an electronic format does not violate any right of confidentiality and is immune from civil liability for accessing or releasing an identifiable health record.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History--New \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need**

**RULE NO.** 59C-1.0355 **RULE TITLE:** Hospice Programs



**PURPOSE AND EFFECT:** Proposed rule updated to reflect changes to the hospice rule as currently defined in Title 59C, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** Changes are to the dates of material incorporated by reference in the rule as adopted July 21, 2009, and the clarification of the website of the publications.

**RULEMAKING AUTHORITY:** 408.034(3), (5), 408.15(8) FS.

**LAW IMPLEMENTED:** 408.034(3), 408.035, 408.036(1)(d), 408.043(2), 400.606(4), (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:** Calvin J. Vice, Sr., PhD, Certificate of Need, (850)488-8672

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
60BB-8.210	Reenrollment for Good Cause and Extreme Hardship in the Voluntary Prekindergarten Education Program
60BB-8.700	Low-Performing Provider; Voluntary Prekindergarten Improvement Plan and Implementation
60BB-8.701	Low-Performing Provider; Voluntary Prekindergarten Education Program First Year Probation
60BB-8.702	Low-Performing Provider; Voluntary Prekindergarten Education Program Second Year Probation
60BB-8.703	Low-Performing Provider; Removal From Voluntary Prekindergarten Education Program Eligibility

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to implement the Agency's authority to administer the Voluntary Prekindergarten Education (VPK) Program by establishing a procedure by which VPK providers who fail to achieve minimum kindergarten readiness rates comply with Section 1002.67, F.S., and for reenrollment of VPK students.

**SUBJECT AREA TO BE ADDRESSED:** The Low Performing Provider rules establish procedures governing administration of the VPK Program by early learning coalitions and school districts for approving improvement

plans, for placing providers on probation and requiring corrective actions, and for removing providers from eligibility to deliver the program. The rule regarding reenrollment establishes criteria for determining whether a student has substantially completed the VPK Program and whether a good cause or extreme hardship exists.

**RULEMAKING AUTHORITY:** 1002.71(4), 1002.75(2)(i), 1002.79(2) FS.

**LAW IMPLEMENTED:** 1002.67(3)(c), 1002.71(4), 1002.75(3)(a)-(c) FS.

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

**DATES AND TIMES:**

1. January 22, 2010, 1:00 p.m. – 5:00 p.m. or until business is concluded.
2. January 25, 2010, 9:00 a.m. – 1:00 p.m. or until business is concluded.

**PLACE:** Agency for Workforce Innovation, 107 E. Madison St., Tallahassee, Florida 32399-4128 and via WebEx which may be accessed at [http://www.floridajobs.org/earlylearning/oel\\_state\\_fed.html#proposedrules](http://www.floridajobs.org/earlylearning/oel_state_fed.html#proposedrules)

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: Audrey Gaten at (850)245-7160. 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:** Kristin R. Harden, Assistant General Counsel, 107 E. Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ONLINE AT THE WEBSITE:** [http://www.floridajobs.org/earlylearning/oel\\_state\\_fed.html#proposedrules](http://www.floridajobs.org/earlylearning/oel_state_fed.html#proposedrules)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
61C-8.004	Program Requirements

**PURPOSE AND EFFECT:** The proposed rule development will update the rules to reflect changes made to Chapter 509, F.S., by Chapter 2009-195, Laws of Florida. The proposed rules will update the Hospitality Education Program grants administered by the program and school-to-career grant forms.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule development will address changes to the Hospitality Education Program grants made by Chapter 2009-195, Laws of Florida.

RULEMAKING AUTHORITY: 509.032, 509.302 FS.  
 LAW IMPLEMENTED: 509.302 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: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NOS.:	RULE TITLES:
64B5-2.0126	Conduct at Examination Site
64B5-2.013	Dental Examination Requirements and Grading

PURPOSE AND EFFECT: To clarify and update language.  
 SUBJECT AREA TO BE ADDRESSED: Clarified and updated language.  
 RULEMAKING AUTHORITY: 456.004(5), 466.004(4) FS.  
 LAW IMPLEMENTED: 456.017(1)(d), 456.079 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 Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NOS.:	RULE TITLES:
64B5-16.005	Remediable Tasks Delegable to Dental Assistants
64B5-16.006	Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: To clarify and update language.  
 SUBJECT AREA TO BE ADDRESSED: Clarified and updated language.

RULEMAKING AUTHORITY: 466.004, 466.004(4), 466.023, 466.024, 466.024(3) FS.

LAW IMPLEMENTED: 466.023, 466.024 FS.

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

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

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

**DEPARTMENT OF HEALTH**

**Office of Statewide Research**

RULE NO.:	RULE TITLE:
64H-1.002	Biomedical Research Grant Applications

PURPOSE AND EFFECT: The purpose of this rule is to provide information to apply for a Biomedical Research Grant, pursuant to the provisions of Sections 215.5602 and 381.922, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Biomedical Research Grant Applications.

RULEMAKING AUTHORITY: 215.5602(9) FS.

LAW IMPLEMENTED: 215.5602(5), 381.922(3)(a) FS.

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

DATE AND TIME: Tuesday, January 26, 2010, 9:30 a.m. – 10:30 a.m. (EST)

PLACE: Department of Health, 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sylvia McDaniel, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way,

Mail Bin #A24, Tallahassee, FL 32399, (850)245-4585. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sylvia McDaniel, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin #A24, Tallahassee, FL 32399, (850)245-4585

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64H-1.002 Biomedical Research Grant Applications.

(1) Grant Applications.

(a) The Florida Department of Health (Department) will accept grant applications for research initiatives into the prevention, diagnosis, treatment, and cure of tobacco-related diseases to be funded by the James and Esther King Biomedical Research Program (Program) and for research initiatives into the prevention, diagnosis, treatment, and cure of cancer to be funded by the Bankhead-Coley Cancer Research Program (Program) in response to Calls for Grant Applications (Calls).

(b) The Calls will be announced and available at the Program's website (www.floridabiomed.com) and applications will be submitted through a web-based electronic system in a format determined by the Department.

(c) The Department may modify the format and content requirements for the Calls at any time. Notice of the modification will be announced at the Program's website.

(d) Applicants shall not initiate contact with Biomedical Research Advisory Council members regarding the status, substance, or preparation of a grant application.

(2) Advisory Council.

(a) Biomedical Research Advisory Council members are prohibited from attempting to use their council position to influence a decision to approve or award a grant or contract to the council member's employer or any other entity in which the council member has an interest.

(b) Biomedical Research Advisory Council members will report conflicts of interest in writing to the Program Administrator and will recuse himself or herself from the Council's deliberations and actions on the matter and shall not participate in the Council's decision on the matter.

(c) Nothing in this rule prohibits the Department or the Biomedical Research Advisory Council from adopting additional standards and reporting requirements relating to prohibited conflicts of interest that may be more rigorous than set forth in Florida Statute. Council members must comply with additional standards upon adoption.

(3) Peer Review Process.

(a) The Department will endeavor to ensure that projects representing the best science are funded. This will be accomplished through a rigorous scientific peer review process of grant applications in coordination with the Biomedical Research Advisory Council and the State Surgeon General.

(b) Scientific peer reviewers will be located outside of Florida, must disclose all conflicts of interest, and will receive an honorarium.

(c) In addition to scientific merit scores, peer reviewers will assign a tobacco-relatedness score for the James and Esther King Biomedical Research Program and a cancer-relatedness score the Bankhead-Coley Cancer Research Program. To the extent possible, priority for funding grant applications will be given to proposals with better relatedness scores.

(4) Grant Terms and Conditions.

(a) Grant recipients must sign a Grant Terms and Conditions document. A sample document is included with each Call.

(b) Grant recipients are under a continuing obligation to notify the Program of any adverse conditions that materially impact milestones and objectives included in the research proposal and Grant Terms and Conditions.

(c) Grant funds may not be used for purposes other than those for which the grant was awarded.

(5) Termination of Grants.

(a) The Program may terminate grants prior to the expiration of the terms and conditions.

(b) The Program will notify the grant recipient in writing of the intent to terminate funding.

Rulemaking Authority 215.5602(9) FS. Law Implemented 215.5602(5), 381.922(3)(a) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-1.303 Assets

PURPOSE AND EFFECT: The proposed rule amendment amends the vehicle language and includes some wording changes and technical changes of a non-substantive nature.

SUBJECT AREA TO BE ADDRESSED: Vehicle asset policy for the Food Stamp and Cash Assistance Programs.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 409.903, 409.904, 414.075 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: January 26, 2010, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, cindy\_keil@dcf.state.fl.us, (850)410-3291

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-9.002  
 RULE TITLE: Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes

PURPOSE AND EFFECT: The purpose of the proposed rule change is to allow volunteers of the Commission to take fish and wildlife under an approved volunteer program according to conditions specified for the program. The effect will be to facilitate use of volunteers in the Commission’s conservation efforts while reducing the workload of permitting staff.

SUBJECT AREA TO BE ADDRESSED: Authorization to take wildlife or freshwater fish for justifiable purposes.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: 68B-24.0055  
 RULE TITLE: Commercial Requirements; Appeals

PURPOSE AND EFFECT: The purpose of this rule development notice is to modify the Commission’s spiny lobster rule to extend the current moratorium on the issuance of new commercial dive lobster endorsements. The proposed extension of the expiration date of the moratorium on new commercial dive permits would be from July 1, 2010 until July 1, 2015.

SUBJECT AREA TO BE ADDRESSED: The subject areas covered by the rule development notice include the spiny lobster commercial harvest dive endorsement program.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: Mr. Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle E, Station 201, Tallahassee, Florida 32301, (850)487-0554

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.: 68B-44.002 68B-44.003  68B-44.004  68B-44.005  68B-44.006  68B-44.007  68B-44.008	RULE TITLES: Definitions Bag Limit Applicable to State Waters, Gear Restriction Practice of Finning Prohibited; Removal of Fins from Sharks Harvested in State Waters Prohibited; Compliance with Federal Requirements; Filleting Prohibited Commercial Harvest of Sharks: Federal Permit Required Commercial Season; Season Closure; Prohibition of Sale Size Limit Applicable to State Waters Prohibited Species; Prohibition of Harvest, Landing, and Sale
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PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes for sharks and rays in the 2010 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: The subject areas covered by the rule development notice include bag limits, recreational and commercial harvest and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: Mr. Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle E, Station 201, Tallahassee, Florida 32301, (850)487-0554

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-39.005	Minimum Curriculum Requirements for Firesafety Inspector Certification
69A-39.007	Procedures for Certification Examination
69A-39.009	Triennial Renewal of Firesafety Inspector Certification

PURPOSE AND EFFECT: To provide minimum curriculum requirements for Firesafety Inspector I, Firesafety Inspector II, Fire Code Administrator, and Special Fire Safety Inspector Certification, procedures for certification examinations, and procedures for triennial renewal.

SUBJECT AREA TO BE ADDRESSED: Firesafety inspection.

RULEMAKING AUTHORITY: 633.01, 633.081 FS.

LAW IMPLEMENTED: 633.081(2), (3), (4) FS.

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

DATE AND TIME: Thursday, January 21, 2010, 10:00 a.m., or as soon thereafter as the Florida Fire Standards and Training Council meeting is adjourned

PLACE: Ocean Center in Daytona Beach, 101 North Atlantic Ave., Daytona Beach, FL 32118

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: Charles Brush, Safety Program Manager, Bureau of Fire Standards and Training, Division of State Fire Marshal. phone: (352)369-2836. 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: See above

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NOS.:	RULE TITLES:
69B-231.030	Definitions
69B-231.080	Penalties for Violation of Section 626.611
69B-231.100	Penalties for Violation of Subsection 626.9541(1)
69B-231.110	Penalties for Violation of Other Specific Provisions of the Florida Insurance Code
69B-231.160	Aggravating/Mitigating Factors

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

SUBJECT AREA TO BE ADDRESSED: Penalty Guidelines for Insurance Representatives.

RULEMAKING AUTHORITY: 624.308, 626.207(2), 627.4554(9) FS.

LAW IMPLEMENTED: 624.307(1), 626.308, 626.207(2), 626.611, 626.621, 626.631, 626.641, 626.681, 626.691, 626.9541, 626.9541(1), 627.4554, 631.155 FS.

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

DATE AND TIME: Thursday, January 28, 2010, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathy Spencer, (850)413-5644 or by email: Kathy.Spencer@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathy Spencer, Division of Agent & Agency Services, Department of Financial Services, 200 E. Gaines Street, 412 Larson Building, Tallahassee, FL 32399-0319, (850)413-5644

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

**Section II  
Proposed Rules**

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

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

**EXECUTIVE OFFICE OF THE GOVERNOR**

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

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
27M-4.001	Definitions and Forms
27M-4.002	Competitive Application for Selection as Loan Administrator
27M-4.003	Certification Decision

**PURPOSE AND EFFECT:** To formalize the emergency rules used to implement the Economic Gardening Business Loan Pilot Program

**SUMMARY:** The rule established a competitive application process for loan administrator for the Pilot Program and governed the contract for that 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.

**RULEMAKING AUTHORITY:** 288.1081 FS.

**LAW IMPLEMENTED:** 288.1081 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: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, (850)487-2568, michelle.dennard@myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

27M-4.001 Definitions and Forms.

As used in Emergency Rules 27M-4.001, 27M-4.002, and 27M-4.003, F.A.C., the following capitalized terms have the meanings indicated. All referenced forms are available on the internet at <http://www.flgov.com/otted> home or may be obtained from the Office.

(1) "Act" means the Economic Gardening Business Loan Pilot Program, Section 288.1081, F.S.

(2) "Agreement" means the standard "Economic Gardening Business Loan Administrator Agreement" form OTTED 8102-4 (3/09), which is hereby incorporated by reference.

(3) "Applicant" means a corporation that seeks selection under Section 288.1081, F.S., as a Recipient of funds to provide loans pursuant to the Act.

(4) "Application" means the standard "Application for Selection as Loan Administrator under the Economic Gardening Business Loan Pilot Program" form OTTED 8102-1 (3/09), which is hereby incorporated by reference.

(5) "Application Evaluation Form" means the standard "Economic Gardening Loan Pilot Program Application Evaluation" form OTTED 8102-2 (3/09), which is hereby incorporated by reference.

(6) "Application Period" means the period during which Applicants submit Applications, which shall be received by the Office between May 18 through June 5 (or the next business day) of each year in which there is a legislative appropriation to fund the Program.

(7) "Eligible" means that an Applicant has demonstrated they be a Florida Corporation not-for-profit incorporated under Chapter 617, F.S., which has its principal place of business in Florida, have five years of verifiable experience of lending to businesses in Florida and have satisfied of each of the requirements specified in Section 288.1081, F.S.

(8) "Loan Administrator" means an Applicant that, after a competitive selection process, the Office selects to receive Program funds and that executes an Agreement with the Office.

(9) "Office" means the Office of Tourism, Trade and Economic Development, whose address is Suite 1902, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399-0001.

(10) "Program" means the Economic Gardening Business Loan Pilot Program established by Section 288.1081, F.S.

(11) "Review Committee" means a committee of no more than eight (8) individuals selected by the Office which includes representation from the finance and lending community, Enterprise Florida, and the business community or a representative of the business community.

(12) “Summary Ranking and Recommendation Form” means standard “Economic Gardening Business Loan Pilot Program Summary Ranking and Recommendation Form” form OTTED 8102-3 (3/09), which is hereby incorporated by reference.

Rulemaking Authority 288.1081(7) FS. Law Implemented 288.1081 FS. History–New \_\_\_\_\_.

27M-4.002 Competitive Application for Selection as Loan Administrator.

(1) An Applicant shall submit the original and three copies of its completed Application to the Office during the Application Period.

(2) The Office shall date and time stamp all Applications upon receipt, and thereafter take reasonable steps to preserve the integrity of the Application and any revisions.

(3) Upon the close of the Application Period, the Review Committee shall have ten (10) business days to review each Application for completeness and to notify any Applicant in writing if the Review Committee determines that its Application is incomplete. The Review Committee’s notice shall specify the reasons for its determination, and the Applicant shall have ten (10) business days after receipt of such notice to submit a revised Application to the Office. If the Applicant fails to submit a revised Application within the required time, the Review Committee shall notify the Applicant in writing that it is removed from further consideration.

(4) The Review Committee shall evaluate each complete Application and document its evaluation using the Application Evaluation Form. No officer, director, employee, or agent of any Applicant shall participate in the evaluation process.

(5) Within thirty (30) days after the close of the Application Period, the Review Committee shall deliver to the Office the completed Summary Ranking and Recommendation Form along with the original and one copy of each Application and its related Application Evaluation Form.

Rulemaking Authority 288.1081(7) FS. Law Implemented 288.1081 FS. History–New \_\_\_\_\_.

27M-4.003 Certification Decision.

(1) Within ten (10) business days after receiving the Summary Ranking and Recommendation Form and supporting materials, the Office shall notify the Applicant or Applicants has/have been selected by the Review Committee as the Loan Administrator.

(2) The Office shall issue a letter to each Applicant selected as a Loan Administrator. Receipt of Program funds shall be conditioned upon their appropriation and availability, and upon the Recipient’s execution of the Agreement. The Office shall notify in writing each Applicant whose Application is denied. The Office’s certification shall be subject to review under Chapter 120 of the Florida Statutes.

Rulemaking Authority 288.1081(7) FS. Law Implemented 288.1081 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, (850)487-2568, michelle.dennard@myflorida.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dale A. Brill, Ph.D.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 2009

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: 40B-400.046                      RULE TITLE: Formal Determinations

PURPOSE AND EFFECT: The purpose of the proposed rule is to update this section of Chapter 40B-400, Florida Administrative Code (F.A.C.), to revise the Petition for a Formal Wetland and Surfacewater Determination form, and address comments from the Joint Administrative Procedures Committee (JAPC).

SUMMARY: This proposed rule will revise the Petition for a Formal Wetland and Surfacewater Determination form, and incorporate the form within the corresponding rule. In addition, the rule language will be amended to reflect comments received from JAPC.

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

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 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: Linda Welch, Rules Coordinator, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-400.046 Formal Determinations.

(1) through (7)(c) No change.

(8) Pursuant to Section 373.421(4), F.S., the Governing Board shall ~~may~~ revoke the formal determination upon a finding that the petitioner has submitted inaccurate information to the District.

(9) Form 40B-400.046A: Petition for a Formal Wetland and Surfacewater Determination, effective DATE, is hereby incorporated by reference. This form is available at District headquarters and on the District's website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com).

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended 3-7-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 29, 2009

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.220 RULE TITLE: Podiatry Services

PURPOSE AND EFFECT: The proposed amendment to Rule 59G-4.220, F.A.C., incorporates by reference the revised Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2009. The amendment to Rule 59G-4.220, F.A.C., will permit the Agency to implement revisions to the Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2009.

SUMMARY: Rule 59G-4.220, F.A.C., is being amended to implement changes to the handbook that include changes in fiscal agent references; deleting text regarding locum tenens providers; adding definitions; clarifying policy particularly regarding place of services to mirror that of optometric services and creating a bulleted list for ease of reading; addressing mobile unit limitation; deleting language regarding Average Wholesale Price for injection medication; and discontinuing the use of all procedure codes and handbook text, unless doing so would not be possible.

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

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 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:

DATE AND TIME: Wednesday, February 3, 2010, 11:00 a.m. – 12:00 noon

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

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: Kathryn R. Stephens at the Bureau of Medicaid Services, (850)922-7314. 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: Kathryn R. Stephens, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)922-7314, e-mail: [stepheka@ahca.myflorida.com](mailto:stepheka@ahca.myflorida.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.220 Podiatry Services.

(1) No change.

(2) All podiatry services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January ~~2009~~ ~~2004~~, updated January 2005, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.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 (800)289-7799 and selecting Option 7.

Rulemaking Specific Authority 409.919 FS. Law Implemented ~~409.906~~ ~~409.905~~, 409.907, 409.908, 409.9081 FS. History—New 1-23-84, Amended 10-25-84, Formerly 10C-7.529, Amended 4-21-92, 11-9-92, 7-1-93, Formerly 10C-7.0529, 10P-4.220, Amended 1-7-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 8-18-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathryn R. Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold



DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 2008

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-14.004  
 RULE TITLE: Florida KidCare Dispute Review Process

**PURPOSE AND EFFECT:** The proposed amendment to Rule 59G-14.004, F.A.C., incorporates a statutory provision requiring a request for a dispute review and continuation of coverage to be filed within ten (10) working days, as opposed to calendar days, of notification of adverse action. This will permit the enrollee to continue receiving the same category of coverage or services during the course of the dispute review determination process and will give families additional time to address adverse actions affecting program eligibility.

**SUMMARY:** Rule 59G-14.004, F.A.C., is being amended to change the time period for requesting the dispute review and continuation of coverage regarding notification of adverse action and to enable the enrollee to continue to receive the same category of coverage or services during this process.

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

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

**RULEMAKING AUTHORITY:** 409.818(3)(f) FS.

**LAW IMPLEMENTED:** 409.814(10) 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:** Tuesday, February 9, 2010, 3:00 p.m. – 5:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Angela Wiggins at the Bureau of Medicaid Services, (850)922-7313. 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:** Angela Wiggins, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: wigginsa@ahca.myflorida.com

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

59G-14.004 Florida Kidcare Dispute Review Process.

(1) through (3) No change

(4) The Florida Kidcare Dispute Review Process is comprised of four review levels addressing the denial of eligibility, failure to make a timely determination of eligibility and suspension or termination of enrollment, including disenrollment for failure to pay the family premium. The Florida Healthy Kids Corporation shall provide information regarding the dispute review process in correspondence to families, making them aware of the existence and availability of the Florida Kidcare Dispute Review Process.

(a) through (d) No change

(e) If the complainant requests continuation of enrollment pending the completion of the review, the Florida Healthy Kids Corporation Dispute Resolution staff shall take the following steps:

1. Determine whether the complainant requested the continuation of enrollment within ten (10) working calendar days of the date of the letter indicating the suspension or termination of his or her child(ren)'s enrollment.

2. If the request was not made within ten (10) working calendar days of the date of the letter the complainant received informing him or her of suspension or termination of his or her children's enrollment, the Florida Healthy Kids Corporation Dispute Resolution staff shall inform the complainant in writing of the denial of continuation of enrollment.

3. If the request was made within ten (10) working calendar days of the date of the letter the complainant received informing him or her of suspension or termination of his or her child(ren)'s enrollment, the Florida Healthy Kids Corporation Dispute Resolution staff shall take the following action to ensure continuation of enrollment, if the child(ren) meets all other Florida Kidcare Program qualifications:

a. through b. No change.

(f) through (r) No change.

Rulemaking Specific Authority 409.818(3)(f) FS. Law Implemented 409.814(10) ~~818~~ FS. History--New 2-27-08, Amended \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Angela Wiggins

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Thomas W. Arnold

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 21, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** September 11, 2009

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.001  
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: To update the application for licensure to add additional questions for applicants.

SUMMARY: The amendment updates the application for licensure to accommodate new questions as a result of legislative changes in Section 456.0635, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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

RULEMAKING AUTHORITY: 456.013(5), (7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.034, 456.0635, 480.041, 480.042 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: Kaye Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.001 Examination Requirements.

(1) The Department shall issue a license to a person who:

(a) Pays to the Department the fee set out in subsection 64B7-27.002(1), F.A.C.;

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (Rev. 10/09 7/08). The form and the attached instructions are incorporated herein by reference and may be obtained from the Board Office at 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at [http://www.doh.state.fl.us/mqa/massage/ma\\_lic\\_req.html](http://www.doh.state.fl.us/mqa/massage/ma_lic_req.html);

(c) Completes a course of study at a massage school approved by the Board pursuant to Rule Chapter 64B7-32, F.A.C.; or completes an approved apprenticeship program in accordance with Rule Chapter 64B7-29, F.A.C.;

(d) Completes the HIV/AIDS course requirement in Rule 64B7-25.0012, F.A.C.;

(e) Passes a national examination approved by the Board;

(f) Completes a course relating to the prevention of medical errors as required by subsection 456.013(7), F.S.

(2) The Board approves the following examinations:

(a) National Certification Board for Therapeutic Massage and Bodywork Examination;

(b) National Certification Examination for Therapeutic Massage;

(c) National Exam for State Licensure option administered by the National Certification Board for Therapeutic Massage and Bodywork;

(d) The Massage and Bodywork Licensing Examination administered by the Federation of State Massage Therapy Boards.

Rulemaking Authority 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS. Law Implemented 456.013(7), 456.017(1)(c), 456.034, 456.0635, 480.041, 480.042 FS. History—New 11-27-79, Amended 9-2-80, 10-9-85, Formerly 21L-25.01, Amended 12-22-92, 3-24-93, 5-20-93, Formerly 21L-25.001, Amended 8-12-93, 6-28-94, 8-18-96, Formerly 61G11-25.001, Amended 5-20-98, 7-30-02, 3-31-08, 6-15-09, 9-6-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 16, 2009

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-31.001  
 RULE TITLE: Colon Hydrotherapy

PURPOSE AND EFFECT: To update terminology and to approve a national examination.

SUMMARY: The rule amendment approves a national examination and removes outdated language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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

RULEMAKING AUTHORITY: 456.036, 480.035(7), 480.041(4) FS.

LAW IMPLEMENTED: 456.036, 480.032, 480.033, 480.041(4) 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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-31.001 Colon Hydrotherapy Colonic Irrigation.

(1) Intent.

(a) The Board of Massage finds that the colon hydrotherapy colonic irrigation procedures, while falling directly within the scope of Chapter 480, Florida Statutes, presents a substantial danger to the public if performed by incompetent practitioners.

(b) The Board of Massage further finds that a significant proportion of licensees do not perform the colonic procedure and further that a significant proportion of those desiring to enter the profession do not intend to engage in the practice of colon hydrotherapy colonics.

(c) This rule is promulgated to ensure that only those who have been determined duly qualified to practice colon hydrotherapy colonic irrigation may do so in an effort to protect the health, safety and welfare of the public.

(2) Prior to the practice of colon hydrotherapy colonic irrigation, any licensed massage therapist, or apprentice shall be required to present certification to the Board of successful completion of examination by a Board approved massage school after completion of a supervised classroom course of study in colonic irrigation or in the case of a duly authorized apprenticeship training program, evidence of having completed 100 hours of colonic irrigation training, including a minimum of 45 hours of clinical practicum with a minimum of 20 treatments given.

(3) Prior to the practice of colonic irrigation, any licensed massage therapist, or apprentice shall be required to successfully complete and pass the National Board for Colon Hydrotherapy Examination (NBCHT) which is approved by the Board colonic irrigation examination administered by the Department of Health.

(4) Any licensed massage therapist whose license has been in an inactive or retired status for more than two consecutive biennial licensure cycles shall be required to successfully complete and pass the NBCHT colonic irrigation examination administered by the Department prior to resuming the practice of colonic irrigation.

(5) Any applicant for massage therapist licensure or licensed massage therapist, who in conjunction with previous massage therapist licensure was certified to practice colon hydrotherapy colonics, shall be required to successfully

complete and pass the NBCHT ~~colonics examination administered by the Department~~ prior to practicing colon hydrotherapy colonic irrigation.

Rulemaking Specific Authority 456.036, 480.035(7), 480.041(4) FS. Law Implemented 456.036, 480.032, 480.033, 480.041(4) FS. History—New 12-18-84, Formerly 21L-31.01, Amended 1-30-90, 2-13-91, Formerly 21L-31.001, 61G11-31.001, Amended 1-26-00, 5-5-04, 2-27-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2009

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-32.003  
 RULE TITLE: Minimum Requirements for Board Approved Massage Schools

PURPOSE AND EFFECT: To update the curriculum requirements for board-approved massage schools.

SUMMARY: The rule amendment provides for additional course requirements for Board-approved massage schools.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Kaye Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-32.003 Minimum Requirements for Board Approved Massage Schools of Massage Therapy Approval.

(1) In order to receive and maintain Board of Massage Therapy approval, a massage school, and any satellite location of a previously approved school, must:

(a) Meet the requirements of and be licensed by the Department of Education pursuant to Chapter 1005, F.S., or the equivalent licensing authority of another state or county, or be within the public school system of the State of Florida; and

(b) Offer a course of study that includes, at a minimum, the 500 classroom hours listed below, completed at the rate of no more than 6 classroom hours per day and no more than 30 classroom hours per calendar week:

Course of Study	Classroom Hours
Anatomy and Physiology	150
Basic Massage Theory and <u>History</u>	
<del>Clinical Practicum</del>	<u>100</u> <del>225</del>
<u>Clinical Practicum</u>	<u>125</u>
<del>Florida Statutes/Rules and History</del>	
<del>of Massage</del>	<del>40</del>
<del>Theory and Practice of Hydrotherapy</del>	<del>45</del>
Allied Modalities	<u>76</u> <del>97</del>
<u>Business</u>	<u>15</u>
<u>Theory and Practice of Hydrotherapy</u>	<u>15</u>
<u>Florida Laws and Rules</u>	<u>10</u>
<u>(Chapters 456 and 480, F.S. and</u>	
<u>Rule 64B7, F.A.C.)</u>	
<u>Professional Ethics</u>	<u>4</u>
HIV/AIDS Education	3
<u>Medical Errors</u>	<u>2</u>

(c) Apply directly to the Board of Massage Therapy and provide the following information:

1. Sample transcript and diploma;
2. Copy of curriculum, catalog or other course descriptions;
3. Faculty credentials; and
4. Proof of licensure by the Department of Education.

(2) All faculty members of the massage therapy school must meet the minimum requirements of the Department of Education.

(3) Board of Massage Therapy approval shall be withdrawn if the massage school:

(a) Modifies its curriculum to fall below the minimum standards set out in this rule, or fails to require its students to complete the minimum standards in order to graduate;

(b) Submits to the Board of Massage Therapy on behalf of an applicant for licensure documents containing information the school, through its owner, manager, instructors, or other employees or agents, knows to be false;

(c) Violates any standard applicable to the school pursuant to licensure by the Department of Education;

(d) Violates any applicable rule herein.

(4) A Board of Massage Therapy-approved school must notify the Board of Massage Therapy within 90 days of:

- (a) Changes in curriculum;

(b) Changes in faculty or staff, including submission of the credentials of new faculty; and

(c) Changes in address.

(5) Any change in ownership of a Board of Massage Therapy approved school must be approved by the Board of Massage Therapy.

Rulemaking Specific Authority 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS. History--New 3-25-86, Amended 8-15-89, 12-22-92, Formerly 21L-32.003, Amended 10-20-96, Formerly 61G11-32.003, Amended 8-16-98, 10-30-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

### 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."

#### **DEPARTMENT OF CORRECTIONS**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
33-401.701	Medical and Substance Abuse Clinical Files

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 9, March 6, 2009 issue of the Florida Administrative Weekly.

33-401.701 Medical and Substance Abuse Clinical Files.

(1) through (9) No change.

(10) Use and disclosure of protected health information.

(a) through (g) No change.

(h) In accordance with 45 C.F.R. § 164.502, a personal representative of a deceased inmate shall have access to or authorize the disclosure of the deceased inmate's protected health information that is relevant to the personal representative's legal authority to act on behalf of the deceased inmate or the deceased inmate's estate. To authorize the

disclosure of the deceased inmate's protected health information. A certified copy of a letter of administration or other document demonstrating the legal authority of the personal representative shall be filed in the inmate's medical file and Form DC4-711B, Consent and Authorization for Use and Disclosure Inspection and Release of Confidential Information must be signed by a personal representative. In accordance with 45 C.F.R. § 164.514(h)(1), the Department shall verify and document the authority of the personal representative to serve in that capacity.

(i) In accordance with 45 C.F.R. § 164.502, a personal representative of a living inmate shall have access to or authorize the disclosure of the inmate's protected health information that is relevant to the personal representative's legal authority to make health care decisions on behalf of the inmate. Form DC4-711B, Consent and Authorization for Use and Disclosure Inspection and Release of Confidential Information shall be signed by the inmate or the inmate's personal representative in accordance with Florida law. In accordance with 45 C.F.R. § 164.514(h)(1), the Department shall verify and document the authority of the personal representative to serve in that capacity. A copy of a health care surrogate form, durable power of attorney, or other document demonstrating the personal representative's authority shall be filed in the inmate's medical file.

(j) through (m) No change.

(11) through (12) No change.

Rulemaking Authority 944.09, 945.10 FS. Law Implemented 119.07, 395.3025, 944.09, 945.10, 945.25, 945.6034 FS. History—New\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:                      RULE TITLE:  
40D-8.624                      Guidance and Minimum Levels for  
  Lakes

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above proposed rule development, as noticed in Vol. 35, No. 51, December 24, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

RULE NOS.:                      RULE TITLES:  
59C-1.008                      Certificate of Need Application  
  Procedures  
59C-1.010                      Certificate of Need Application  
  Review Procedures  
59C-1.012                      Administrative Hearing Procedures  
59C-1.030                      Criteria Used in Evaluation of  
  Applications

**NOTICE OF CHANGE**

Notice is hereby given that the following changes in accordance with subparagraph 120.54(3)(d)1., F.S., have been made to the proposed rule published in Vol. 34, No. 48, November 26, 2008 issue of the Florida Administrative Weekly and subsequently amended by notices of change published in Vol. 35, No. 9, March 6, 2009 issue, in Vol. 35, No. 11, March 20, 2009 issue, in Vol. 35, No. 20 issue, and in Vol. 35, No. 23 issue of the Florida Administrative Weekly.

**59C-1.008 Certificate of Need Application Procedures.**

(1) Letters of Intent and applications subject to comparative review shall be accepted in two batching cycles annually each for hospital beds and facilities and for other beds and programs, as specified in paragraph (g) of this subsection. The category "hospital beds and facilities" includes proposals for new hospital facilities, replacement hospital facilities if being replaced more than a mile away, ~~acute care beds pursuant to Section 408.036(1)(g), F.S.~~, the establishment of new neonatal level II and level III programs unless otherwise exempt pursuant to Section 408.036(3)(~~l~~)(~~k~~), F.S., and comprehensive medical rehabilitation beds unless otherwise exempt pursuant to Section 408.036(3)(~~l~~)(~~i~~), F.S., and except as provided in Section 408.037(2), F.S., for a general hospital. Unless otherwise directed by 408.037(2), F.S., general hospital applications shall conform to the schedules in this rule and will use all the application and schedules described in paragraph (1)(f) usual application and financial forms described below as applicable. The category "other beds and programs" includes proposals for pediatric open heart surgery, pediatric cardiac catheterization, specialty burn units, organ transplantation, community nursing home projects, hospice programs, hospice inpatient facilities, and intermediate care facilities for the developmentally disabled.

(a) No change.

(b) The contents of the letter of intent shall be consistent with paragraph 408.039(2)(c), F.S., and must be a written communication with an original signature. The applicant is solely responsible for the content and clarity of the letter of intent. The agency shall not assume any facts not clearly stated. Applications should be submitted with one bound copy and one unbound print copy ~~copy printed and any duplicates in electronic media format (DVD).~~

(c) through (e) No change.

(f) Certificate of Need Application Submission. An application for a certificate of need shall be submitted on AHCA Forms 3150-0001, March 2009 Application for a Certificate of Need, ~~March 2009~~ or 3150-0003, March 2009 Transfer of a Certificate of Need, ~~March 2009~~, which includes a Cover Page, Cover Page-TRN Schedules A, B or B-TRN, C, D, D-1, 1 or 1-TRN, 2, 3, 4, 5, 6, 6A, 7, 7A, 7B, 8, 8A, 9, 10 or 10-TRN, 11, and 12-TRN, which are incorporated by reference herein. An application for a general hospital shall be submitted

on AHCA Form 3150-0002, March 2009 Application for a General Hospital Certificate of Need which includes Schedules 11, A(H), B(H), C, D(H) in addition to a Cover (H) Page, which are incorporated by reference herein. Paper copies or copies on electronic media of AHCA Forms 3150-0001, March 2009 Application for a Certificate of Need ~~March 2009~~; AHCA Form 3150-0002, March 2009 Application for a General Hospital Certificate of Need; or AHCA Form 3150-0003, March 2009 Transfer of a Certificate of Need, ~~March 2009~~ and the Schedules may be obtained from:

Agency for Health Care Administration;  
 Certificate of Need  
 2727 Mahan Drive, Building 1, Mail Stop 28  
 Tallahassee, FL 32308.

Electronic versions of AHCA Forms 3150-0001, 3150-0002 and 3150-0003 and the Schedules are also available at: [http://ahca.myflorida.com/MCHQ/CON\\_FA/Application/index.shtm](http://ahca.myflorida.com/MCHQ/CON_FA/Application/index.shtm).

1. The application must be actually received by the agency by 5:00 p.m. local time on or before the application due date.
2. Applications for projects which exceed the proposed number of beds contained in the letter of intent shall not be deemed complete for review by the agency and shall be withdrawn from further review.
3. Applications may propose a lesser number of beds than that contained in the letter of intent.
4. ~~Applications for a certificate of need for a general hospital must address criteria contained in subsections 408.035(2), F.S., and be submitted on AHCA Form 3150-0002, March 2009 Application For A General Hospital Certificate of Need.~~

(g) Applications Subject to Comparative Review – Batching Cycles. In order that applications pertaining to similar types of services or facilities affecting the same service district or subdistrict may be considered in relation to each other for purposes of comparative review, letters of intent and applications shall be received by the agency no later than dates prescribed in the following schedule:

<u>Hospital Beds and Facilities</u>	
<del>1st Batching Cycle – 2008</del>	
Summary Need Projections Published in F.A.W.	<del>1-25-08</del>
Letter of Intent Deadline	<del>2-11-08</del>
Application Deadline	<del>3-12-08</del>
Completeness Review Deadline	<del>3-19-08</del>
Application Omissions Deadline	<del>4-16-08</del>
Agency Initial Decision Deadline	<del>6-13-08</del>

<u>Hospital Beds and Facilities</u>	
<del>2nd Batching Cycle – 2008</del>	
Summary Need Projections Published in F.A.W.	<del>7-25-08</del>
Letter of Intent Deadline	<del>8-11-08</del>
Application Deadline	<del>9-10-08</del>

<del>Completeness Review Deadline</del>	<del>9-17-08</del>
<del>Application Omissions Deadline</del>	<del>10-15-08</del>
<del>Agency Initial Decision Deadline</del>	<del>12-12-08</del>

<u>Hospital Beds and Facilities</u>	
<del>1st Batching Cycle – 2009</del>	
Summary Need Projections Published in F.A.W.	<del>1-23-09</del>
Letter of Intent Deadline	<del>2-09-09</del>
Application Deadline	<del>3-11-09</del>
Completeness Review Deadline	<del>3-18-09</del>
Application Omissions Deadline	<del>4-15-09</del>
Agency Initial Decision Deadline	<del>6-12-09</del>

<u>Hospital Beds and Facilities</u>	
<del>2nd Batching Cycle – 2009</del>	
Summary Need Projections Published in F.A.W.	<del>7-24-09</del>
Letter of Intent Deadline	<del>8-10-09</del>
Application Deadline	<del>9-09-09</del>
Completeness Review Deadline	<del>9-16-09</del>
Application Omissions Deadline	<del>10-14-09</del>
Agency Initial Decision Deadline	<del>12-11-09</del>

<u>Hospital Beds and Facilities</u>	
<del>1st Batching Cycle – 2010</del>	
Summary Need Projections Published in F.A.W.	<del>1-22-10</del>
Letter of Intent Deadline	<del>2-08-10</del>
Application Deadline	<del>3-10-10</del>
Completeness Review Deadline	<del>3-17-10</del>
Application Omissions Deadline	<del>4-14-10</del>
Agency Initial Decision Deadline	<del>6-11-10</del>

<u>Hospital Beds and Facilities</u>	
<del>2nd Batching Cycle – 2010</del>	
Summary Need Projections Published in F.A.W.	<del>7-23-10</del>
Letter of Intent Deadline	<del>8-09-10</del>
Application Deadline	<del>9-08-10</del>
Completeness Review Deadline	<del>9-15-10</del>
Application Omissions Deadline	<del>10-13-10</del>
Agency Initial Decision Deadline	<del>12-10-10</del>

<u>Hospital Beds and Facilities</u>	
<del>1st Batching Cycle – 2011</del>	
Summary Need Projections Published in F.A.W.	<del>1-21-11</del>
Letter of Intent Deadline	<del>2-07-11</del>
Application Deadline	<del>3-09-11</del>
Completeness Review Deadline	<del>3-16-11</del>
Application Omissions Deadline	<del>4-13-11</del>
Agency Initial Decision Deadline	<del>6-10-11</del>

<u>Hospital Beds and Facilities</u>	
<del>2nd Batching Cycle – 2011</del>	
Summary Need Projections Published in F.A.W.	<del>7-22-11</del>
Letter of Intent Deadline	<del>8-08-11</del>

<u>Application Deadline</u>	<u>9-07-11</u>
<u>Completeness Review Deadline</u>	<u>9-14-11</u>
<u>Application Omissions Deadline</u>	<u>10-12-11</u>
<u>Agency Initial Decision Deadline</u>	<u>12-09-11</u>

Hospital Beds and Facilities

1st Batching Cycle—2008

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-25-08</u>
<u>Letter of Intent Deadline</u>	<u>2-11-08</u>
<u>Application Deadline</u>	<u>3-12-08</u>
<u>Completeness Review Deadline</u>	<u>3-19-08</u>
<u>Application Omissions Deadline</u>	<u>4-16-08</u>
<u>Agency Initial Decision Deadline</u>	<u>6-13-08</u>

Hospital Beds and Facilities

2nd Batching Cycle—2008

<u>Summary Need Projections Published in F.A.W.</u>	<u>7-25-08</u>
<u>Letter of Intent Deadline</u>	<u>8-11-08</u>
<u>Application Deadline</u>	<u>9-10-08</u>
<u>Completeness Review Deadline</u>	<u>9-17-08</u>
<u>Application Omissions Deadline</u>	<u>10-15-08</u>
<u>Agency Initial Decision Deadline</u>	<u>12-12-08</u>

Other Beds and Programs

1st Batching Cycle—2009

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-03-09</u>
<u>Letter of Intent Deadline</u>	<u>4-20-09</u>
<u>Application Deadline</u>	<u>5-20-09</u>
<u>Completeness Review Deadline</u>	<u>5-27-09</u>
<u>Application Omissions Deadline</u>	<u>6-24-09</u>
<u>Agency Initial Decision Deadline</u>	<u>8-21-09</u>

Other Beds and Programs

2nd Batching Cycle – 2009

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-02-09</u>
<u>Letter of Intent Deadline</u>	<u>10-19-09</u>
<u>Application Deadline</u>	<u>11-18-09</u>
<u>Completeness Review Deadline</u>	<u>11-25-09</u>
<u>Application Omissions Deadline</u>	<u>12-23-09</u>
<u>Agency Initial Decision Deadline</u>	<u>2-19-10</u>

Other Beds and Programs

1st Batching Cycle – 2010

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-02-10</u>
<u>Letter of Intent Deadline</u>	<u>4-19-10</u>
<u>Application Deadline</u>	<u>5-19-10</u>
<u>Completeness Review Deadline</u>	<u>5-26-10</u>
<u>Application Omissions Deadline</u>	<u>6-23-10</u>
<u>Agency Initial Decision Deadline</u>	<u>8-20-10</u>

Other Beds and Programs

2nd Batching Cycle – 2010

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-01-10</u>
<u>Letter of Intent Deadline</u>	<u>10-18-10</u>
<u>Application Deadline</u>	<u>11-17-10</u>
<u>Completeness Review Deadline</u>	<u>11-24-10</u>
<u>Application Omissions Deadline</u>	<u>12-22-10</u>
<u>Agency Initial Decision Deadline</u>	<u>2-18-11</u>

Other Beds and Programs

1st Batching Cycle – 2011

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-01-11</u>
<u>Letter of Intent Deadline</u>	<u>4-18-11</u>
<u>Application Deadline</u>	<u>5-18-11</u>
<u>Completeness Review Deadline</u>	<u>5-25-11</u>
<u>Application Omissions Deadline</u>	<u>6-22-11</u>
<u>Agency Initial Decision Deadline</u>	<u>8-19-11</u>

Other Beds and Programs

2nd Batching Cycle – 2011

<u>Summary Need Projections Published in F.A.W.</u>	<u>9-30-11</u>
<u>Letter of Intent Deadline</u>	<u>10-17-11</u>
<u>Application Deadline</u>	<u>11-16-11</u>
<u>Completeness Review Deadline</u>	<u>11-23-11</u>
<u>Application Omissions Deadline</u>	<u>12-21-11</u>
<u>Agency Initial Decision Deadline</u>	<u>2-17-12</u>

(h) through (j) No change.

(2) through (5) No change.

Rulemaking Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033, 408.034, 408.036(2), 408.037(2), 408.038, 408.039, 408.042 FS. History—New 1-1-77, Amended 11-1-77, 9-1-78, 6-5-79, 2-1-81, 4-1-82, 7-29-82, 9-6-84, Formerly 10-5.08, Amended 11-24-86, 3-2-87, 6-11-87, 11-17-87, 3-23-88, 5-30-90, 12-20-90, 1-31-91, 9-9-91, 5-12-92, 7-1-92, 8-9-92, Formerly 10-5.008, Amended 4-19-93, 6-23-94, 10-12-94, 10-18-95, 2-12-96, 7-18-96, 9-16-96, 11-4-97, 7-21-98, 12-12-00, 4-2-01, 1-10-02, 6-26-03, 12-13-04, 9-28-05, 10-9-07,\_\_\_\_\_.

59C-1.010 Certificate of Need Application Review Procedures

(1) No change.

(2) General Provisions.

(a) Applications subject to comparative or expedited review shall be submitted to the agency on AHCA Form 3150-0001, March 2009 Application for a Certificate of Need; or 3150-0003, March 2009 Transfer of a Certificate of Need; or 3150-0002, March 2009 Application for a General Hospital Certificate of Need, CON-1, as referenced in paragraph 59C-1.008(1)(f), F.A.C.

(b) through (d) No change.

(3) through (4) No change.

(5)(a) through (d) No change.

~~(e) Section 408.039(3)(c) and (d) and (5)(c), F.S., impose strict guidelines for who may challenge an application by a general hospital; when that challenge must be filed; the subjects which may be challenged and the timing of any response by the applicant. Participation in any subsequent hearing is precluded by those who do not challenge timely. Challenges must be received within 21 days of the Omissions Submission Deadline for each Batching Cycle as published in Rule 59C-1.008, F.A.C.~~

Rulemaking Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033(1), 408.035(2), 408.036(2), 408.037(2), 408.039(3), (4), (5) FS. History–New 1-1-77, Amended 11-1-77, 9-1-78, 6-5-79, 4-25-80, 2-1-81, 3-31-82, 12-23-82, Formerly 10-5.10, Amended 11-24-86, 11-17-87, 3-23-88, 8-28-88, 1-31-91, 7-1-92, 7-14-92, Formerly 10-5.010, Amended 10-8-97, 12-12-00, 4-2-01, 6-23-05,\_\_\_\_\_.

59C-1.012 Administrative Hearing Procedures.

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

~~(e) For an application for a new construction or establishment of a general hospital, administrative hearings shall commence within 6 months after the administrative law judge has been assigned, and a continuance may not be granted absent a finding of extraordinary circumstances by the administrative law judge. Financial information which describes the applicant’s ability to complete the project will be submitted at this point in the process and will be submitted on forms supplied by the Agency for Health Care Administration.~~

~~(e)(f) The party appealing a final order that grants a general hospital certificate of need shall post a \$1 million bond as directed in Section 408.039(6)(d), Florida Statutes. The bond must be made payable to the appellee or appellees Agency for Health Care Administration, bureau of Health Facilities Regulation, Office of Certificate of Need and must reference the appealing party, the CON number being appealed, and the Division of Administrative Hearings (DOAH) case number if available, and the date the CON was filed. The bond needs to be sent to:~~

Agency for Health Care Administration  
Attention: Agency Clerk  
2727 Mahan Drive, MS #3  
Tallahassee, Florida 32308  
AHCA Office of Certificate of Need  
2727 Mahan Drive, MS #28  
Tallahassee, Florida 32308

- ~~1. The appealing party must be clearly identified in the title of the Bond.~~
- ~~2. Without the necessary information in subparagraphs 59C-1.012(2)(f)2., a. and b., F.A.C., the appeal will not be accepted.~~

Rulemaking Specific Authority 408.034 (6), 408.15(8) FS. Law Implemented 408.039(5), 408.039(6) FS. History–New 1-1-77, Amended 9-1-78, 6-5-79, 10-23-79, 4-25-80, Formerly 10-5.12, Amended 11-24-86, 11-17-87, Formerly 10-5.012, Amended 12-14-92,\_\_\_\_\_.

59C-1.030 Criteria Used in the Evaluation of Applications.

In addition to criteria set forth in Section 408.035, F.S., the following criteria are used in the review of an application.

(1) For a new general hospital as defined in Section 395.002, F.S. and subparagraph 59A-3.252(1)(a)1. and 3., F.A.C. the criteria for evaluation are those found ~~includes the need for health care facilities and health services being proposed, availability, accessibility, and extent of utilization of existing facilities and services in the service district of the applicant, the extent that access will be enhanced, the extent that competition, quality and cost-effectiveness will be fostered and provision of services to Medicaid patients and the Medically indigent and is as itemized in Sections 408.035(2) and 408.037(2), F.S. General Provisions (Reserved)~~

(2) No change.

Rulemaking Specific Authority 408.15(8), 408.034(3), ~~(6)(5)~~ FS. Law Implemented 408.035, 408.037 FS. History–New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(a), (b), Formerly 10-5.030, Amended\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Certificate of Need**

RULE NO.:                      RULE TITLE:  
 59C-1.0355                    Hospice Programs  
                                     NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 45, November 13, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Division of Hotels and Restaurants**  
 RULE NO.:                    RULE TITLE:  
 61C-8.004                    Program Requirements  
                                     NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly has been withdrawn.



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FINANCIAL SERVICES COMMISSION****OIR – Insurance Regulation**

RULE NO.: 69O-189.003  
 RULE TITLE: Workers' Compensation: Application and Audit Procedures

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 25, June 26, 2009 of the Florida Administrative Weekly. These changes are being made to address concerns expressed by JAPC.

1) The phrase "to the extent that such notarization complies with Parts I and II of Chapter 668, F.S." was added at the end of the first sentence of paragraph 69O-189.003(2)(b), F.A.C., and at the end of the second sentence of paragraph 69O-189.003(2)(b), F.A.C.

2) In sub-subparagraph 69O-189.003(4)(b)2., F.A.C., "with reasonable grounds" was replaced with "unless such request is unnecessarily repetitive."

3) In sub-subparagraph 69O-189.003(4)(b)4., F.A.C., "but not be limited to" was stricken.

4) Sub-subparagraph 69O-189.003(4)(b)4.h., F.A.C., was added which reads "Any other employer records necessary to establish premium or assign classifications."

5) Sub-subparagraph 69O-189.003(4)(c)1.f., F.A.C., was rewritten as follows: "For all policies with a loss ratio of 120% or greater the first year the employer qualifies and thereafter, regardless of premium range, subject to the FWCJUA's or its service provider's determination whether such audit is unnecessarily repetitive;"

6) In sub-subparagraph 69O-189.003(4)(c)1.g., F.A.C., the phrase "on reasonable grounds" was replaced with "unless such request is unnecessarily repetitive".

7) In sub-subparagraph 69O-189.003(4)(c)1.h., F.A.C., "in" was replaced with "by"; "judgment by" was replaced with "evaluation of"; and the phrase "or by questions concerning" was stricken.

8) In subparagraph 69O-189.003(4)(c)3., F.A.C., "but not be limited to" was stricken.

9) Sub-subparagraph 69O-189.003(4)(c)3.h., F.A.C., was added which reads "Any other records necessary to establish premium or assign classifications."

The remainder of the rule reads as previously published.

**FINANCIAL SERVICES COMMISSION****Securities**

RULE NO.: 69W-600.0021  
 RULE TITLE: Effect of Law Enforcement Records on Applications for Registration as Associated Persons

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The rule has been revised to address comments from the staff of the Joint Administrative Procedures Committee. Subsection (1) has been amended to remove the requirement that a records custodian issue a "sworn or certified" statement with regard to missing records. The word "wherein" has been removed from subsection (6)(a)2. Subsection (9) relating to pre-trial intervention has been clarified. Subsection (18) is added to provide a definition of the term "certified".

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

69W-600.0021 Effect of Law Enforcement Records on Applications for Registration as Associated Persons.

(1) General Procedure Regarding Law Enforcement Records. As part of the application review process, the Office is required to consider an applicant's law enforcement record when deciding whether to approve an application for registration as an associated person. When conducting this review, the Office reviews the applicant's Form U-4 responses, criminal history information derived from the fingerprint check, and information from other resources such as the Financial Industry Regulatory Authority. In the event of a question regarding the applicant's criminal history, the Office may request additional information from the applicant to determine the status of a criminal event, the specific facts and circumstances surrounding a criminal event, or to address other issues determined relevant to the review of the law enforcement record. The Office will notify the applicant of any specific documents that it requires in order to complete its review. Documentation that is typically requested includes:

(a) A copy of the police arrest affidavit, arrest report or similar document.

(b) A certified copy of the charges.

(c) A certified copy of the plea, judgment, and sentence where applicable.

(d) A certified copy of an order of entry into pre-trial intervention, and the order of termination of pre-trial intervention showing dismissal of charges where applicable.

(e) A certified copy of an order of termination of probation or supervised release, if applicable.

If the requested documentation cannot be obtained, the applicant shall submit evidence of that fact in order for the application to be deemed complete. Evidence that documentation cannot be obtained shall consist of a written statement on the letterhead of the agency that would be the custodian of the documents, signed by a representative of that agency, stating that they have no record of such matter, or that the record is lost or was damaged or destroyed, or otherwise stating why the document cannot be produced.

(2) Effect of Failure to Fully Disclose Law Enforcement Record on Application.

(a) The omission of any part of a law enforcement record required to be disclosed on the Form U-4 is a material misrepresentation or material misstatement on the application and the application shall be denied pursuant to Section 517.161(1)(b), F.S.

(b) If the Office discovers the applicant's failure to disclose any part of a law enforcement record required to be disclosed on the Form U-4 after a registration has been granted, the Office will suspend or revoke each registration currently held by the applicant as follows:

1. Suspension for 12 months if, had the application been accurate, the application would have been granted, based on the statutes and rules applicable to the application at the time the Office granted registration.

2. Revocation if, had the application been accurate, the application would have been denied, based on the statutes and rules applicable to the application at the time the Office granted registration.

(3) Classification of Crimes.

(a) The Office makes a general classification of crimes into two classes: A and B, as listed in subsections (14) and (15), of this rule.

(b) These classifications reflect the Office's evaluation of various crimes in terms of moral turpitude and the seriousness of the crime as such factors relate to the prospective threat to public welfare typically posed by a person who would commit such a crime.

(c) The names or descriptions of crimes, as set out in the classification of crimes, are intended to serve only as generic names or descriptions of crimes and shall not be read as legal titles of crimes, or as limiting the included crimes to crimes bearing the exact name or description stated.

(d) For purposes of this rule, "trigger date" means the date on which an applicant was found guilty, or pled guilty, or pled nolo contendere to a crime.

(e) A charge in the nature of attempt or intent to commit a crime, or conspiracy to commit a crime, is classified the same as the crime itself.

(4) Applicants with a Single Crime. The Office finds it necessary to implement the following standards for applicants whose law enforcement record includes a single crime, subject

to the mitigating factors set forth in this rule before registration. All periods referenced in this rule run from the trigger date.

(a) Class A Crime. The applicant will not be granted a registration until 15 years have passed since the trigger date.

(b) Class B Crime. The applicant will not be granted registration until 5 years have passed since the trigger date.

(5) Applicants With Multiple Crimes.

(a) The Office construes Section 517.161, F.S., to require that an applicant whose law enforcement record includes multiple class "A" or "B" crimes, or any combination thereof, wait longer than those whose law enforcement record includes only a single crime before becoming eligible for registration in order to assure that such applicant's greater inability or unwillingness to abide by the law has been overcome. Therefore, the Office finds it necessary that a longer disqualifying period be utilized in such instances, before registration can safely be granted. Accordingly, where the applicant has been found guilty or pled guilty or pled nolo contendere to more than one crime, the Office shall add 5 years to the disqualifying period for each additional crime.

(b) The additional periods are added to the disqualifying period for the one most serious crime, and the combined total disqualifying period then runs from the trigger date of the most recent crime.

(c) Classification as "Single Crime" versus "Multiple Crimes." For purposes of this rule, two (2) or more offenses are considered a single crime if they are based on the same act or transaction or on two (2) or more connected acts or transactions.

(6) Mitigating Factors.

(a) The disqualifying period for a Class "A" or "B" crime or crimes shall be shortened upon proof of one or more of the following factors. Where more than one factor is present the applicant is entitled to add together all of the applicable mitigation amounts and deduct that total from the usual disqualifying period, provided that an applicant shall not be permitted an aggregate mitigation of more than three (3) years for the following factors:

1. One year is deducted if the probation officer or prosecuting attorney in the most recent crime states in a signed writing that the probation officer or prosecuting attorney believes the applicant would pose no significant threat to public welfare if registered as an associated person.

2. One year is deducted if restitution or settlement has been made for all crimes in which restitution or settlement was ordered by the court, and proof of such restitution or settlement is shown in official court documents or as verified in a signed writing by the prosecuting attorney or probation officer.

3. One year will be deducted if the applicant was under age 21 when the crime was committed and there is only one crime in the applicant's law enforcement record.

4. One year is deducted if the applicant furnishes proof that the applicant was at the time of the crime addicted to drugs or suffering active alcoholism. The proof must be accompanied by a written letter from a properly licensed doctor, psychologist, or therapist licensed by a duly constituted state licensing body stating that the licensed person has examined or treated the applicant and that in his or her professional opinion the addiction or alcoholism is currently in remission and has been in remission for the previous 12 months. The professional opinion shall be dated within 45 days of the time of application.

5. Other Mitigating Factors. An applicant is permitted to submit any other evidence of facts that the applicant believes should decrease the disqualifying period before registration is allowed and one additional year shall be deducted if the Office agrees the facts have a mitigating effect on the registration decision.

(b) The burden is upon the applicant to establish these mitigating factors. Where the mitigating factor relates to or requires evidence of government agency or court action, it must be proved by a certified true copy of the agency or court document.

(7) Circumstances Not Constituting Mitigation. The Office finds that no mitigating weight exists, and none will be given, for the following factors:

(a) Type of Plea. The Office draws no distinction among types of plea, e.g., found guilty; pled guilty; pled nolo contendere.

(b) Collateral Attack on Criminal Proceedings. The Office will not allow or give any weight to an attempt to re-litigate, impeach, or collaterally attack judicial criminal proceedings or their results wherein the applicant was found guilty or pled guilty or nolo contendere. Thus the Office will not hear or consider arguments such as: the criminal proceedings were unfair; the judge was biased; the witnesses or prosecutor lied or acted improperly; the defendant only pled guilty due to financial or mental stress; the defendant was temporarily insane at the time of the crime; or the defendant had ineffective counsel.

(c) Subjective Factors. The Office finds that subjective factors involving state of mind have no mitigating weight.

(8) Effect of Pending Appeal in Criminal Proceedings; Reversal on Appeal.

(a) The Office interprets the statutory grounds for denial of registration as arising immediately upon a finding of guilt, or a plea of guilty or nolo contendere, regardless of whether an appeal is or is not allowed to be taken. The Office will not wait for the outcome of an appeal to deny registration, unless a Florida court specifically stays the Office's adverse action.

(b) If on appeal the conviction is reversed, the Office shall immediately drop the said crime as grounds for denial of registration.

(9) Pre-Trial Intervention. If at the time of application an applicant is participating in a pre-trial intervention program based upon a charge of criminal conduct that would authorize denial of a registration under Section 517.161(1), F.S., the Office will deny the application for registration. The Office considers participation in a pre-trial intervention program to be a pending criminal prosecution under Section 517.161(6), F.S., and finds it necessary to the public welfare to wait until final disposition of all charges of criminal conduct that would authorize denial of a registration under Section 517.161(1), F.S., before an application for registration may be considered.

(10) Effect of Sealing or Expunging of Criminal Record.

(a) An applicant is not required to disclose or acknowledge, and is permitted in fact to affirmatively deny, any arrest or criminal proceeding, the record of which has been legally and properly expunged or sealed by order of a court of competent jurisdiction prior to the time of application, and such denial or failure to disclose is not grounds for adverse action by the Office.

(b) Matters Sealed or Expunged Subsequent to Application. Occasionally an applicant will have a matter sealed or expunged after submitting his or her application, but before a registration decision is made by the Office. In such situations the Office policy is as follows:

1. If the applicant properly revealed the matter on the application, and thereafter has the record sealed or expunged, the Office will not consider the matter in the application decision.

2. However, if the applicant did not reveal the matter on the application and the matter had not been sealed or expunged at the time of making the application, the Office will construe the failure to disclose the matter on the application as a material misrepresentation or material misstatement, and the application shall be denied pursuant to Section 517.161(1)(b), F.S.

(11) Effect of Varying Terminology.

(a) With regard to the following six subparagraphs, the Office treats each phrase in a particular subparagraph as having the same effect as the other phrases in that same subparagraph:

1. Adjudicated guilty; convicted.

2. Found guilty; entered a finding of guilt.

3. Pled guilty; entered a plea of guilty; admitted guilt; admitted the charges.

4. Nolo contendere; no contest; did not contest; did not deny; no denial.

5. Adjudication of guilt withheld; adjudication withheld; no adjudication entered; entry of findings withheld; no official record to be entered; judgment withheld; judgment not entered.

6. Nolle prosequi; nolle prosequi; charges withdrawn; charges dismissed; charges dropped.

(b) In all other instances the Office will look to the substantive meaning of the terminology used in the context in which it was used under the law of the jurisdiction where it was used.

(12) Imprisoned Persons and Community Supervision.

(a) Imprisonment. Notwithstanding any provision to the contrary in this rule, the Office shall not register any applicant under Chapter 517, F.S., while the applicant is imprisoned, under arrest, or serving a sentence for any crime. Further, the Office shall not register any applicant who has been released from imprisonment until the later of the period otherwise set out in these rules or five (5) years after the date of release. The Office finds it necessary that the person be released from imprisonment and thereafter demonstrate an ability to abide by the law by passage of at least five (5) years on good behavior, before registration can be granted without undue risk to the public welfare.

(b) Community Supervision. The Office shall not grant registration to any person who at the time of application or at any time during the pendency of the application is under supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of the courts, paroling authorities, correctional agencies, or other criminal justice agencies for any felony crime or any misdemeanor crime involving fraud, dishonest dealing, or moral turpitude.

(13) Effect of Disqualifying Periods. The disqualifying periods established in this rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by these rules, the burden to prove entitlement to registration remains on the applicant.

(14) Class "A" Crimes include felonies involving an act of fraud, dishonesty, or a breach of trust, or money laundering, and the Office finds that such crimes constitute crimes of moral turpitude. The Office finds the following list of crimes are Class "A" crimes. This list is representative only and shall not be construed to constitute a complete or exclusive list of all crimes that are Class "A" crimes. Crimes similar to the crimes on this list may also be considered Class "A" crimes, and no inference should be drawn from the absence of any crime from this list.

(a) Any type of fraud, including but not limited to Fraud, Postal Fraud, Wire Fraud, Securities Fraud, Welfare Fraud, Defrauding the Government, Credit Card Fraud, Defrauding an Innkeeper, Passing worthless check(s) with intent to defraud,

(b) Perjury.

(c) Armed robbery.

(d) Robbery.

(e) Extortion.

(f) Bribery.

(g) Embezzlement.

(h) Grand theft.

(i) Larceny.

(j) Burglary.

(k) Breaking and entering.

(l) Identity Theft.

(m) Any type of forgery or uttering a forged instrument.

(n) Misuse of public office.

(o) Racketeering.

(p) Buying, receiving, concealing, possessing or otherwise dealing in stolen property.

(q) Treason against the United States, or a state, district, or territory thereof.

(r) Altering public documents.

(s) Witness tampering.

(t) Tax evasion.

(u) Impersonating or attempting to impersonate a law enforcement officer.

(v) Money laundering.

(w) Murder in all degrees.

(x) Arson.

(y) Sale, importation, or distribution of controlled substances (drugs); or possession for sale, importation or distribution.

(z) Aggravated Assault (e.g., as with a deadly weapon).

(aa) Aggravated Battery (e.g., as with a deadly weapon).

(bb) Rape.

(cc) Sexually molesting any minor.

(dd) Sexual battery.

(ee) Battery of or threatening a law enforcement officer or public official in the performance of his/her duties.

(ff) Kidnapping.

(15) Class "B" Crimes include any misdemeanor that involves fraud, dishonest dealing or any other act of moral turpitude.

(16) Foreign Law Enforcement Records. If a law enforcement record includes convictions, charges, or arrests outside the United States, the Office shall consider the following factors to reduce, eliminate, or apply a disqualifying period:

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

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

(c) The extent to which the foreign justice system provided safeguards similar to those provided criminal defendants under the Constitution of the United States; for example, the right of a defendant to a public trial, the right against self-incrimination, the right of notice of the charges, the right to confront witnesses, the right to call witnesses, and the right to counsel.

(17) Form U-4 is incorporated by reference in subsection 69W-301.002(7), F.A.C.

(18) For purposes of this rule, "certified" means that there must be a certification or attestation by the issuer of the record that the document is a true copy of a record contained in the issuer's office and the issuer's seal, if any.

Rulemaking Authority 517.1611(2) FS. Law Implemented 517.12.517.161 FS. History—New \_\_\_\_\_.

## 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 MANAGEMENT SERVICES

#### Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BBER09-4	Definitions Relating to Emergency Unemployment Compensation
60BBER09-5	Eligibility for Emergency Unemployment Compensation
60BBER09-6	Emergency Unemployment Compensation Individual Accounts
60BBER09-7	How to Apply for Emergency Unemployment Compensation

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** The rate of unemployment in the State of Florida has risen dramatically over the last three years. Florida's unemployment rate now stands at 11.2%, a dramatic increase from the 7.6% rate in December 2008, and over three times the 3.3% rate in July 2006. Currently, 658,986 Floridians receive unemployment compensation, an increase of 86% from the approximately 354,000 recipients in December 2008. Over 210,000 of the current recipients have exhausted the maximum 26 weeks of regular benefits authorized by Florida law. These individuals continue to receive unemployment compensation only because federal law now provides additional benefits to persons whose state benefits have been exhausted. By December 31, 2009, the Agency estimates that 250,000 recipients will have exhausted these additional benefits. Recent federal legislation has authorized and funded additional benefits, enabling most of the 250,000 to continue to receive unemployment compensation. Implementing this legislation, however, will require the creation of administrative rules. In order to ensure that these rules are in place before

unemployment compensation recipients lose their benefits, the Agency seeks to adopt emergency rules implementing the new federal legislation while it pursues the regular rulemaking process set forth in Section 120.54, Florida Statutes.

Since July 2008, Congress has passed five pieces of legislation which have progressively increased the duration of these additional benefits. These were: Title IV of the Supplemental Appropriations Emergency Unemployment Compensation (EUC) Act of 2008 (Public Law 110-252), the Unemployment Compensation Extension Act of 2008 (Public Law 110-449), Title II of the American Recovery and Reinvestment Act of 2009 (Public Law 111-4), the Worker, Homeownership and Business Assistance Act of 2009 (Public Law 11-92), and House Bill 3326. (House Bill 3326 does not yet have a Public Law number, as it was signed into law less than a week before this writing.)

The cumulative effect of the first three of these acts was to create and fund a system of Emergency Unemployment Compensation. Under this system, states can pay additional benefits to unemployed persons who had exhausted their regular state benefits. Eligible recipients can receive Tier One benefits for up to 20 weeks. Upon exhaustion of Tier One benefits, eligible recipients can receive Tier Two benefits for up to 13 weeks. As of this writing, 213,273 recipients have exhausted their Tier Two benefits.

The most recent federal legislation, the Worker, Homeownership and Business Assistance Act of 2009 (Public Law 11-92), created and funded a third and fourth tier of Emergency Unemployment Compensation and added an extra week of benefits to Tier Two. Under this law, Tier Three recipients may receive benefits for up to 13 weeks, and Tier Four recipients may receive benefits for up to 6 weeks. House Bill 3326 extended the duration of time within which eligible persons might collect these benefits.

In order to determine which individuals are eligible for benefits and provide compensation to them as quickly as possible, it is necessary that the processes set forth in this emergency rule, and the forms incorporated by reference, be implemented immediately, without the delay attendant with regular rulemaking procedures. The Agency is currently pursuing the regular rulemaking process for incorporating these forms and procedures into its current claims rules, found in Chapter 60BB-3, Florida Administrative Code.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The rules under development by the Agency provide the most efficient means of providing unemployment benefits to those individuals that are entitled to them. In adopting these forms, the Agency has acted to ensure that all procedural remedies available to recipients of regular state unemployment compensation will be available to Emergency Unemployment Compensation program applicants under state law and under the terms of the governing agreement with the United States Department of

Labor. The Agency crafted the proposed rules to comply with the new federal legislation, controlling state law, and existing federal standards.

SUMMARY: The new rules define terms used in connection with the Emergency Unemployment Compensation Program, describe eligibility criteria and notice requirements, provide a methodology for computing total amount of available benefits, and inform individuals how to apply for Emergency Unemployment Compensation.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: John R. Perry, Assistant General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128

THE FULL TEXT OF THE EMERGENCY RULE IS:

60BBER09-4 Definitions Relating to Emergency Unemployment Compensation.

(1) Emergency Unemployment Compensation: A federally funded program created by Public Laws 110-252, 110-449, 111-5, and 111-92, and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor which provides additional weeks of unemployment benefits to qualified individuals who have exhausted their rights to regular unemployment compensation on claims that were effective on or after May 2, 2006.

(2) Extended unemployment compensation: Benefits, including benefits payable to federal civilian employees and to ex-servicemembers under 5 U.S.C. ss. 8501-8525, that are payable to an individual under Section 443.1115, Florida Statutes.

(3) Qualifying benefit year: The benefit year established on a Florida claim for regular unemployment compensation which was effective on or after May 2, 2006, and is the basis of the individual's eligibility for emergency unemployment compensation.

(4) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to ex servicemembers under 5 U.S.C. ss. 8501-8525, other than extended unemployment compensation under Section 443.1115, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.221(3) FS. History--New 12-23-09.

60BBER09-5 Eligibility for Emergency Unemployment Compensation.

(1) Eligibility Conditions. Emergency Unemployment Compensation is available to individuals who:

(a) Have exhausted all rights to regular unemployment compensation on a Florida claim with a benefit year that ended on or after May 1, 2007;

(b) Have no rights to unemployment compensation under any other state or federal law;

(c) Are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(d) Are legally authorized to work in the United States.

(2) Exhaustion of Benefits. For purposes of this rule, an individual has exhausted all rights to regular unemployment compensation when that individual:

(a) Has received all regular unemployment compensation available on the qualifying benefit year; or

(b) Had rights to regular unemployment compensation on the qualifying benefit year, but has insufficient wage credits to establish a new benefit year for regular unemployment compensation.

(3) Amount Payable.

(a) The amount of emergency unemployment compensation payable to an individual for any week of total unemployment will be equal to the amount of regular unemployment compensation payable during the individual's qualifying benefit year for a week of total unemployment.

(b) The maximum amount of emergency unemployment compensation payable to any individual will not exceed the amount established for such individual in the emergency unemployment compensation account described in Rule 60BB-3.0253, F.A.C.

(4) Applicable Law. The terms and conditions of the law under which the individual claimed and received regular unemployment compensation will apply to claims for and payment of emergency unemployment compensation.

(5) Overpayments. An individual who receives emergency unemployment compensation to which he is not entitled will repay any such overpayment to the Agency for Workforce Innovation. The requirement to repay the overpayment will not be waived.

(a) The Agency may recoup any such overpayments by deducting 50 percent of the weekly benefit amount from any future payments until the overpayment is repaid in full.

(b) Recoupment of overpayments from future benefits may occur at any time during the 3-year period after the date the individual received the payment of the emergency unemployment compensation to which he was not entitled.

(c) No waiver of such recoupment may occur except as permitted by Section 443.151(6)(c), Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151(6), 443.221(3) FS. History--New 12-23-09.

60BBER09-6 Emergency Unemployment Compensation Individual Accounts.

(1) Establishment of Account. Persons deemed eligible under Rule 60BB-3.0252, F.A.C., will be paid from emergency unemployment compensation accounts established for each individual with respect to that individual's benefit year.

(2) Eligibility Established Prior to November 23, 2008. The emergency unemployment compensation accounts of individuals whose period of eligibility began between July 6, 2008 and November 22, 2008, will be augmented as provided in this subsection.

(a) The amount established in an account under this subsection will equal the lesser of:

1. 50 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 13 times the individual's average weekly benefit amount for the benefit year.

(b) Benefits under this subsection may be paid only for weeks of unemployment beginning on or after July 6, 2008.

(c) If the individual exhausts these benefits before November 23, 2008, no further benefits may be paid to the individual except as provided in subsections (3), (4), (5), and (6) of this rule.

(3) Tier One.

(a) Tier One benefits may be paid only for weeks of unemployment beginning on or after November 23, 2008.

(b) The emergency unemployment compensation account of each individual whose period of eligibility began after November 22, 2008, will be augmented with an amount equal to the lesser of:

1. 80 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 20 times the individual's average weekly benefit amount for the benefit year.

(c) The emergency unemployment compensation account of an individual whose period of eligibility began before November 23, 2008 will, if the individual remains otherwise eligible, receive an additional augmentation equal to the amount previously paid under paragraph (b) of this subsection minus the amount actually received under subsection (2).

(d) Tier One benefits may be paid only in cases in which an individual's regular unemployment compensation benefits are exhausted by the week ending February 27, 2010.

(4) Tier Two.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (3) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all first tier benefits by the week ending February 27, 2010;

2. The individual remains otherwise eligible.

(b) Amount Added to Account. The amount established in an account under this subsection will equal the lesser of:

1. 54 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 14 times the individual's average weekly benefit amount for the benefit year.

(c) Tier two benefits may be paid only for weeks of unemployment beginning on or after November 23, 2008.

(5) Tier Three.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (4) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all Tier Two benefits by the week ending February 27, 2010;

2. The individual remains otherwise eligible; and

3. During or after the week these benefits are exhausted, but no later than the week ending February 28, 2010, one of the following circumstances occur:

a. The rate of insured unemployment for the current week and the immediately preceding 12 weeks equals or exceeds 4 percent; or

b. The average rate of total unemployment, seasonally adjusted, for the most recent 3 month period for which data for all States are published equals or exceeds 6 percent.

(b) The amount established in an account under this subsection will equal the lesser of:

1. 50 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 13 times the individual's average weekly benefit amount for the benefit year.

(c) Tier Three benefits may be paid only for weeks of unemployment beginning on or after November 8, 2009.

(6) Tier Four.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (5) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all Tier Three benefits by the week ending February 27, 2010;

2. The individual remains otherwise eligible; and

3. During or after the week these benefits are exhausted, but no later than the week ending February 27, 2010, one of the following circumstances occur:

a. The rate of insured unemployment for the current week and the immediately preceding 12 weeks equals or exceeds 6 percent; or

b. The average rate of total unemployment, seasonally adjusted, for the most recent 3 month period for which data for all States are published equals or exceeds 8.5 percent.

(b) The amount established in an account under this subsection will equal the lesser of:

1. 24 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 6 times the individual's average weekly benefit amount for the benefit year.

(c) Tier Four benefits may be paid only for weeks of unemployment beginning on or after November 8, 2009.

(7) Termination of Emergency Unemployment Compensation. An individual who has a balance remaining in his or her individual account as of February 28, 2010, will continue to receive emergency unemployment compensation from such balance for any week beginning after that date for which he or she meets the eligibility requirements of this rule, except that no compensation will be payable for any week beginning after July 31, 2010.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.111, 443.191, 443.221(3) FS. History—New 12-23-09.

60BBER09-7 How to Apply for Emergency Unemployment Compensation.

(1) Method of Application. Individuals whose regular unemployment compensation benefits are exhausted, whose benefit year expires between July 6, 2008 and February 27, 2010, or who are entitled to an augmentation of their emergency unemployment compensation accounts pursuant to Rule 60BB-3.0253, F.A.C., will receive notice regarding their eligibility or ineligibility for emergency unemployment compensation. Individuals who claim benefits through the week ending November 7, 2009, will be deemed eligible for these benefits without filing an application as long as they comply with the continued claims reporting requirements set forth in Rule 60BB-3.015, F.A.C. All other individuals who wish to receive emergency unemployment compensation must submit an application for benefits to the Agency for Workforce Innovation. An application may be submitted:

(a) Online by using the Online FLUID EUC Potential Eligibility Site Screens (12/09), which are hereby incorporated by reference into this rule, which will take the claimant to the Online Internet Unemployment Compensation Claim Application (11/07), or the Online Internet Unemployment Compensation Claim Application (Spanish version) (11/07), which are incorporated by reference in paragraphs 60BB-3.029(1)(yy) and (zz), F.A.C., and which are available at [www.fluidnow.com](http://www.fluidnow.com); or

(b) In writing on one of the forms listed in subsection (2) of this rule, which are hereby incorporated by reference into this rule and which are available at [www.floridajobs.org/unemployment/uc\\_emp\\_claims.html](http://www.floridajobs.org/unemployment/uc_emp_claims.html);

(2) Written Applications.

(a) To submit a written application for emergency unemployment compensation under subsections (2), (3), or (4) of Rule 60BB-3.0253, F.A.C., the claimant must complete and submit one of the following forms:

1. Form AWI-UC310EUC (Rev. 10/09), Application for Emergency Unemployment Compensation;

2. Formulario AWI-UC310EUC(S) (Rev. 10/09), Solicitud de Compensacion de emergencia por desempleo, or

3. Form AWI-UCB310EUC(C) (Rev. 10/09), Aplikasyon pou Aloksyon Chomaj sou Ka Dijan.

(b) To submit a written application for emergency unemployment compensation under subsections (5) or (6) of Rule 60BB-3.0253, F.A.C., the claimant must complete and submit one of the following forms:

1. Form AWI-UC310EUCIII (12-09), Application for Tier III;

2. Formulario AWI-UC310EUCIII (Sp) (12-09), Agencia para la innovacion en la fuerza de trabajo de Florida Compensacion de emergencia por desempleo; or

3. Form AWI-UCB310EUCIII (Cr) (12-09), Ajans pou Inovasyon Fos Travay "Agency for Workforce Innovation" Kompansasyon Chomaj Dijans.

(c) The applications described in paragraph (2)(b) of this rule will be mailed to:

1. All out of state claimants whose application for extended benefits was denied because the law of their state of residence did not permit payment of extended benefits; and

2. All claimants who did not qualify for extended benefits because their Tier Two benefits expired on or before February 27, 2010.

(d) All applications mailed pursuant to paragraph (2)(c) of this rule will be accompanied by a Form AWI-UC310EUCIII LTR(S) (Rev 12/09), Emergency Unemployment Compensation Instruction Sheet or a Form AWI-UC310EUCIII LTR(N) (Rev 12/09), Emergency Unemployment Compensation Instruction Sheet, which are hereby incorporated by reference into this rule.

(3) Submitting Written Applications. The claimant must submit his or her application by mailing the completed form to the address set forth on the form and/or accompanying instructions.

(4) Notice of Determination.

(a) Notice of ineligibility for cases in which the claimant does not meet the eligibility requirements of Rule 60BB-3.0252, F.A.C., will be mailed to the claimant on a Form AWI-UCB11-I (10/09), Emergency Unemployment Compensation Monetary Determination EUC, which is hereby incorporated by reference into this rule.

(b) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsection (2) or (3) of Rule



60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC (11/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

(c) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under paragraph (4)(b) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant:

1. On a Form AWI-UCB11 EUC-2 (12/22/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule, when the claimant exhausts his Tier One benefits; or

2. On a Form AWI-UCB11 EUC-2R (12/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule, when the claimant:

a. Claimed weeks on a Florida claim for extended benefits in a state in which extended benefits are not payable;

b. Received extended benefit payments for any week ending on or after November 14, 2009; or

c. Was determined to be entitled to an additional week of Tier Two benefits under the augmentation authorized by Public Law 111-92 for any week ending on or after November 14, 2009.

(d) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsection (5) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC3 (12/22/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

(e) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsection (6) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC4 (12/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.111, 443.191, 443.221(3) FS. History--New 12-23-09.

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

EFFECTIVE DATE: December 23, 2009

**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**

**Agency for Persons with Disabilities**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65GER09-7	Tier Waivers
65GER09-8	Tier One Waiver
65GER09-9	Tier Two Waiver
65GER09-10	Tier Three Waiver
65GER09-11	Tier Four Waiver

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: STATEMENT OF SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO PUBLIC HEALTH, SAFETY, OR WELFARE**

1. The Agency provides essential medical, adaptive, and behavioral services through the Developmental Disabilities Home and Community Based (DD-HCBS) Medicaid waiver program to 31,000 individuals with developmental disabilities. Additionally, there are nearly 19,000 individuals who have been deemed eligible for DD-HCBS who currently are not receiving services due to budgetary limitations. These 19,000 are on a waitlist and must wait until either by attrition or by improvements in the budget there is new capacity for them to receive services.

2. All 31,000 individuals receiving services through the Agency, and the 19,000 on the waitlist, meet a level of need qualifying them for placement in an institution. The DD-HCBS waiver provides these individuals an opportunity to remain at home or other non-institutional community settings.

3. In addition to the 31,000 individuals served by the DD-HCBS waiver, there are almost 19,000 additional individuals who have been deemed eligible for waiver services but who are on a waiting list owing entirely to state budgetary constraints.

4. The number of individuals on the DD-HCBS Waitlist has fluctuated over the years. In July of 2004 there were over 15,000 individuals on the waiver Waitlist and at that time there were under 24,000 persons receiving services under the waiver. By 2006 the waitlist had been reduced to a little over 11,000 individuals while over 25,000 were receiving services. The waitlist has grown over time, and that rapid growth was part of the impetus of the Legislature's decision to redesign the DD-HCBS waiver program in 2007 to create service tiers.

5. No one will be removed from the DD-HCBS waiver program as a result of the Emergency Rule. Instead, in accordance with the Legislature's objective in mandatory tier assignments, the Emergency Rule will be used to ensure more individuals can be added to receive services under the program.

6. In 2007, the Legislature amended Section 393.0661, F.S., to create a four-tiered waiver system to deliver the Medicaid waiver services provided through the DD-HCBS waiver by this

Agency. There were two critical elements causing the creation of the tiers: (1) the home and community-based services delivery system, and (2) the availability of appropriated funds. 7. The situation was summarized in legislative staff analysis of the Tiers bill in 2007:

There are over 14,200 citizens on the waitlist for waiver services. In recent years, APD has instituted a number of fiscal and management controls to reduce costs and the waitlist for services. These include a standardized rate structure, prior service authorization, pre-payment billing review, and support coordination. In spite of these controls, the Office of Economic and

Demographic Research and APD forecast total deficits in the HCBS waiver category for FY 2007-2008 from \$140 million (APD March 12, 2007) to \$190 million (EDR 12/06/2006). The general revenue portion of these deficits varies from \$63 million to \$85 million.

Staff Analysis of CS/SB 1124, Senate Committee on Health and Human Services Appropriations, March 28, 2007.

8. Section 393.0661(3)(e), F.S., directed the Agency and the Agency for Health Care Administration (“AHCA”), the State Medicaid Administrator, to implement the four-tiered system and provided authority to adopt any rules necessary to administer the four-tiered waiver system.

9. Section 393.0661(3)(e), F.S., also directed AHCA to seek federal waivers consistent with the four-tiered waiver system. The federal waivers consistent with the four-tiered system of Section 393.0661 were approved by the Centers for Medicare and Medicaid Services (“CMS”). The waivers serve as the Agency’s authority to provide DD-HCBS waiver services to individuals with developmental disabilities.

10. The Legislature adopted the tier system into law effective July 1, 2007. Ch. 2007-64, § 1, Laws of Florida. The Agency began the rule development process by noticing the rule development on December 7, 2007. The Agency published proposed rules on March 28, 2008. Those proposed rules were challenged on May 5, 2008. During the pendency of the challenge the proposed rules could not be adopted. See Section 120.54(3)(e), (2), F.S. On August 8, 2008, the Administrative Law Judge at DOAH issued findings which rejected the rule challenge in its entirety and upheld the validity of the rules. The petitioners filed a notice of appeal on September 5, 2008. The Agency filed the rules for adoption on September 30, 2008, and they became effective on October 20, 2008.

11. On August 21, 2009, the First District Court of Appeal issued its decision determining that the Agency’s Rules 65G-4.0021, 65G-4.0022, 65G-4.0023, 65G-4.0024, and 65G-4.0025, Florida Administrative Code, were invalid in *Moreland v. Agency for Persons with Disabilities*, 19 So. 3d 1009 (Fla. 1st DCA Aug. 21, 2009). Although the District Court affirmed the Administrative Law Judge’s findings in most respects, the Court held that Rules 65G-4.0021, 65G-4.0024, and 65G-4.0025, F.A.C., were invalid because

“(1) the Agency failed to demonstrate it adopted a valid, reliable assessment instrument; (2) the rules place an age limit on eligibility for Tier 3; and (3) the rules automatically place some former waiver recipients into Tier 4 without an assessment.” The Court found the rules were so inextricably linked that these problems required it to hold the remaining tier rules to be invalid. Rehearing was denied on October 8, 2009. The mandate issued on October 26, 2009.

12. On November 16, 2009, the Agency filed emergency rules 65GER09-2, 65GER09-3, 65GER09-4, 65GER09-5, and 65GER09-6 (the “Emergency Rules”) with the Department of State. These emergency rules were intended to recommence the Agency’s implementation of the tier system as required by the 2007 amendments to section 393.0661, F.S., which was delayed as a result of the *Moreland* decision.

13. Section 120.54(a)(2), F.S., requires that an agency, in filing an emergency rule, “take” only that action necessary to protect the public interest . . . .” In the spirit of this provision, the Agency’s Emergency Rules were very narrow in that they substantially incorporated the rules previously adopted by the Agency that had been invalidated by the *Moreland* decision and amended only those portions of the rule which were the specific basis for the First District’s holding in *Moreland*. The Agency did not change other provisions of the rules because the First District in *Moreland* explicitly affirmed the findings of the ALJ that upheld the validity of the rules as to all issues the First District did not specifically address. *Moreland*, 19 So. 3d at 1013.

14. In implementing the emergency rules, however, the Agency has found that the Emergency Rules as adopted on November 16, 2009 do not contain sufficient detail for staff to make appropriate tier determinations. The amendments to the Emergency Rules adopted today provide this necessary detail. These amendments are of critical importance because, without them, the Agency is unable to revise tier assignments for existing clients or to make initial tier assignments. Accordingly, without the revised and expanded emergency rules adopted today, the emergency described in the Agency’s Statement of Specific Facts and Reasons for Finding an Immediate Danger to Public Health, Safety, or Welfare, filed on November 16, 2009, continues to exist.

15. The population APD serves through its DD-HCBS program includes some of Florida’s most vulnerable citizens. The service needs of these individuals change over time, often increasing, and the service needs can change rapidly. The Emergency Rules adopted on November 16, 2009, and as amended today by APD, are critical for the preservation of the health, safety, and welfare of this vulnerable population because, without them, APD lacks the capability and legal authority to adequately respond to changes in service needs. As a result, APD is unable to provide certain services that have been established to be medically necessary, and that would otherwise be available through the DD-HCBS Waiver.

16. As mandated by Section 393.0661(3), Florida Statutes, the majority of the individuals served by the waiver program have been assigned to tiers. Three of the tiers have spending limitations. Although APD's tier rules were invalidated by the First District in Moreland, the statutory tier system remains in place. Thus, prior to November 16, 2009, APD had no rules for the day-to-day operations that are affected by the tier system as a result of the Moreland decision. The amendments adopted today are necessary because the Emergency Rules as originally adopted provided insufficient guidelines for Agency staff to make accurate tier placement decisions.

17. APD has an emergency protocol for delivery of services, but this protocol cannot be used until an emergency for the client exists. Thus, APD cannot act until a client's health, safety or welfare is in jeopardy. It is the waiting until a client is in an emergency situation to deliver essential services that creates a danger to the health, safety and welfare of the vulnerable clients served by APD. This is a significant problem. To access additional waiver services, an APD client must apply for Prior Service Authorization, which determines that (1) the service is medically necessary and (2) the cost of the service is within the client's budget allocated within the tier system. If the service cannot be added within the budget of the client's present tier assignment, that client's tier assignment must be reevaluated to determine whether that service can be added within the parameters of the tier system.

18. As of November 16, 2009, DD-HCBS clients had requested more than 1,000 Prior Service Authorizations for new or additional services, which could not be provided without reevaluating their tier assignments. Many of these services had been determined to be medically necessary. However, due to the absence of sufficiently detailed tier assignment rules in place, APD has been unable to consider whether to approve any of these services until the lack of their provision develops into an emergency situation, triggering APD's emergency 30-day protocol. This population of waiver clients with outstanding Prior Service Authorization requests has been growing by approximately 30 clients each day. As of December 21, 2009, the number of outstanding Prior Service Authorization requests with tier assignment implications had grown to 1663.

19. Further, if the emergency protocol is triggered, a client cannot retain those services if no emergency situation continues to exist at the end of the 30-days. APD will then have to wait for a new crisis or emergency situation to develop before those services can again be provided.

20. In sum, absent tier rules that are sufficiently detailed for Agency staff to make accurate tier placement decisions, those tier placement decisions cannot be made, and these clients cannot get medically necessary services implemented. Those services are not available through the tier system unless and until the lack of provision of these services develops into a crisis requiring the agency to respond on an emergency basis.

This means that individuals' needs are not met and this creates a significant and immediate danger to their health and safety. The individuals whose needs are not served will have deterioration in their health and safety. Further, the inability of APD to respond to changes in circumstances poses an immediate danger to the welfare of every member of the population subject to expenditure or service limitations. Thus, APD's present inability to make changes to a client's services results in clients not receiving medically necessary services that would otherwise be available through the DD-HCBS Waiver program and has therefore created a significant and immediate danger to the health, safety, and welfare of this vulnerable population that will continue until rules are in place.

21. As a specific example, one client served by the waiver recently lost his provision of personal care assistance ("PCA"), which had been provided to him through the state Medicaid program, as a result of his attaining the age of 21. He requires this service because he is totally disabled and is unable to bathe, toilet, or feed himself. Because the client was living at home and receiving PCA services through the state Medicaid plan, he was assigned to Tier 4. Because of the service limitations in Tier 4, this individual can no longer receive his necessary PCA services. Without sufficiently detailed tier rules in place, APD lacks an adequate framework to reevaluate the appropriate tier assignment for this individual in response to his change of circumstances. Thus, although he now has a life-long need for service, APD only has rules in place that authorize this service to the extent that it can be approved on a thirty-day emergency basis - - i.e., as acute health crises develop and reappear over time.

22. Similarly, another young individual became extremely physically aggressive at home. As a result, he cannot return home. Intensive behavior residential habilitation was recommended as the appropriate housing to address his behavior needs. This individual is currently assigned to Tier 3. Because of the spending limitation of Tier 3, he cannot receive the needed intensive

behavioral residential habilitation. Without sufficiently detailed tier rules in place, he cannot be reassigned and thus is only able to receive his necessary housing to the extent it can be approved on a thirty-day emergency basis - i.e., as acute health crises develop and reappear over time.

23. Another specific example is an individual who recently had surgery. Her recovery for surgery is taking longer than expected. She cannot leave her home. She needs additional personal care assistance for this recovery period. Her health and safety are compromised without this additional service. However, her current tier assignment cannot accommodate this additional need. Without sufficiently detailed tier rules in place, she cannot be reassigned and thus can only get this additional service to the extent it can be approved on a thirty-day emergency basis - - i.e., as acute health crises develop and reappear over time. The inability to approve

medically necessary services in the regular course of APD's operations threatens the health, safety and welfare of every one of the more than 20,000 individuals receiving services through the DD-HCBS Waiver who have been assigned to tiers with spending limitations, as required by Section 393.0661(3). As explained above, individuals within this vulnerable population experience changing needs, and the absence of sufficiently detailed tier rules in place leaves APD helpless to respond to those changes unless and until changes in circumstances attain emergency status. APD's inability to respond to changing circumstances for many members of this population endangers the health, welfare, and safety of every member of the population subject to limitations resulting from APD's implementation of Section 393.0661(3), F.S.

24. There is a danger to the public welfare related to the appropriations for the operation of the DD-HCBS Waiver services. APD has been charged by state law with the duty to implement the Medicaid Waiver agreement between the state and CMS on behalf of the federal government. APD was directed by the Legislature to "mak[e] any other adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act." Section 393.0661(7), F.S. Without sufficiently detailed tier rules the Agency cannot perform its statutory duties and its inability to act on any basis other than an emergency endangers the public welfare as described above.

25. Further, the lack of sufficiently detailed tier rules impedes the Agency's ability to make initial tier assignments and reassignments and restricts the population that can be served through the DD-HCBS Waiver. There are almost 19,000 persons who have been deemed eligible for DD-HCBS Waiver services but who are on a waiting list owing entirely to state budgetary constraints. Many of these individuals on the waiting list have critical service needs. The Emergency Rules, as amended today, are necessary to provide an adequate framework to impose spending limitations on clients who would be appropriately placed in tiers two, three, or four due to duplication of services or other criteria, with the resulting savings used to move individuals with critical needs from the waiting list into the DD-HCBS Waiver program.

26. There are almost 24,000 clients receiving services who were assigned tiers and have expenditure caps as required by the tiers. There are approximately 4,500 clients who do not have an effective tier assignment and there are additional clients who have been added to the waiver who have never been assigned to a tier. These clients are considered to be in a "to be determined" category ("TBD") and they are not subject to budget caps. Owing to that lack of a limitation, they consume resources disproportionately.

27. There is nothing unique about the clients in the TBD category which would make them differ in condition from the clients who have been assigned tiers. Of the nearly 24,000 clients who are in tiers, their average monthly waiver service

expenses are \$2465 per client per month. These clients do have budget caps in line with the statutory tier system. The 4,518 clients who are in the TBD category do not have budget caps and are running expenses of \$3,592 per client per month. In November 2009, these TBD clients had combined waiver services expenses of over \$16 million for that month alone. Were these TBD clients to be assigned to tiers, and their service expenses to be similar to the average of clients currently in tiers, the projected difference would be a \$5 million savings each month. The result of every client in the TBD category having no budget cap is it creates a \$60 million a year expense exceeding APD's appropriated budget. If that \$5 million a month overage can be properly reduced by APD being enabled to apply the tiers to these clients, there would be a material improvement in the budgetary situation which would allow APD to serve more individuals currently on the waitlist.

28. The legislature's concern with the DD-HCBS waiver has been to maintain the program within its yearly appropriation. That concern is reiterated throughout Chapter 393, F.S. Accordingly, provided there is budget capacity, APD will add clients from the waitlist to the group receiving services. By law there is a priority-system for adding clients from the waitlist, the first priority is clients in crisis who have been added on an ongoing basis as necessary when there was budgetary capacity within that year's appropriation. The second priority, those who would directly benefit from an expansion, are children in the state's child welfare system. Section 393.065(5), F.S. Children who are developmentally challenged and who have suffered from neglect or abuse would directly benefit from being enabled to receive services under the DD-HCBS program. There are approximately 250 children in this category, based upon the general trends and availability of other Medicaid state programs, these children likely would be placed in tier four which has average expenditures of roughly \$10,000 per client per year. If capacity of approximately \$2,500,000 were available these children could be added and receiving DD-HCBS services. It is an imperative to implement the tiers to control the budget to enable APD to serve these children.

29. The concept of this Medicaid Waiver is that it is to supply services which are not available from any other source or which could be paid for by any other source, including other state Medicaid programs. Clients are required to access available supports and services from other sources, including Medicaid state plan and other federal, state and local programs as well as natural and community supports. This funding restriction is part of the reason why the Legislature chose to implement the tier system with its budget caps. Everyone does not get everything which may be determined as "medically necessary" so that more people may get some benefit from the Waiver services. The current situation is that the few who have

unrestrained budgets are effectively foreclosing the opportunity of many who are on the Waitlist from obtaining some services.

30. This projected cost savings to broaden the population the Agency could serve through the DD-HCBS Waiver program was one of the Legislature's principal goals in amending Section 393.0661, F.S., and creating the tier system. Section 393.0661, F.S. Without sufficiently detailed tier rules in place, the Agency lacks the ability to realize this legislative goal.

31. In summary, the Legislature has appropriated a finite pool of funds for delivery of services through the DD-HCBS Waiver program in the 2009/2010 fiscal year. Individuals currently on the waiting list cannot be moved into the waiver program as long as this finite appropriation is being exhausted by existing clients. The clients in the TBD category are creating a material deficit. Accordingly, the Emergency Rules as amended are of critical importance to the health, safety, and welfare of any individual currently on the waiting list who can be moved into the DD-HCBS Waiver program as a result of spending limitations imposed on these existing clients due to tier assignment or reassignment.

32. The legislature has directed APD to act as necessary to restrict the waiver program's expenses to stay within its appropriated budget. Specifically, APD is required under Section 393.0661, F.S. (e.s.):

(7) Nothing in this section or in any administrative rule shall be construed to prevent or limit the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or from limiting enrollment, or making any other adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act.

(8) ... If at any time an analysis by the agency, in consultation with the Agency for Health Care Administration, indicates that the cost of services is expected to exceed the amount appropriated, the agency shall submit a plan in accordance with subsection (7) to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor to remain within the amount appropriated. The agency shall work with the Agency for Health Care Administration to implement the plan so as to remain within the appropriation.

33. The Florida Constitution requires that APD cannot exceed its budgeted appropriation. Article VII, Section I, Fla. Const. Additionally, the statute directs and requires APD to take any action necessary to ensure the DD-HCBS program serves clients. To stay within the limits of its legislative appropriation, APD could reduce provider rates, but the unintended consequence could be a loss of providers and thus an interruption in services for clients. APD could institute across

the board client services budget cuts, it could target particular services to reduce or eliminate. However, the legislative directive is to provide support as possible to as many people as possible under the DD-HCBS appropriation. It was not designed to provide a few with virtually unlimited services while a sizeable eligible population receives none.

34. Absent the ability to implement the four-tiered waiver system, the State of Florida may have to provide institutional beds for thousands of individuals. As provided above, all of the 19,000 individuals of the waitlist meet a level of need qualifying them for placement in a nursing home. That individuals with developmental disabilities who have needs which could be met through diversion are nonetheless institutionalized contravenes the Legislative intent of Chapter 393, F.S.:

Section 393.62, F.S., Legislative findings and declaration of intent. –The Legislature finds and declares that existing state programs for the treatment of individuals with developmental disabilities, which often unnecessarily place clients in institutions, are unreasonably costly, are ineffective in bringing the individual client to his or her maximum potential, and are in fact debilitating to many clients. A re-direction in state treatment programs for individuals with developmental disabilities is necessary if any significant amelioration of the problems faced by such individuals is ever to take place. Such redirection should place primary emphasis on programs that prevent or reduce the severity of developmental disabilities. Further, the greatest priority shall be given to the development and implementation of community-based services that will enable individuals with developmental disabilities to achieve their greatest potential for independent and productive living, enable them to live in their own homes or in residences located in their own communities, and permit them to be diverted or removed from unnecessary institutional placements. . .

For the reasons stated above, the Agency finds that an immediate danger to the public health, safety, and welfare exists and requires immediate action.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:**

1. The emergency action taken by the Agency on November 16, 2009 amended only those portions of rule specifically addressed by the Moreland case.
2. The emergency rules as amended today take only the action necessary to ensure that necessary services may be authorized to protect the vulnerable individuals with developmental disabilities served by the Agency, and to increase the availability of services to vulnerable individuals with developmental disabilities not presently served by the Agency, within existing resources, as mandated by the Legislature.
3. These emergency rules include only those changes necessary to address the Moreland decision, and those changes necessary to make effective tier assignments or reassignments.

4. Any client who will be assigned or reassigned to a tier as a result of further agency action implementing these emergency rules will be accorded direct notice and an opportunity for a hearing meeting the requirements of Chapter 120, Florida Statutes, Title 42 Part 431 of the Code of Federal Regulations, and other applicable state and federal law.

5. The emergency rules as adopted will be effective only until February 14, 2010 and will not be renewed, except during the pendency of a challenge to proposed rules addressing the subject of the emergency rules.

**SUMMARY:** These emergency rules replace recently invalidated rules and the Emergency Rules 65GER09-2, 65GER09-3, 65GER09-4, 65GER09-5, and 65GER09-6. They are necessary for the administration and continued implementation of Section 393.0661(3), F.S., which created a four-tiered waiver system. These rules are essential for the public health, safety, and welfare because without rules in place, the delivery system of Medicaid services cannot provide medically necessary services to 31,000 affected individuals in the manner prescribed by statute.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Celeste Sanders, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)922-0371

THE FULL TEXT OF THE EMERGENCY RULES IS:

65GER09-7 Tier Waivers.

(1) The Agency for Persons with Disabilities will assign clients of home and community-based waiver services for persons with developmental disabilities to one of the four Tier Waivers created by Section 393.0661, F.S. The Agency will determine the Tier Waiver for which each client is eligible and assign the client to that waiver based on the developmental disabilities waiver criteria and limitations contained in the following provisions: Sections 409.906(13) and 393.0661, F.S.; and Rules 59G-13.080 and 59G-13.083, F.A.C. These criteria include:

(a) The client's needs in functional, medical, and behavioral areas, as reflected in the client's approved cost plan.

(b) The client's cost plan is developed through Agency evaluation of client characteristics, the Agency approved assessment process, support planning information, and the Agency's prior service authorization process.

(c) The services listed below in subsection (5), when authorized in an approved cost plan, shall be key indicators of a tier assignment because they directly reflect the level of medical, adaptive or behavioral needs of a client.

(d) The client needs considered in tier assignments are only those services approved through the prior service authorization process to be medically necessary;

(e) The client's current living setting; and

(f) The availability of supports and services from other sources, including Medicaid state plan and other federal, state and local programs as well as natural and community supports.

(2) As part of the assessment process, the Individual Cost Guidelines (ICG) and the Questionnaire for Situational Information 4.0 (QSI) are hereby adopted by the Agency as valid and reliable assessment instruments. The ICG and the QSI are available at: <http://apd.myflorida.com/waiver/qsiversion-4.pdf>, or <http://apd.myflorida.com/waiver/>. The ICG is only valid through December 31, 2009. The QSI is valid in all other instances.

(3) The services described by the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, July 2007 (available at: [http://portal.flmms.com/FLPublic/Portals/0/StaticContent/Public/HANDBOOKS/CL\\_08\\_070701\\_Waiver\\_DevSev\\_ver1%203%20\(2\).pdf](http://portal.flmms.com/FLPublic/Portals/0/StaticContent/Public/HANDBOOKS/CL_08_070701_Waiver_DevSev_ver1%203%20(2).pdf) or <http://apd.myflorida.com/waiver/> (hereinafter referred to as the "DD Handbook"), adopted by Rule 59G-13.083, F.A.C. and incorporated herein by reference, are available to clients of the Developmental Disabilities Waiver (hereinafter called "the Tier One Waiver"), the Developmental Disabilities Tier Two Waiver (hereinafter called "the Tier Two Waiver"), and Developmental Disabilities Tier Three Waiver (hereinafter called "the Tier Three Waiver"). The following services described in the DD Handbook are available to clients assigned to the Tier Four Waiver (presently known as The Family and Supported Living Waiver):

(a) Adult Day Training;

(b) Behavior Analysis;

(c) Behavior Assistance;

(d) Consumable Medical Supplies;

(e) Durable Medical Equipment;

(f) Environmental Accessibility Adaptations;

(g) In-Home Support Service;

(h) Personal Emergency Response System;

(i) Respite Care;

(j) Support Coordination;

(k) Supported Employment;

(l) Supported Living Coaching; and

(m) Transportation.

(4) For all Tiers the client must utilize all available State Plan Medicaid services including, but not limited to, personal care assistance, therapies, medical services, and nursing services, that duplicate the waiver services proposed for the client. A client shall not be provided waiver services that duplicate available State Plan Medicaid Services including, but not limited to, personal care assistance, therapies, medical services, and nursing services.

(5) The Agency will review a client's tier eligibility when a client has a significant change in circumstance or condition that impacts on the client's health, safety, or welfare or when a change in the client's plan of care is required to avoid

institutionalization. The information identifying and documenting a significant change in circumstance or condition that necessitates additional or different services must be submitted by the client's Waiver Support Coordinator to the appropriate Agency Area office for determination.

(6) The following services, if approved through the Agency's prior authorization process, will be used as the basis for making a tier assignment or determining whether a tier change is required:

- (a) Personal Care Assistance;
- (b) Behavior Analysis;
- (c) Behavior Assistance;
- (d) Supported Living Coaching;
- (e) In-home Supports;
- (f) Skilled, Residential or Private Duty Nursing Services;
- (g) Intensive Behavioral Residential Habilitation Services;
- (h) Behavior Focus Residential Habilitation Services at the moderate or above level of support;
- (i) Behavior Focus Residential Habilitation Services at the minimal level of support;
- (j) Standard Residential Habilitation at the extensive 1, or higher, level of support;
- (k) Standard Residential Habilitation at the moderate level of support;
- (l) Live-in Residential Habilitation;
- (m) Special Medical Home Care;
- (n) Occupational Therapy;
- (o) Physical Therapy;
- (p) Speech Therapy;
- (q) Respiratory Therapy;
- (r) Specialized Mental Health Services; or
- (s) ADT at the 1:1 ratio.

(7) In determining tier level assignment for clients with behavioral needs, the Agency may consider less costly services not listed in subsection (6) for those clients who choose less costly services to address a documented behavioral need.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 12-22-09.

#### 65GER09-8 Tier One Waiver.

(1) The Tier One Waiver is limited to clients that the Agency has determined meet at least one of the following criteria:

- (a) The client's needs for medical or adaptive services are intense and cannot be met in Tiers Two, Three, and Four and are essential for avoiding institutionalization, or
- (b) The client possesses behavioral problems that are exceptional in intensity, duration, or frequency with resulting service needs that cannot be met in Tiers Two, Three, and Four, and the client presents a substantial risk of harm to themselves or others.

(2) Tier One shall include, but is not limited to clients who are authorized by the Agency to receive the following services which are defined in the DD Handbook:

(a) 180 hours or more per month of intensive Personal Care Assistance;

(b) Supported Living Coaching and In-home Supports, in combination with any of the following additional services: Physical Therapy, Occupational Therapy, Respiratory Therapy or Behavior Analysis;

(c) Behavior analysis and Behavior Assistance services of sixty or more hours per month, if living in the family home; or  
(d) Four or more hours per day of continuous Nursing Services.

(3) Clients living in a licensed residential facility receiving any of the following services, defined in Rule 59G-13.084, F.A.C., shall be assigned to the Tier One Waiver:

- (a) Intensive Behavioral Residential Habilitation services;
- (b) Behavior Focus Residential Habilitation services at the moderate or above level of support; or
- (c) Standard Residential Habilitation at the extensive 1, or higher, level of support; or
- (d) Special Medical Home Care, as defined in the DD Handbook.

(4) Needs for services described in subsections (2) and (3) that can be met through the Tier Two, Tier Three, or Tier Four Waivers are not "services" or "service needs" that support assignment to the Tier One Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 12-22-09.

#### 65GER09-9 Tier Two Waiver.

The total budget in a cost plan year for each Tier Two Waiver client shall not exceed \$55,000. The Tier Two Waiver is limited to clients who meet the following criteria:

(1) The client's service needs include placement in a licensed residential facility and authorization for a moderate level of support for standard residential habilitation services or a minimal level of support for behavior focus residential habilitation services as defined in the DD Handbook; or

(2) The client is in supported living and is authorized to receive more than six hours a day of in-home support services. Supported living and in-home support services are defined in the DD Handbook.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 12-22-09.

#### 65GER09-10 Tier Three Waiver.

The total budget in a cost plan year for each Tier Three Waiver client shall not exceed \$35,000. A client must meet at least one of the following criteria for assignment to the Tier Three Waiver:

(1) The client resides in a licensed residential facility and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(2) The client resides in their own home, is authorized by the Agency to receive in-home support services and is not eligible for the Tier One Waiver or the Tier Two Waiver and the need for these services cannot be met in Tier Four; or

(3) The client is authorized by the Agency to receive personal care assistance services at the standard or moderate level of support as defined in the DD Handbook.

(4) The client is authorized by the Agency to receive Skilled or Private Duty Nursing Services and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(5) The client is authorized by the Agency to receive services of a behavior analyst and/or a behavior assistant and the need for these services cannot be met in Tier Four.

(6) The client is authorized by the agency to receive at least one of the following services:

- (a) Occupational Therapy;
- (b) Physical Therapy;
- (c) Speech Therapy; or
- (d) Respiratory Therapy.

(7) All services described in this rule are defined in the DD Handbook.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History—New 12-22-09.

65GER09-11 Tier Four Waiver.

(1) The total budget in a cost plan year for each Tier Four Waiver client shall not exceed \$14,792 per year.

(2) Clients who are not eligible for assignment to the Tier One Waiver, the Tier Two Waiver, or the Tier Three Waiver shall be assigned to the Tier Four Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS History—New 12-22-09.

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

EFFECTIVE DATE: December 22, 2009

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Criminal Justice Standards and Training Commission, received a petition for a waiver of Rule 11B-35.0024, F.A.C., by Santa Fe Community College. The Petitioner wishes to waive the requirement in the rule that all aspects of the

CJSTC-6 CMS form be completed. The Petitioner requests a permanent waiver to cover all Defensive Tactics courses taught from May 20, 2005, to September 22, 2009. Petitioner states that its instructors met all the requirements for correctly teaching the defensive tactics courses at issue, but failed to completely fill in all aspects of the CJSTC-6 CMS forms for courses taught during the time in question.

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, (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."

### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on December 18, 2009, the Suwannee River Water Management District, received a petition for variance from Bishop Robert J. Baker, 18847 N. W. 282 Drive, High Springs, FL 32643, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero-rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to repair existing residence and deck, located in Alachua County, in Township 8 South, Range 17 East, Section 6. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 09-0303.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from The Broasted Chicken Shack located in Jacksonville, FL. The above referenced F.A.C. addresses the requirement that at least one accessible



bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another establishment located within 300 feet.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(6), (7), Florida Administrative Code from Personal Touch Catering located in Winter Park. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within an adjacent business for customers only.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on December 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on December 3, 2009 for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (6), Florida Administrative Code, from Thuman's Catering located in Fort Myers, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The variance request was published in Vol. 35, No. 50, December 18, 2009 and approval is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all

periods of operation. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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## DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on December 18, 2009, the Department of Health, received a petition for Variance from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from Global Outreach Charter Academy located at 9570 Regency Square Blvd., Jacksonville, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. It also states that common toilet facilities for both sexes shall not be allowed above the 3rd grade. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

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## FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on December 22, 2009, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from paragraph 67-48.0010(3)(b), F.A.C., from 350 N.W., LLC. The petition is seeking a waiver to allow the interest rate on the SAIL loan to be reduced from three percent (3%) to one half of the percent (.5%), based on the pro rata share of units set aside for homeless, as per the latest SAIL rule, paragraph 67-48.010(3)(b), F.A.C. (2007).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of

publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT on December 16, 2009, the Department of Financial Services, Division of Fire Marshal, received a petition for variance filed by Milestone Group, Inc.

Nature of Rule 69A-60.004, F.A.C., adopts National Fire Protection Association Standard 101-31.3.4.1.1 (2006) edition which requires existing apartment buildings with more than three stories or with more than 11 dwelling units to be provided with a fire alarm system.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lesley Mendelson at (850)413-3604 or Lesley.Mendelson@myfloridacfo.com.

**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: January 26, 2010, 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.

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#### DEPARTMENT OF STATE

The **Friends of Florida Main Street Board** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 22, 2010, 10:00 a.m. – 3:00 p.m.  
**PLACE:** Community Redevelopment Agency, 320 East Monument Avenue, Kissimmee, Florida 34741

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Friends of Florida Main Street Board will hold a meeting followed by a workshop facilitated by Jeannette Peters, a certified consultant. This workshop will establish marketing and funding goals and objectives for Friends of Florida Main Street.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

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: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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#### DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** January 12, 2010, 11:00 a.m.

**PLACE:** Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Awards and Recognition Task Force.

**DATE AND TIME:** January 13, 2010, 10:00 a.m.

**PLACE:** Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Annual Report Committee.

**DATE AND TIME:** January 13, 2010, 11:00 a.m.

**PLACE:** Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Legislative Committee.

**DATE AND TIME:** January 14, 2010, 9:00 a.m.

**PLACE:** Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Finance/Budget Committee.

DATE AND TIME: January 20, 2010, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.  
 DATE AND TIME: January 21, 2010, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.  
 DATE AND TIME: January 28, 2010, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.  
 DATE AND TIME: January 28, 2010, 11:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: FCSW Foundation.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Transgenic Aquatic Species Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 10:00 a.m. – 12:00 Noon  
 PLACE: Division of Aquaculture, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, FL 32301  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Application to culture microalgae.  
 A copy of the agenda may be obtained by contacting: Paul Zajicek at (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 3 days before the workshop/meeting by contacting: Paul Zajicek 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).

**DEPARTMENT OF EDUCATION**

The **Florida Rehabilitation Council for the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: Crowne Plaza Jacksonville Riverfront, 1201 Riverplace Blvd., Jacksonville, FL 32207

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

This is an open meeting with no agenda.

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 local DBS office, no later than five (5) working days prior to the meeting, at (904)348-2730 or Toll Free 1(800)226-6356, or through the Florida Telephone Relay System 711. 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: Phyllis Dill, AAIL, Division of Blind Services, 14 West Jordan Street, Suite 1M, Pensacola, FL 32501, (850)595-5282, ext. 11 or through the Florida Telephone Relay System 711 or e-mail: Phyllis.dill@dbs.fldoe.org.

The **Florida Rehabilitation Council for the Blind** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, January 21, 2010, 8:30 a.m. – 1:00 p.m.; Friday, January 22, 2010, 8:30 a.m. – 2:00 p.m.

PLACE: Crowne Plaza Jacksonville Riverfront, 1201 Riverplace Blvd., Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting of the Florida Rehab Council for the Blind.

A copy of the agenda may be obtained by contacting: Phyllis Dill, AAII, Division of Blind Services, 14 West Jordan Street, Ste. 1M, Pensacola, Florida 32501 or (850)595-5282, ext. 11 or Phyllis.dill@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the local DBS office, no later than five (5) working days prior to the meeting, at (561)681-2548 or toll free 1(866)225-0794. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Education** announces a public meeting to which all persons are invited.

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

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Duval Meeting Room, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held November 11, 2009, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Items for consideration include action relating to the following rules: Rule 6A-1.099811, F.A.C., Differentiated Accountability State System of School Improvement; Rule 6A-1.0081, F.A.C., Charter School and Charter Technical Career Center Monthly Financial Statements and Financial Conditions; Repeal of Rule 6A-1.0421, F.A.C., Temporary Inability of Superintendent of Schools to Perform the Duties of Office; Repeal of Rule 6A-1.0691, F.A.C., Procedures for Appealing a District School Board Decision; Rule 6A-1.09514, F.A.C., Excused Absences for Religious Instruction or Holiday; Rule 6A-1.0956, F.A.C., Suspension on the Basis of Felony Charges; Repeal of Rule 6A-10.0312, F.A.C., Minimum Standards of College-Level Communication and Computation Skills; Repeal of Rule 6A-10.0314, F.A.C., Applications of College-Level Communication and Computation Skills in State Universities and Community Colleges; Repeal of Rule 6A-10.0317, F.A.C., Participation in the College-Level Communication and Computation Skills Testing Program by Nonpublic Postsecondary Institutions; and Rule 6A-14.064, F.A.C., College Credit Dual Enrollment. Other items for consideration include: Approval of Class Size Calculation; Approval of Gold Standard Career Pathways Industry Certification to AAS/AS Degree Statewide Articulation Agreements; Approval of Request by Lake City Community College Board of Trustees to Rename the College "Florida Gateway College"; Approval of Request by Central Florida Community College Board of Trustees to Rename the

College "College of Central Florida"; Approval of Request by Miami-Dade College to Change Degree Designation For its BAS in Electronics Engineering Technology to a Bachelor of Science; Charter School Appeals: Taylor Peace Academy vs. Hillsborough County School Board, Journey Elementary School vs. Indian River County School Board, Imagine Schools at South Indian River vs. Indian River County School Board, Manatee Charter School vs. Manatee County School Board, and Padah's Academy vs. Hillsborough County School Board; Consideration of Baccalaureate Degree Proposals: Pensacola Junior College, BAS in Supervision and Administration and BS in Nursing; State College of Florida, Manatee-Sarasota, BS in Early Childhood Education, Birth to Age 4, BAS in Health Services Administration, BAS in Public Safety Administration/Homeland Security, and BAS in Energy Technology; Edison State College, BAS in Cardiopulmonary Sciences, BS in Middle Grades Math Education, Middle Grades Science Education, and Middle Grades Language Arts Education, and BAS in Health Sciences w/optional concentration in Physician's Assistant; Daytona State College, BAS in Engineering Technology; and Central Florida Community College, BAS in Business and Organizational Management; and Adoption of a Resolution Extending the Division of Bond Finance's Authority to Issue State Board of Education Public Education Capital Outlay Bonds through Negotiated Sale and Authorizing the Issuance of Public Education Capital Outlay Bonds as Taxable Bonds. The Presentation to be provided will be an Overview of Race to the Top as Submitted. The Policy Issues for Concurrence will include: K-6 Test Re-Development/Cut Scores; Key Components of a Healthy Environment for Students; Aligning Elementary and Middle School Accountability to High School Accountability; and High School Graduation – Raising the Required Score on FCAT to Earn a High School Diploma.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.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 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, January 15, 2010, 9:00 a.m.

PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000

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.

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

DATE AND TIME: Saturday January 23, 2010, 9:00 a.m.

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

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

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

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: L. Daniel Hutto. 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: L. Daniel Hutto, President, at the afore mentioned address.

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## DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2010, 8:30 a.m.

PLACE: FLorida Department of Transportation, Burns Bldg., 605 Suwannee Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

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

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The **Department of Transportation** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 25, 2010, 1:00 p.m. – 6:00 p.m.; January 26, 2010, 8:00 a.m. – 12:00 Noon

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Transportation announces a Steering Committee Meeting to gather input for the 2060 Florida Transportation Plan and we invite your participation in this important process.

When the specific meeting location is confirmed (as well as exact meeting times), this information will be posted on the FTP website at [www.2060ftp.org](http://www.2060ftp.org).

The Florida Transportation Plan establishes long range goals that will provide a policy framework for expenditure of federal and state transportation funds in Florida. The Florida Department of Transportation is updating this Plan to respond to new trends and challenges to meet the future mobility needs of Florida's residents, visitors, and businesses.

A copy of the agenda may be obtained by contacting: Paula San Gregorio at (850)414-4811.

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: Paula San Gregorio at (850)414-4811. 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: For more information about this Plan, please visit the FTP Website at [www.2060ftp.org](http://www.2060ftp.org) or contact: Paula San Gregorio at (850)414-4811, e-mail: [paula.sangregorio@dot.state.fl.us](mailto:paula.sangregorio@dot.state.fl.us).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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

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

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### **STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 12, 2010, 9:00 a.m. – until conclusion

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Trustees of the State Board of Administration on January 12, 2010, will consider the proposed amended rule and will be asked for permission to file for adoption: Rule 19-11.006, F.A.C., Enrollment Procedures for New Hires. The proposed amendments will adopt a revised form and provide updated procedures. Notice of Proposed Rule for this rule was published in F.A.W. on November 25, 2009. A rule hearing was offered for December 21, 2009, but was not held because it was not requested.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 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 24 hours before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32303, (850)413-1197, [tina.joanos@sbafla.com](mailto:tina.joanos@sbafla.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: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1185, [ruth.smith@sbafla.com](mailto:ruth.smith@sbafla.com).

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### **DEPARTMENT OF CITRUS**

The Florida **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

**DATES AND TIME:** Tuesday and Wednesday, January 19-20, 2010, 9:00 a.m.

**PLACE:** Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Commission will convene for the purpose of the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during regular meetings of the Commission. In addition, the Advertising Agency Evaluation Committee will meet on January 19, 2010, to hear and rank presentations from three advertising agency finalists. The Committee will then make a recommendation to the Commission for an advertising agency of record.

A copy of the agenda may be obtained by contacting: Linda Gurney at (863)499-2500.

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: Dianne Screws at (863)499-2500. 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: Linda Gurney at (863)499-2500.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

**DATE AND TIME:** \*January 25, 2010, 9:30 a.m.

**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: 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 a hearing in the following docket to which all persons are invited.

Docket No. 080631-TP – Petition for Commission to intervene, investigate and mediate dispute between DSL Internet Corporation d/b/a DSLi and BellSouth Telecommunications, Inc.

**PREHEARING CONFERENCE**

**DATE AND TIME:** Monday, January 25, 2010, 3:00 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this prehearing conference is to consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

**HEARING**

**DATE AND TIME:** Thursday, February 11, 2010, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this hearing is to permit parties to present testimony and exhibits relative to the proceeding, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on Monday, January 25, 2010.

**EMERGENCY CANCELLATION OF HEARING:** If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation 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: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** January 26, 2010, 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: Office of Commission Clerk at (850)413-6770 or writing: 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: <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** announces a workshop to which all persons are invited.

DATE AND TIME: January 27, 2010, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Public Service Commission will conduct a workshop to discuss the Commission's policy on water and wastewater acquisition adjustments as set forth in Rule 25-30.0371, Florida Administrative Code (F.A.C.), Acquisition Adjustments. Undocketed.

A copy of the agenda may be obtained by contacting: Office of General Counsel, Erik L. Sayler, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, (850)413-6199, esayler@psc.state. The agenda will be available on the Commission website, [www.floridapsc.com](http://www.floridapsc.com) by January 8, 2010.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Emergency Cancellation of Workshop – If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting 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: Office of the General Counsel at (850)413-6199.

For more information, you may contact: Florida Public Service Commission, Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a Special Commission Conference in the following docket to which all interested persons are invited.

DOCKET NOS.: 090079-EI and 090144-EI

DATE AND TIME: January 28, 2010, 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 and make a decision regarding the petition for increase in rates by Progress Energy Florida, Inc. in Docket No.: 090079-EI, and petition for limited proceeding to include Bartow repowering project in base rates, by Progress Energy Florida, Inc. in Docket No.: 090144-EI.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

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: Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendation are also accessible on the PSC Website, at <http://www.floridapsc.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 a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: 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** announces a Special Commission Conference in the following docket to which all interested persons are invited.

DOCKET NOS.: 080677-EI and 090130-EI

DATE AND TIME: January 29, 2010, 1:00 p.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 and make a decision regarding the petition for increase in rates by Florida Power & Light Company in Docket No.: 080677-EI and the 2009 depreciation and dismantlement study by Florida Power & Light Company in Docket No.: 090130-EI.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

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: Office of Commission Clerk at (850)413-6770 or

writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendation are also accessible on the PSC Website, at <http://www.floridapsc.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 a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 15, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: Toni Jennings Room, 110 Senate Office Building, 404 South Monroe Street, Tallahassee, FL. Staff will conduct the conference call from the Toni Jennings Room, 110 Senate Office Building, where members of the public are invited to attend. Members of the public are also invited to listen to the call, but due to noise considerations are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda. The dial-in number is 1(866)233-5216, Conference Code: 5654699#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy and Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Brittany Cummins at (850)487-3800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brittany Cummins at (850)487-3800.

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The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Drug Policy Advisory Council.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

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: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

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#### REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2010, 9:30 a.m.

PLACE: Starke City Commission Meeting Room, 209 North Thompson Street, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Bradford County Transportation Disadvantaged Coordinating Board.

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 calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2010, 1:15 p.m.

PLACE: Union County Board of County Commissioners Meeting Room, Union County Courthouse, 55 West Main Street, Lake Butler, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Union County Transportation Disadvantaged Coordinating Board.

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 calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2010, 10:30 a.m.

PLACE: Dixie County Board of County Commissioners Meeting Room, Dixie County Courthouse, 401 North Cedar Street, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Dixie County Transportation Disadvantaged Coordinating Board.

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 calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2010, 1:30 p.m.

PLACE: Gilchrist County Board of County Commissioners Meeting Facility, 210 South Main Street, Trenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Gilchrist County Transportation Disadvantaged Coordinating Board.

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 calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **District 5 Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIMES: Training Subcommittee, Wednesday, January 20, 2010, 9:30 a.m.; Local Emergency Planning Committee, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

A copy of the agenda may be obtained by contacting: Michael Arnold at (352)732-1315, ext. 228.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2010, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: The Executive Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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**The East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council Office, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Tuesday Brunsonbyrd-Bowden, East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701.

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.

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**The East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council Office, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: April Raulson at (407)262-7772 or araulerson@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 4 days before the workshop/meeting by contacting: April Raulson at (407)262-7772 or araulerson@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: April Raulson at (407)262-7772 or araulerson@ecfrpc.org.

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**The Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2010, 6:00 p.m.

PLACE: Frostproof Woman's Club, 75 North Lake Reedy Boulevard, Frostproof, FL 33843

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m. and a question and answer period following. The presentation will cover the military, archeological, environmental, ranching and recreational programs and the purpose and progress of the JLUS study.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124, hsears@cfrc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, hsears@cfrc.org.

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**The Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2010, 6:00 p.m.

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m. and a question and answer period following. The presentation will cover the military, archeological, environmental, ranching and recreational programs and the purpose and progress of the JLUS study.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124, hsears@cfrc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2010, 6:00 p.m.

PLACE: Kenansville Community Center, 1150 South Canoe Creek Road, Kenansville, FL 34739

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m. and a question and answer period following. The presentation will cover the military, archeological, environmental, ranching and recreational programs and the purpose and progress of the JLUS study.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124.

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: Helen Sears at (863)534-7130, ext. 124, hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2010, 9:30 a.m.

PLACE: Highlands County Fire Station, 6800 West George Boulevard, Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the Local Emergency Planning Committee and/or its subcommittees, to discuss the provision of the Emergency Planning and Community Right to Know Program. Items pertaining to the State Emergency Response Commission and its subcommittees for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at ccarter@cfrpc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 1:30 p.m.

PLACE: Highlands County Veterans Administration Building, 7209 South George Boulevard, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Transportation Disadvantaged Local Coordinating Board.

A copy of the agenda may be obtained by contacting: Marcia Staszko, Program Director at (863)534-7130.

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: Marcia Staszko, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, mstaszko@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 6:00 p.m.

PLACE: Okeechobee County Civic Center, 1750 Highway 98 North, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m. and a question and answer period following. The presentation will cover the military, archeological, environmental, ranching and recreational programs and the purpose and progress of the JLUS study.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124, hsears@cfrpc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, hsears@cfrpc.org.

The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 8, 2010, 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 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.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 8, 2010, 10:00 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 Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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.

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The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 8, 2010, 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 Legislative 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. 11.

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The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 11, 2010, 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](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: 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.

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The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 22, 2010, 9:30 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 Clearinghouse Review 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: [www.tbrpc.org](http://www.tbrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Local Emergency Planning Committee** (LEPC) District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2010, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: John Meyer, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, ext. 29, [www.tbrpc.org/lepc/lepc.shtml](http://www.tbrpc.org/lepc/lepc.shtml).

Please note that if a person decides to appeal any decision made by the LEPC with respect to any matter considered at the above cited meeting, he/she will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council at (727)570-5151, within three working days of the meeting.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: John Meyer at (727)570-5151, ext. 29. 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: John Meyer at (727)570-5151, ext. 29.

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The **Southwest Florida Regional Planning Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2010, 10:00 a.m.

PLACE: Collier County Board of County Commissioners, Commissioner James Coletta Office, 3301 Tamiami Trail East, Bldg. F, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC Nominations Committee will hold a conference call to discuss nominations for the 2010 SWFRPC Officers.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, #232 or [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org).

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## REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 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 Tampa Bay Area Regional Transportation Authority (TBARTA) announces its monthly calendar of meetings. The TBARTA Board and its advisory committees will meet to discuss the implementation of regional transportation solutions.

The TBARTA Board

DATE AND TIME: Friday, January 22, 2010, 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 purpose of the meeting is to discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties.

The Transit Management Committee (TMC)

DATE AND TIME: Wednesday, January 13, 2010, 10:00 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

The Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, January 13, 2010, 1:30 p.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, F.S., and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Brandie Miklus, Transportation Planner, (813)217-4037 at least three (3) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com>, three to five days prior to each meeting.

**COMMISSION ON ETHICS**

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 8:30 a.m.  
 PLACE: Burns Building Auditorium, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, 3600 Maclay Blvd. S., Suite 201, Tallahassee, Florida 32312.

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: Commission on Ethics at (850)488-7864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

**METROPOLITAN PLANNING ORGANIZATIONS**

The **Charlotte County Transportation Disadvantaged Local Coordinating Board** (LCB) announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2010, 10:00 a.m.  
 PLACE: Charlotte County Transit Division Conference Room, 25490 Airport Road, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Brief Overview of the LCB Process (Annual Training Requirement); Quarterly Report and Select CTC Evaluation Subcommittee Appointment.

A copy of the agenda may be obtained by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535 or visit our website: [www.ccmppo.com](http://www.ccmppo.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: Florida Department of Transportation, District One, Title VI Coordinator Gina Gilbreath at (863)519-2345 or by writing: Post Office Box 1249, Bartow, FL 33831. 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. Wendy Scott, Charlotte County-Punta Gorda MPO at (941)883-3535.

**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2010, 9:00 a.m.  
 PLACE: District Headquarters, 9225 CR 49, Live Oak, FL  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida only), or on the District’s website at [www.mysuwanneeriver.com](http://www.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 by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida only). 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

Governing Board Workshop  
 DATE AND TIME: Monday, January 11, 2010, 1:00 p.m.  
 PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on Briefing on Wetland Mitigation including Mitigation Banking. NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.



A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347 or by visiting the District's website: [www.sjrwmd.com](http://www.sjrwmd.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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 **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

Projects and Land Committee Business Meeting

DATE AND TIME: Monday, January 11, 2010, 5:00 p.m.

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, January 12, 2010, 8:00 a.m., District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website: [www.sjrwmd.com](http://www.sjrwmd.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, January 12, 2010

8:30 a.m. Chairwoman's Meeting.

9:30 a.m. Finance, Administration and Audit Committee.

10:00 a.m. Regulatory Committee.

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition.

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. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, or by visiting the District's website: [www.sjrwmd.com](http://www.sjrwmd.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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 **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2010, 1:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: AGENDA

Business Items

- Call to Order and Roll Call – Chair
- Approval of October 14, 2009, Meeting Summary – Chair
- Meeting Items
- DEP Disciplinary Guidelines and Procedures Manual Update – Tony Gilboy
- WMIS Update (Fast Maps) – Deanna Naugler
- Water Shortage Update – Lois Sorensen
- Demonstration of DEP Contamination Site Locator Map – Dave Arnold

- Status Report on the Inland Protection Trust Fund – Ben Huss Open Discussion Announcements

- The Florida Ground Water Association meeting is scheduled at Hilton Garden Inn Tampa North, Temple Terrace on Friday, January 22, 2010.

- The next WDAC meeting is scheduled on April 21, 2010, 1:30 p.m., Tampa Service Office, 7601 Highway 301 North, Tampa.

A copy of the agenda may be obtained by contacting: maryellen.fugate@swfwmd.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: District’s Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only), ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: January 26, 2010, during a regular meeting of the Governing Board, 9:00 a.m.

PLACE: Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida 34606-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of changes to proposed rule 40D-80.075, F.A.C., describing the recovery strategy for proposed rule amendments to Rule 40D-8.041, F.A.C., establishing minimum flows for the Lower Alafia River. These proposed rule amendments were noticed in the September 25, 2009, (Vol. 35, No. 38), Florida Administrative Weekly.

A copy of the agenda and the meeting materials may be obtained by going to the District’s Internet site: <http://www.swfwmd.state.fl.us/calendar/meetingfiles> seven days prior to the meeting or by contacting: Annette Zielinski, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34606-6899, (352)796-7211, extension 4651.

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: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; Fax: (352)754-6878, Suncom 663-6878. 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)**, Adaptive Protocols Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Adaptive Protocols and the Lake Okeechobee Water Regulation Schedule 2008 (LORS, 2008).

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.swfwmd.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: 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).

**DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 19, 2010; February 16, 2010; March 16, 2010; April 20, 2010, 12:00 Noon – 1:00 p.m. (EST)

PLACE: Kendall United Methodist Church, 7600 S. W. 104th Street, Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Dade and the Florida Keys District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Keith Gibson, 7300 N. Kendall Drive, Ste. 780, Miami, FL 33156, (305)671-7245 or email: [gibsonk@elderaffairs.org](mailto:gibsonk@elderaffairs.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Keith Gibson, 7300 N. Kendall Drive, Ste. 780, Miami, FL 33156, (305)671-7245 or email: [gibsonk@elderaffairs.org](mailto:gibsonk@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Keith Gibson, 7300 N. Kendall Drive, Ste. 780, Miami, FL 33156, (305)671-7245 or email: gibsonk@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program**, announces a public meeting to which all persons are invited.

DATES AND TIME: January 20, 2010; February 17, 2010; March 17, 2010; April 21, 2010, 9:30 a.m. – 11:00 a.m. (EST)  
PLACE: Department of Environmental Protection, 3800 Common Wealth Blvd., Carr Bldg., Room 170, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panhandle District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 21, 2010; February 18, 2010; March 18, 2010, 10:30 p.m. – 12:00 Noon (EST)  
PLACE: 11351 Ulmerton Rd., Ste. 303, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mid and South Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Natalie Clanzyn, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Natalie Clanzyn, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elder

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

For more information, you may contact: Natalie Clanzyn, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 21, 2010; February 18, 2010; March 18, 2010; April 15, 2010, 12:30 p.m. – 2:30 p.m. (EST)  
PLACE: Haven Hospice, 4200 N. W. 90th Blvd., Gainesville, FL 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Ryan Miller, 3801 N. W. 40th Terrace, Ste. A, Gainesville, FL 32606, (352)955-5015 or email: millerr@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ryan Miller, 3801 N. W. 40th Terrace, Ste. A, Gainesville, FL 32606, (352)955-5015 or email: millerr@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ryan Miller, 3801 N. W. 40th Terrace, Ste. A, Gainesville, Florida 32606, (352)955-5015 or email: millerr@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: February 19, 2010; March 19, 2010; April 16, 2010, 10:00 a.m. – 11:00 a.m. (EST) (NOTE: The above mentioned meeting dates have changed from what was previously submitted for publication in the F.A.W., Vol. 35, No. 32, December 31, 2009.)

PLACE: First Presbyterian Church of Brandon, 121 Carver Ave., Room D, Brandon, FL 33510

GENERAL SUBJECT MATTER TO BE CONSIDERED: West Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591 or email: bakerr@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591, or email: bakerr@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591 or email: bakerr@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2010, 11:00 a.m. – 2:00 p.m. (EST)

PLACE: Olive Garden, 10500 Ulmerton Rd., Largo, FL 33771

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mid and South Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Natalie Clanzy, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Natalie Clanzy, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Natalie Clanzy, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency For Health Care Administration, Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 9:00 a.m. – 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits Panel will discuss issues related to the technical aspects of the Enhanced Benefits program, under Medicaid Reform.

A copy of the agenda may be obtained by contacting: Aldria White, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #22, Tallahassee, FL 32308, (850)488-3560.

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: Aldria White. 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: Aldria White, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #22, Tallahassee, FL 32308, (850)488-3560.

#### **DEPARTMENT OF MANAGEMENT SERVICES**

The **Department of Management Services**, DivTel, E911 Board announces the following updated meeting schedule information to which all interested persons are invited.

DATES AND TIME: January 13-15, 2010, 9:00 a.m. – until conclusion of business

PLACE: Renaissance Hotel at World Golf Village, 500 South Legacy Trail, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: E911 Board Meeting scheduled to discuss monthly Board business and draft the 2009 Annual Report to the Governor and Legislature.

Following the Wednesday, January 13, 2010 Board meeting Legislative Task Force Committee scheduled to meet to discuss legislative issues regarding prepaid wireless 911 fee collection and other remittances where 2 or more Board members will participate. This Committee meeting will not be available via telephone conference.

If accommodation due to disability is needed in order to participate, please notify the Department of Management Services, Division of Telecommunications, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Department of Management Services, Division of Telecommunications**, E911 Board announces the following meeting schedule information to which all interested persons are invited.

E911 Board Meetings:

DATE AND TIME: January 28, 2010, 2:00 p.m. – until conclusion of business

PLACE: Tallahassee, FL. Conference Code: 1(888)808-6959, Conference Code 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the 2009 Annual Report to the Governor and Legislature).

DATE AND TIME: February 11, 2010, 2:00 p.m. – until conclusion of business

PLACE: Tallahassee, FL. Conference Call: 1(888)808-6959, Conference Code 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the 2009 Annual Report to the Governor and Legislature.

DATES AND TIME: February 17-18, 2010, 9:00 a.m. – until conclusion of business

PLACE: Dadeland Marriott, 9090 South Dadeland Boulevard, Miami, FL

DATES AND TIME: March 16-18, 2010, 9:00 a.m. – until conclusion of business

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee Meeting scheduled March 16th starting at 2:00 p.m. until conclusion of business.

DATES AND TIME: April 20-22, 2010, 9:00 a.m. – until conclusion of business

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee Meeting (scheduled April 20, 2010, 2:00 p.m.)

DATES AND TIME: May 19-20, 2010, 9:00 a.m. – until conclusion of business

PLACE: Doubletree Hotel Tampa Westshore Airport, 4500 West Cypress Street, Tampa, FL

If accommodation due to disability is needed in order to participate, please notify the Department of Management Services, Communications and Information Technology Services Office, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m.

PLACE: This is a telephonic meeting. Please contact Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001 or casey.snipes@fchr.myflorida.com for call in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001 or by visiting the FCHR website at <http://fchr.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: Casey Snipes, Executive Assistant, 2009 Apalachee Parkway, Oakland Building, Suite 200, Tallahassee, FL 32301, (850)488-7082, ext. 1001. 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: Casey Snipes, Executive Assistant, 2009 Apalachee Parkway, Oakland Building, Suite 200, Tallahassee, FL 32301, (850)488-7082, ext. 1001.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Hotels and Restaurants** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 21, 2010, 9:00 a.m. – 11:00 a.m. or until business is complete

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9225046#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hotels and Restaurants Advisory Council annual meeting.

A copy of the agenda may be obtained by contacting: Diann Worzalla, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133.

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

For more information, you may contact: Diann Worzalla, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133.

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The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATES AND TIME: January 28-29, 2010, 9:00 a.m.

PLACE: Hilton St. Augustine Historic Bayfront, 32 Avenida Menendez, St. Augustine, Florida 32084, (904)829-2277

GENERAL SUBJECT MATTER TO BE CONSIDERED: January 28, 2010, 9:00 a.m.: General Business including disciplinary cases, if times allows to be followed by General Business discussion items – architect profession, interior design profession, rules, and reports.

January 29, 2010, 9:00 a.m.: General Business discussion items – architecture profession, interior design profession, rules, reports, and application reviews.

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, (850)487-1395.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 12, 2010, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing 1(866)895-8146; participant code 30295716. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Shannon McCoy at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by contacting: Shannon McCoy.

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: Wendy Gregory. 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: Wendy Gregory at [wggregory@fbpe.org](mailto:wggregory@fbpe.org)

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 13, 2010, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational Review Committee meeting. Review applications for licensure and other general business of the Board.

A copy of the agenda may be obtained by contacting: Wendy Gregory.

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: Wendy Gregory. 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: Wendy Gregory at [wggregory@fbpe.org](mailto:wggregory@fbpe.org).

The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303, Conference Call: 1(866)895-8146, Passcode: 30295716

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board.

A copy of the agenda may be obtained by contacting: Wendy Gregory at [wggregory@fbpe.org](mailto:wggregory@fbpe.org).

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Wendy Gregory at [wggregory@fbpe.org](mailto:wggregory@fbpe.org).

The **Board of Accountancy** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Thursday, February 4, 2010, Probable Cause, 9:00 a.m. – until all business is concluded; Thursday, February 4, 2010, Board meeting, 1:00 p.m. – until all business is concluded; Friday, February 5, 2010, Board meeting, 9:00 a.m. – until all business is concluded

**PLACE:** Marriott Tampa Airport, Tampa International Airport, Tampa, FL 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 consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 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.

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

**DATES AND TIME:** Tuesday, January 19, 2010; Wednesday, January 20, 2010, 8:30 a.m.

**PLACE:** Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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: Division of Real Estate at (407)481-5662. 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: Division of Real Estate at (407)481-5662.

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The Probable Cause Panel of the **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 21, 2010, 9:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

**PLACE:** Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

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: Division of Real Estate at (407)481-5662. 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: Division of Real Estate at (407)481-5662. 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: Division of Real Estate at (407)481-5662.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 8:45 a.m. – 1:00 p.m.

PLACE: Lemon Bay Park, 570 Bay Park Boulevard, Englewood, FL 34223

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, Florida 34229, (941)486-2052.

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: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, FL 34229, (941)486-2052. 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 HEALTH**

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Legal Systems Accessibility Task Force Video Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 12, 2010, 10:30 a.m. – 11:30 a.m. (EST)

PLACE: This meeting will be accessible through teleconference and streaming CART Toll-Free Conference Call: 1(888)808-6959, Conference Code: 5221678031#. Computer-assisted real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The design and content of an accessibility video designed for law enforcement education and the accompanying educational manual.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel at [info@fccdhh.org](mailto:info@fccdhh.org), [MaryGrace\\_Tavel@doh.state.fl.us](mailto:MaryGrace_Tavel@doh.state.fl.us), (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

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: Mary Grace Tavel, [info@fccdhh.org](mailto:info@fccdhh.org), [MaryGrace\\_Tavel@doh.state.fl.us](mailto:MaryGrace_Tavel@doh.state.fl.us), (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Education/Medical/Outreach Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 13, 2010, 9:00 a.m. – 10:00 a.m. (EST)

PLACE: This meeting will be accessible through teleconference and streaming CART Toll-Free Conference Call: 1(888)808-6959, Conference Code: 5221678031#. Computer-assisted real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this teleconference is how to enhance of the Council's mission of Information, Education and Advocacy regarding current education, medicine and outreach innovations and opportunities available to persons who are deaf, hard of hearing or deaf-blind.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel, [info@fccdhh.org](mailto:info@fccdhh.org), [MaryGrace\\_Tavel@doh.state.fl.us](mailto:MaryGrace_Tavel@doh.state.fl.us), (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

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: Mary Grace Tavel, [info@fccdhh.org](mailto:info@fccdhh.org), [MaryGrace\\_Tavel@doh.state.fl.us](mailto:MaryGrace_Tavel@doh.state.fl.us), (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. 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: Mary Grace Tavel, info@fccdhh.org, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602.3276, MaryGrace\_Tavel@doh.state.fl.us.

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Legal Systems Accessibility Task Force Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 19, 2010, 10:30 a.m. – 11:30 a.m.

PLACE: This meeting will be accessible through teleconference and streaming CART Toll-Free Conference Call: 1(888)808-6959, Conference Code: 522167803#. Computer-assisted real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The legal accessibility video being produced to further accessibility in law enforcement arenas for persons who are deaf, hard of hearing and/or deaf-blind, and the accompanying instruction manual. Since this is a working meeting, public participation will not be invited.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel, info@fccdhh.org, MaryGrace\_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

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: Mary Grace Tavel, info@fccdhh.org, MaryGrace\_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. 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: Mary Grace Tavel, info@fccdhh.org, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, MaryGrace\_Tavel@doh.state.fl.us.

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Technology Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 22, 2010, 8:30 a.m. – 10:00 a.m. (EST)

PLACE: This meeting will be accessible through teleconference and streaming CART Toll-Free Conference Call: 1(888)808-6959, Conference Code: 522167803#. Computer-assisted real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject of the meeting will be in furtherance of the Council's mission of Information, Education and Advocacy regarding current technology and innovations available to persons who are deaf, hard of hearing or deaf-blind.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel, info@fccdhh.org, MaryGrace\_Tavel@doh.state.fl.us, (850)245.4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

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: Mary Grace Tavel, info@fccdhh.org, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, MaryGrace\_Tavel@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If 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: Mary Grace Tavel, info@fccdhh.org, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, MaryGrace\_Tavel@doh.state.fl.us.

The **Board of Massage Therapy** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, January 21, 2010; Friday, January 22, 2010, 9:00 a.m. or shortly thereafter

PLACE: Crowne Plaza, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Kaye Howerton, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. If you are hearing or

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Board of Medicine and Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 23, 2010, 9:00 a.m.

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607. Hotel phone #: (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462. Please check the Board Web Site at [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or (850)245-4132.

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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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The **Board of Optometry**, TOPA Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 15, 2010, 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9849329103#. Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the addition of Zirgan, to be added to the TOPA formulary.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/optometry/index.html](http://www.doh.state.fl.us/mqa/optometry/index.html).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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.

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The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2010, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Code: 5642037#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss general Board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254. The agenda will also be available one week prior to the meeting date at [www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy).

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Families** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 25, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Access Code: 4871987#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting of the Statewide Task Force on Human Trafficking Meeting, which was created during the 2009 legislative session.

For more information, you may contact: Regina Bernadin at (305)376-1948.

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### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

**DATES AND TIME:** Wednesdays, January 2010 through December 31, 2010, 2:00 p.m. (No meeting will be held on holidays or during such time when there are no plans for review.)

**PLACE:** Florida Housing Finance Corporation, 227 North Bronough Street, 5th Floor, Conference Room, Tallahassee, Florida 32301-1329

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a meeting of the Corporation's State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or entitlement municipalities participating in the SHIP Program.

A copy of the agenda may be obtained by contacting: Darlene Raker, Florida Housing Finance Corporation at (850)488-4197.

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: Darlene Raker, Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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### FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 20, 2010, 1:30 p.m. – 5:00 p.m.

**PLACE:** Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Communications Media Technology will be used via video conferencing at the Florida Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701-5095. Public should attend at the Tallahassee location.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Evaluations for the FY 09-10 Florida's Wildlife Legacy Initiative's General Grant proposals.

A copy of the agenda may be obtained by contacting: Laura Morse, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Laura Morse, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

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The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 27, 2010, 6:00 p.m. – 8:00 p.m.

**PLACE:** Regency Square Regional Library, Room A, 9900 Regency Square Blvd., Jacksonville, FL 32225

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this workshop is to discuss the recent changes made by the Atlantic States Marine Fisheries Commission that will need to be implemented in Florida, which include reducing the weakfish recreational bag limit from 4-fish to 1-fish and reducing commercial weakfish take to 100 pounds per trip. In addition, based on genetic analyses, the Florida Fish and Wildlife Conservation Commission is considering modifying Florida's weakfish management area to include only Nassau and Duval counties (with the Southernmost point on the St. Johns being the Buckman bridge). Inside this area all weakfish-like fish would be considered weakfish and outside this area all weakfish-like fish would be considered sand seatrout, which are unregulated.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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### DEPARTMENT OF FINANCIAL SERVICES

The Florida **Department of Financial Services, Division of Risk Management** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 19, 2010, 10:30 am.

PLACE: Office of the Chief Financial Officer, The Capitol, Conference Room P-11, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the initial meeting of the Chief Financial Officer's Advisory Council on State Risk Management. The meeting will cover the introduction of the new board members and its chairperson, the responsibilities of the Board and future scheduled meetings, the presentation by Division of Risk Management staff of a program overview of the current organization and operations of the State Risk Management Program, including an overview of current program challenges, proposed legislation, and performance metrics.

A copy of the agenda may be obtained by contacting: R.J. Castellanos, Director, Risk Management, Florida Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4700, Fax: (850)921-9097.

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: Robyn Jackson at (850)413-4269. For disability parking, please contact the Capitol Police at (850)488-1790. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### **AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

The **Agency for Enterprise Information Technology**, Chief Information Officers Council Steering Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 12, 2010, 2:00 p.m. – 4:00 p.m.

**PLACE:** Florida Fish and Wildlife Conservation Commission, Bryant Bldg., 620 South Meridian Street, Room G52C, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology at Lauren.Pope@MyFWC.com or (850)414-2870.

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

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The **Agency for Enterprise Information Technology**, Chief Information Officers Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 19, 2010, 10:00 a.m. – 12:00 Noon

**PLACE:** Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology at Lauren.Pope@MyFWC.com or (850)414-2870.

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

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The **Agency for Enterprise Information Technology** (AEIT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 21, 2010, 9:00 a.m. – 11:00 a.m.

**PLACE:** R. A. Gray Building Auditorium, 500 S. Bronough St., Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To provide centralized, coordinated communication and feedback across state entities regarding enterprise Information Technology initiatives.

A copy of the meeting agenda will be available in the Open Government – Public Meetings section of AEIT's website by January 14, 2010, or you may contact Dawn Creamer at email: dawn.creamer@aeit.myflorida.com or call at (850)922-7502.

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

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**FLORIDA PORTS COUNCIL**

The **Florida Seaport Transportation and Economic Development Council (FSTED)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 12, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Grand Ballroom, Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council office at (850)222-8028.

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: Toy Keller at (850)222-8028. 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: Toy Keller, Florida Ports Council office at (850)222-8028.

The **Florida Ports Financing Commission (FPFC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 13, 2010, 1:00 p.m. – 2:30 p.m.

PLACE: Grand Ballroom, Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council office at (850)222-8028.

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: Toy Keller, Florida Ports Council office at (850)222-8028. 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: Toy Keller, Florida Ports Council office at (850)222-8028.

**CITIZENS PROPERTY INSURANCE CORPORATION**

The **Citizens Actuarial and Underwriting Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2010, 1:00 p.m. (EST)

PLACE: Conference Call: 1(866)631-2413

GENERAL SUBJECT MATTER TO BE CONSIDERED: The items of discussion include, but are not limited to, Chinese drywall, new rating plan update, sinkhole binding rules, 2009 accomplishments, and inspection outreach program update.

A copy of the agenda may be obtained by contacting: [www.citizensfla.com](http://www.citizensfla.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 5 days before the workshop/meeting by contacting: Fawn Brown at 1(800)807-7647, extension 8331. 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: Fawn Brown at 1(800)807-7647, extension 8331.

The Claims Committee of **Citizens Property Insurance Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 27, 2010, 12:30 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)302-3367

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Claims Committee.

A copy of the agenda may be obtained by contacting: Heather Ousley at (904)208-7238 or by visiting our web site at <https://www.citizensfla.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 5 days before the workshop/meeting by contacting: Heather Ousley at (904)208-7238. 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: Heather Ousley at (904)208-7238

**SOIL AND WATER CONSERVATION DISTRICTS**

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2010, 9:30 a.m.

PLACE: USDA Service Center, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda items for presentation to Board of Supervisors: District Projects, Nursery BMP Lab & MIL Lab reports.

A copy of the agenda may be obtained by contacting: Norma H. Wilson, Administrative Assistant at (305)242-1288.

For more information, you may contact: Morgan Levy, Administrator at (305)242-1288.

**FLORIDA CENTER FOR NURSING**

The **Florida Center for Nursing** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 21, 2010, 1:30 p.m. – 6:00 p.m.; January 22, 2010, 8:00 a.m. – 5:00 p.m.

PLACE: For additional information call Cathy at (407)823-0980

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCN Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Cathy at (407)823-0980.

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 calling: (407)823-0980. 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 INSTITUTE OF PHOSPHATE RESEARCH**

The **Florida Institute of Phosphate Research** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 9:30 a.m.

PLACE: 1855 W. Main Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the agenda may be obtained by contacting: Dr. Paul Clifford, Executive Director.

**FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 4:00 p.m.

PLACE: Sandpearl Hotel, Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims and Underwriting Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 23, 2010, 9:00 a.m.

PLACE: Sandpearl Hotel, Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, January 23, 2010, immediately following the Board meeting

PLACE: Sandpearl Hotel, Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Annual Meeting of its membership will begin immediately following the Board of Governors meeting, which begins at 9:00 a.m. The Board will receive and consider yearly reports from the Association's Chairman, Servicing Carrier, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

NOTICE IS HEREBY GIVEN THAT on December 16, 2009, the Department of Agriculture and Consumer Services has issued an order disposing of the petition for declaratory statement filed by Exxon Mobil Corporation on October 9, 2009. The following is a summary of the agency's disposition of the petition:

The Department dismissed the Petition for the following reasons: a) a declaratory statement is not an appropriate mechanism for evaluation of past actions; b) Petitioner's request is for a broad statement of policy that is not appropriate

for a declaratory statement; c) declaratory statements cannot determine constitutional issues; d) Section 501.204(2), Florida Statutes, does not require that the Department defer to or provide an interpretation of the Federal Trade Commission Report cited by Petitioner; and e) a hearing pursuant to Section 120.57(1), Florida Statutes, is not appropriate for declaratory statements as the burden is on the Petitioner to adequately set out its particular circumstances in seeking a declaratory statement.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: William N. Graham, Senior Attorney, Office of the General Counsel, Department of Agriculture and Consumer Services, Mayo Building, Suite 520, Tallahassee, FL 32399-0800, (850)245-1000.

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#### **DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Tim Johnson, Principal, on behalf of SnappBatt, on November 20, 2009. The petition seeks the agency's opinion as to the applicability of Rule Chapter 9B-72, F.A.C. as it applies to the petitioner.

The Petitioner asks whether the Petitioner's product, designed to elevate roof tiles to create a space between the tile and underlayment, is within the scope of Chapter 9B-72, F.A.C. It has been assigned the number DCA09-DEC-375.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

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

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Andrew Foley, Petitioner, In Re: Orange Blossom Tower Condominium Association, Inc., Docket No. 2009065188 on December 17, 2009. The petition seeks the agency's opinion as to the applicability of Sections 718.106 and 718.107, Florida Statutes, as it applies to the petitioner.

Whether the developer of Orange Blossom Tower Condominium retained the right to lease parking spaces under the declaration and Sections 718.106 and 718.107, Florida Statutes, after it sold all of its units.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from George Mitchell, Petitioner, In Re: Harbour Royale Condominium Association, Inc., Docket No. 2009065182. The petition seeks the agency's opinion as to the applicability of Section 718.112(1)(d), Florida Statutes, and Rule 61B-23.0021, Florida Administrative Code, as it applies to the petitioner.

Whether Harbour Royale Condominium Association, Inc. may continue to follow its bylaws, which adopt alternate election procedures, under Section 718.112(1)(d), Florida Statutes, and Rule 61B-23.0021, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Massage Therapy has received the petition for declaratory statement from Dr. A. Sagman, DC, on behalf of Miramar Medical Center, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 480, F.S., as it applies to the petitioner.

The Petition asks the Board whether electrical modalities can be used by a massage therapist without supervision.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Kaye Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256.

Please refer all comments to: Kaye Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

**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: ITB10MB-129, Jennings West Fire Sprinkler Installation, estimated budget: \$300,000, to be opened January 28, 2010 at

1:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes all materials and labor, described in the contract documents for fire sprinkler work and all associated penetration firestopping as required for rated locations and specification Section 078413 Penetration Firestopping. All bidders will be required to pre-qualify prior to bid submittal. Mandatory pre-bid meeting will be held January 12, 2010, 9:30 a.m., Jennings Annex, Museum 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](http://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 PROFESSIONAL CONSULTANTS**

Florida Gulf Coast University Board of Trustees, announces a Request for Proposal for Professional Services in the discipline of architecture/engineering for Continuing Services regarding Small Projects up to \$2 million as noted below:

Project No. BR-1072

Project: Continuing Professional Services Contract:  
Small Construction Projects Up to \$2 million  
Fort Myers, Florida

**Description of Project**

Currently, FGCU has an architect under contract for such continuing service projects. However, the University has decided to seek an additional A/E firm to cope with the multiple demands of such small projects in a variety of campus locations.

Projects will be primarily for small renovation or remodeling of existing buildings where labs, offices, or classrooms need to be re-configured. Accordingly, there could be a need to re-design the structural, mechanical, electrical and plumbing systems as part of such work. The assignment of such small projects will be issued by the FGCU administration on an as-needed basis when/where remodeling is required.

Note: The design of such remodeling projects will be to provide professional design services for existing buildings and such re-design is expected to be complimentary to the existing buildings where the remodeling will take place, and/or as directed by the Director of Facilities Planning.

**Contract Term**

A two year contract will be negotiated with the selected A/E firm for such small construction projects of \$2 million or less. An A/E fee structure and a list of engineering sub-consultants will also be negotiated at the time of contract negotiation. Do not include a fee structure or a list of engineering sub-consultants with this proposal, or face possible disqualification.



**Instructions:**

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have the following attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated September 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontract, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Additional project information will be posted as a "Fact Sheet" on the website for FGCU Facilities Planning: [www.fgcu.edu/facilities](http://www.fgcu.edu/facilities) for this request for proposal.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by reviewing the website noted above or by contacting: Mr. Barrett Genson, Director of Facility Planning, 10501 FGCU Blvd., South, Fort Myers, Florida 33965-6565, (239)590-1503. Submittals must be received in the Facilities Planning Office, Academic Building 5, Room 217 by \_\_\_\_\_. Facsimile (FAX) submittals are not acceptable and will not be considered.

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

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

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**EXECUTIVE OFFICE OF THE GOVERNOR**

The Volunteer Florida Foundation has issued a request for proposals, RFP, from community and faith-based grassroots, charitable organizations under its Compassion Florida initiative. The purpose of these grant funds is to build the capacity of new and small-budget organizations to better serve their clientele, communities and constituencies. The RFP with application instructions is available at [www.volunteerfloridafoundation.org](http://www.volunteerfloridafoundation.org). The deadline for receipt of proposals is 5:00 p.m. EST on March 15, 2010. The Compassion Florida initiative is funded through the US Department of Health and Human Services Compassion Capital Fund under the Catalog of Federal Domestic Assistance, 93.009.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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**CANAVERAL PORT AUTHORITY**

#### **PROFESSIONAL SERVICES NOTICE SURVEYOR SERVICES (#RFQ-10-001)**

The Canaveral Port Authority (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing SURVEYOR SERVICES on a continuing basis. These services will be acquired in compliance with the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes.

**SCOPE OF WORK**

The Surveyor (herein called the Consultant) will perform land boundary surveys, topographic surveys, beach profile, and hydrographic surveys, will prepare legal descriptions and will provide services as directed by the CPA staff for various projects at Port Canaveral. The Port has in the past and may continue to contract with several surveyors, each with their own specialty; therefore, surveyors without experience in all types of work listed are encouraged to apply. The consultant will coordinate with other design professionals working with the CPA. The Consultant will produce drawings and magnetic media ready for use by the design professionals and will certify the accuracy of the work.

**MINIMUM CRITERIA**

1. At a minimum, all responding firms shall possess the following:
2. An office within reasonable proximity to the Port;
3. At least 5 years of experience on projects described in the Scope of Services;
4. Professional liability insurance in the amount of \$1,000,000; and

5. Registration as a Professional Land Surveyor by the State of Florida.

**PROPOSAL CONTENT**

Each responding firm shall provide six (6) copies of their proposal and one (1) CD (containing complete proposal in pdf format), giving detailed information on the following:

1. Firm history, location, capabilities, areas of expertise (including port experience) etc.
2. GSA Standard Form 330 or equivalent;
3. A listing of at least 5 projects similar to those listed in the Scope of Services for which the individuals listed in the submittal have provided similar services. Previous experience providing similar services shall include the project name, a brief description of the work, client address and contact person with telephone numbers.
4. Description of firm’s knowledge of local conditions and practices.
5. An inventory of the equipment which is applicable to performing surveys and interfacing with the design professionals that will incorporate the survey data into their design.
6. Project approach including unique or innovative techniques or procedures that can be applied to typical Port Canaveral projects.
7. A schedule of current commitments and the degree of completion of each.
8. An organizational chart and other information which will be useful in evaluating the proposal service.
9. Outline of methodology for implementation of the proposed scope of work. Include location of office(s) and ability to respond.
10. Resumes of key individuals to be involved in the various aspects of the project and an explanation of each individual’s role in the project.
11. Evidence of coverage with at least one million dollars of professional liability insurance.

**TERM OF CONTRACT**

The selected firm will be required to perform all contract services under a standard CPA continuing services contract, a sample of which may be requested by contacting: Peggy Gooch, Senior Administrative Assistant, Engineering, Canaveral Port Authority, email [pgooch@portcanaveral.com](mailto:pgooch@portcanaveral.com) or via phone: (321)783-7831, ext. 218. All notices will be posted on our website: <http://www.portcanaveral.com/general/bids/php>.

**SUBMITTAL SCHEDULE**

Firms desiring to provide such professional services to the CPA must furnish six (6) copies of their expression of interest to:

Canaveral Port Authority  
Attn.: Peggy Gooch  
Senior Administrative Assistant, Engineering  
P. O. Box 267  
445 Challenger Road  
Cape Canaveral, FL 32920

All proposals shall be delivered to the Canaveral Port Authority no later than 3:00 p.m., Monday, January 26, 2010.

**SELECTION PROCESS**

A committee established by the Chief Executive Officer will meet to review and recommend for approval a ranking of qualified firms to the CPA Commission at their regularly scheduled meeting to be held at 2:00 p.m. on February 17, 2010, at which time selections will be established.

**SCHOOL BOARD OF PASCO COUNTY**

Investment Management Services for the Florida Education Investment Trust Fund (FEITF)

Notice is hereby given that sealed proposals will be received and publicly opened thereafter at the office of the Purchasing Department, District School Board of Pasco County, 20430 Gator Lane, Land O’Lakes, FL 34638 on or until February 10, 2010 at 2:30 p.m., for investment management services for the Florida Education Investment Trust Fund (FEITF). Proposals will be accepted and publicly opened on February 10, 2010, if date/time stamped 2:30 p.m. or earlier; date/time stamps of 2:30:01 or later will be rejected.

**NAME OF PROJECT:**

RFP 10-075-KG Investment Management Services for the Florida Education Investment Trust Fund (FEITF)

**DOCUMENTS:** Available through <http://purchasing.Pasco.k12.fl.us>, under “Vendor Bid”

The District School Board of Pasco County reserves the right to waive minor formalities in any proposal, to accept any proposal which they consider to be in the best public interest, and to reject any part of, or any and all proposals. Award will be made to the highest scoring, responsive and responsible proposer, in the opinion and at the option of the District School Board of Pasco County. Their decision shall be final and conclusive.

**Section XII  
Miscellaneous**

**DEPARTMENT OF LEGAL AFFAIRS**

NOTICE OF AVAILABILITY  
VOCA Grant Funds  
January 2010

Announcement: The Office of the Attorney General (OAG) is pleased to announce the availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of VOCA grant funds is to support the provision of services to victims of crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security. Special consideration will be given to those applicants who provide therapeutic counseling services to victims of child pornography, child victims of Cybercrime, and innocent victims of gang violence. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof. The funding cycle for the VOCA grant funds under this notice is October 1, 2010, through September 30, 2011.

Organizations not currently funded through a VOCA grant (2009-2010): may participate in the annual competitive grant process which involves submission of an application followed by an application review. An application may be accessed at the Office of the Attorney General’s website: <http://myfloridalegal.com>, under the heading of Victims’ Services, then click on Advocacy and VOCA Grants.

Organizations currently funded through a VOCA grant (2009-2010): may submit a Letter of Intent. Agencies that wish to expand services to additional judicial circuits must submit an application for each judicial circuit. The Letter of Intent may be accessed at the Office of the Attorney General’s website: <http://myfloridalegal.com>, under the heading of Victims’ Services, then click on Advocacy and VOCA Grants. Deadline: The deadline for applying for a VOCA grant under this notice is no later than 5:00 p.m. (Eastern Standard Time) on Friday, February 26, 2010. Required documents submitted by fax or e-mail will not be considered.

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of

Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-07-2009-003  
DATE RECEIVED: December 22, 2009  
DEVELOPMENT NAME: POINCIANA – SOLIVITA  
DEVELOPER/AGENT: Avatar Properties, Inc.  
DEVELOPMENT TYPE: 28-24.023, 28-24.031, F.A.C.  
LOCAL GOVERNMENT: Polk County

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Order No. DCA09-OR-402  
In Re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY ISLAMORADA  
VILLAGE OF ISLANDS  
ORDINANCE NOS. 09-16 and 09-17

**FINAL ORDER**

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2008), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On October 26, 2009, the Department received for review Islamorada, Village of Islands Ordinance Nos. 09-16 and 09-17 (“Ord. Nos. 09-16 and 09-17”) adopted by the Village on September 24, 2009.
3. Ord. Nos. 09-16 and 09-17 amend Chapter 30 Land Development Regulations, Article II, Rules of Conservation and Definitions, and Article IV, Administrative Procedures, Division 2, Development Review Process, Section 30-225 Administrative Time Extensions of the Village Code of Ordinances.
4. The purpose of Ord. Nos. 09-16 and 09-17 is to amend Chapter 30 of the Village Land Development Regulations – Section 30-31 Rules of construction and definitions generally with respect to the Computation of time within which an act is to be done to exclude unscheduled closing dates of Village Hall from the computation of time; to amend specific definitions in Section 30-32 Definitions; to amend Section 30-32 to eliminate the definitions of Bed and breakfast and Dry dock storage, to amend the definitions of Mean seal level, Outdoor display area and Outdoor storage area; to amend Section 30-225, Table 30-225 to accurately reflect development permit processes; and to amend definitions within Section 30-695

– Marine Use zoning district with regard to Boat barn, Dry dock storage, Outdoor storage and Site development standards.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Sections 380.05(6) and 380.0552(9), Florida Statutes (2008).
6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2008), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administration Code.
7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by Ord. Nos. 09-16 and 09-17 are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in Section 380.0552(7), Florida Statutes (2008). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. Nos. 09-16 and 09-17 promote and further the following Principle:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
10. Ord. Nos. 09-16 and 09-17 are not inconsistent with the remaining Principles. Ord. Nos. 09-16 and 09-17 are consistent with the Principles for Guiding Development as a whole.
11. Ord. Nos. 09-16 and 09-17 are consistent with the Village Comprehensive Plan Objective 1-4.9: Preserve Working Waterfronts; Policy 1-4.9.1: Provide Regulatory Incentives; Policy 1-4.2: Manage and Coordinate Future Land Use Decisions.

WHEREFORE, IT IS ORDERED that Ord. Nos. 09-16 and 09-17 are found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND

YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21

CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

\_\_\_\_\_  
 CHARLES GAUTHIER, AICP  
 Director, Division of Community Planning  
 Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 21st day of December, 2009.

\_\_\_\_\_  
 Paula Ford, Agency Clerk

By U.S. Mail:  
 Honorable Don Achenberg, Mayor  
 Islamorada, Village of Islands  
 Post Office Box 568  
 Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
 Islamorada, Village of Islands  
 Post Office Box 568  
 Islamorada, FL 33036

Nina Boniske, Esq.  
 James White, Esq.  
 Weiss Serota Helfman Pastoriza  
 Guedes Cole & Boniske, P.A.  
 2525 Ponce De Leon Blvd., Suite 700  
 Coral Gables, Florida 33134-6045

DCA Final Order No.: DCA09-OR-403

In Re: POLK COUNTY LAND DEVELOPMENT  
 REGULATIONS ADOPTED BY  
 POLK COUNTY ORDINANCE NOS. 09-055,  
 09-056, 09-058, 09-059, and 09-060.

**FINAL ORDER**

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6), (11), Florida Statutes, (2008), approving Polk County Ordinances Nos. 09-055, 09-056, 09-058, 09-059, and 09-060.

**FINDINGS OF FACT**

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On October 29, 2009, the Department received for review Polk County Ordinance Nos. 09-055, 09-056, 09-058, 09-059, and 09-060 which were adopted by the Polk County Board of County Commissioners on September 2, 2009, and September 16, 2009.
3. Proposed Ordinance No. 09-055 revises the term “Equipment Repair Major” to “Heavy Machine Equipment Sales and Service” and changes the use table which contain the original term; Ordinance No. 09-056 implements a comprehensive plan amendment which was approved by the Department in 2009 and adds the RHX designation to the Critical Area Resource Management Plan; Ordinance No. 09-058 amends the Land Development Regulations to amend Section 206, Accessory Uses, Section 209 Accessory Buildings and Chapter 10, Definitions; Ordinance No. 09-59 amends Table 4.8 in Chapter 4 of the Land Development

Regulations; and Ordinance No. 09-060 amends the Land Development Regulations to create a new use know as Vehicle Recovery Service/Agency.

4. The Ordinances are consistent with the County’s Comprehensive Plan and further Policy 2.110-H1: Characteristics; Policy 2.102-A1: Compatibility; Policy 2.131-C2 Land Use Categories Established; Policy 2.131-C3 General Development Criteria; Policy 2.131-C4 Modified Land Use Categories; Policy 2.110-F1 Characteristics; Policy 2.110-H1 Characteristics; Policy 2.113-A4 Development Criteria and Policy 2.102-A1 Compatibility.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Section 380.05(6) and (11), Florida Statutes (2008).
6. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2008) and Rule Chapter 28-26, Florida Administrative Code.
7. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. (“Principles”).
9. Ordinance Nos. 09-055, 09-056, 09-058, 09-059, and 09-060 are consistent with the Principles in Rule 28-26.003, Florida Administrative Code and are not inconsistent with any one Principle.

WHEREFORE, IT IS ORDERED that Ordinance Nos. 09-055, 09-056, 09-058, 09-059, and 09-060 are found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are 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.

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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.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of December, 2009.

Paula Ford, Agency Clerk

By U.S. Mail:  
Michael F. Craig, Esq.  
Polk County Attorney  
Drawer AT01  
P. O. Box 9005  
Bartow, FL 33831

Thomas Deardorff, Director  
Growth Management Department  
P. O. Box 9005, Drawer GM03  
Bartow, FL 33831

Sam Thomas, Chairman  
Board of County Commissioners  
P. O. 9005, Drawer BC01  
Bartow, FL 33831

DCA Final Order No.: DCA09-OR-404

In Re: MONROE COUNTY LAND  
DEVELOPMENT REGULATIONS  
ADOPTED BY MONROE COUNTY  
ORDINANCE NO. 033-2009

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2008), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
  2. On November 13, 2009, the Department received for review Monroe County Ordinance No. 033-2009 ("Ord. 033-2009"), adopted by Monroe County on October 21, 2009.
- Ord. No. 033-2009 amends Sections 110-72 and 110-73, Monroe County Code, concerning Amendments to the Land Development Regulations concerning recording of conditional uses and extensions of conditional uses and providing consistency with Section 110-72 Time Periods.

- 3. The purpose of Ord. No. 033-2009 is to amend Section 110-72 and Section 110-73 to reflect that the position of development review coordinator has been eliminated in the Planning Environmental Resources Department and that the responsibilities of that position have been assumed by the Director of Planning; and to provide a 2 year extension for major conditional use approvals and a 1 year extension for minor conditional use approvals.

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 Florida Keys Area of Critical State Concern. Sections 380.05(6) and 380.0552(9), Florida Statutes (2008).
- 5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2008) and Rule 28-29.002 (superseding Chapter 27F-8), 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 (2008). The regulations adopted by Ord. 033-2009 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") as set forth in Section 380.0552(7), Florida Statutes. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 8. Ord. 033-2009 promotes and furthers the following Principles:
  - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
  - (l) To protect the public health, safety and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique resource.
- 9. Ord. 033-2009 is consistent with the Principles for Guiding Development as a whole.
- 10. Ord. 033-2009 furthers Monroe County Comprehensive Plan and is not inconsistent with the Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 033-2009 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

---

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 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.

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

#### CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 21st day of December, 2009.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable George Neugent  
Mayor of Monroe County  
25 Ships Way  
Big Pine Key, Florida 33043

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Christine Hurley  
Growth Management Director  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

#### **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**

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:  
Permit No. 56-01661-W (Application No. 040630-24)  
Tradition Irrigation Company (Tradition Irrigation Water Supply) 1850 Fountainview Blvd., #201, Port St. Lucie, FL 34986, for issuance of a Water Use Permit modification and renewal for the irrigation of 969.38 acres of landscape using a sprinkler irrigation system. Withdrawals are from the I-95 Borrow Canal via two existing and two proposed withdrawal

facilities and from the Peacock Canal via one proposed withdrawal facility. The project is located in St. Lucie County, Sections 4,9, Township 37 South, Range 39 East.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, Environmental Resource Regulation Department, by telephone at (561)682-6911, by e-mail: [permits@sfwmd.gov](mailto:permits@sfwmd.gov), or by accessing the Staff Report directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1) and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

**Right to Request Administrative Hearing** – A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written

notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

**Filing Instructions** – The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m., shall be filed as of 8:00 a.m., on the next regular business day. Additional filing instructions are as follows:

- \* Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- \* Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- \* Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

**Initiation of an Administrative Hearing** – Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### 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://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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#### Recreational Trails Program

##### Grant Application Submission Period

The State of Florida Department of Environmental Protection announces that grant applications for the Recreational Trails Program will be accepted March 18 through March 31, 2010. This is a competitive matching grant program which provides financial assistance to agencies of city, county, state or federal governments, state and federal recognized Indian tribal governments, and nonprofit organizations approved by the State for the acquisition and development of recreational trails. After implementing mandated rescissions, the Department currently has approximately \$1,708,271 available. The grant funds shall be allocated as follows: (i) \$614,398 must be used for motorized recreation, (ii) \$361,660 must be used for nonmotorized recreation, and (iii) \$732,213 must be used for mixed use recreation. The maximum grant award for each motorized project is \$307,199. The maximum grant award for each nonmotorized and mixed use project is \$250,000.

The Department will conduct the following grant application workshops: (i) January 26, 2010, at Wakulla Springs State Park in Wakulla Springs, (ii) January 27, 2010, at The Florida

Maritime Museum at Cortez in Cortez, and (iii) February 3, 2010, at Jim Ward Community Center in Plantation. All workshops begin at 9:00 a.m.

Application packets and workshop information may be obtained from: Office of Greenways and Trails, State of Florida Department of Environmental Protection, Mail Station #795, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)245-2052. Applications are also available at [www.floridagreenwaysandtrails.com](http://www.floridagreenwaysandtrails.com). Applications must be postmarked no later than March 31, 2010.

If accommodation for a disability is needed to participate in this activity, please notify the Office of Greenways and Trails at (850)245-2052, at least seven days before the workshop.

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#### **DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted revised procedures for review and comment on MyFlorida.com at: [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html).

Statewide Transportation Offender Program (FDJJ 5000P) – Technical changes were made to these procedures, part of the State Transportation Offender Program Policy which establishes protocol for the transportation of youth who are detained and/or in the care and custody of the Department of Juvenile Justice.

These procedures are posted for a single 20 working day review and comment period, with the closure date of February 1, 2010, for submission of comments. Responses to comments received will be posted on the above Website.

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#### **DEPARTMENT OF HEALTH**

On December 18, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jennifer Joy Rudnick, Speech-Language Pathologist, License #SA 5263.

This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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#### **FINANCIAL SERVICES COMMISSION**

##### **NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., January 15, 2010):

##### **APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: Bonifay Holding Company, Inc. (The Bank of Bonifay) Bonifay, Florida  
Proposed Purchasers: Kirk Mathew Duskocil  
Received: December 28, 2009

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN December 21, 2009  
 and December 24, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

12A-1.097	12/22/09	1/11/10	35/37	
12A-13.002	12/22/09	1/11/10	35/37	
12A-16.008	12/22/09	1/11/10	35/37	
12A-17.005	12/22/09	1/11/10	35/37	
12A-19.100	12/22/09	1/11/10	35/37	

**Miscellaneous Tax**

12B-4.003	12/22/09	1/11/10	35/37	
12B-5.150	12/22/09	1/11/10	35/37	
12B-7.004	12/22/09	1/11/10	35/37	
12B-7.008	12/22/09	1/11/10	35/37	
12B-7.026	12/22/09	1/11/10	35/37	
12B-8.003	12/22/09	1/11/10	35/37	35/42

**Corporate, Estate and Intangible Tax**

12C-1.051	12/22/09	1/11/10	35/37	
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**Division of Child Support Enforcement**

12E-1.0052	12/23/09	1/12/10	35/35	35/46
12E-1.014	12/23/09	1/12/10	35/35	35/46

**DEPARTMENT OF TRANSPORTATION**

14-116.002	12/22/09	1/11/10	35/43	
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**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

40B-1.704	12/21/09	1/10/10	35/38	
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**St. Johns River Water Management District**

40C-1.1101	12/23/09	1/12/10	35/38	
40C-8.031	12/22/09	1/11/10	35/41	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

61B-40.0062	12/23/09	1/12/10	35/43	
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**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

64B-3.008	12/21/09	1/10/10	35/43	
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

65C-20.008	12/24/09	1/13/10	35/20	35/44
65C-20.009	12/24/09	1/13/10	35/20	35/44
65C-20.010	12/24/09	1/13/10	35/20	35/44
65C-20.011	12/24/09	1/13/10	35/20	35/44
65C-20.012	12/24/09	1/13/10	35/20	35/44
65C-20.013	12/24/09	1/13/10	35/20	35/44
65C-20.014	12/24/09	1/13/10	35/20	35/44
65C-22.001	12/24/09	1/13/10	35/20	35/44
65C-22.002	12/24/09	1/13/10	35/20	35/44
65C-22.003	12/24/09	1/13/10	35/20	35/44
65C-22.004	12/24/09	1/13/10	35/20	35/44
65C-22.005	12/24/09	1/13/10	35/20	35/44
65C-22.006	12/24/09	1/13/10	35/20	35/44
65C-22.007	12/24/09	1/13/10	35/20	35/44
65C-22.008	12/24/09	1/13/10	35/20	35/44
65C-22.009	12/24/09	1/13/10	35/20	35/44
65C-22.010	12/24/09	1/13/10	35/20	35/44

**DEPARTMENT OF FINANCIAL SERVICES**

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69L-24.002	12/23/09	1/12/10	35/25	
69L-24.003	12/23/09	1/12/10	35/25	35/45
69L-24.004	12/23/09	1/12/10	35/25	35/45
69L-24.005	12/23/09	1/12/10	35/25	35/45
69L-24.006	12/23/09	1/12/10	35/25	35/45
69L-24.007	12/23/09	1/12/10	35/25	35/45
69L-24.021	12/23/09	1/12/10	35/25	
69L-24.0211	12/23/09	1/12/10	35/25	
69L-24.022	12/23/09	1/12/10	35/25	
69L-24.0222	12/23/09	1/12/10	35/25	
69L-24.0231	12/23/09	1/12/10	35/25	
69L-24.024	12/23/09	1/12/10	35/25	
69L-24.0241	12/23/09	1/12/10	35/25	





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6A-2.0030	35/41		35/49				
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6A-6.03022	35/41		35/49	12A-1.085	35/52		
6A-6.03023	35/41		35/49	12A-1.097	35/37		36/1
6A-6.03027	35/41		35/49		35/52		
6A-6.03028	35/41		35/49	12A-13.002	35/37		36/1
6A-6.0331	35/41		35/49	12A-16.008	35/37		36/1
6A-6.03315(1)(c)	35/43c			12A-17.005	32/2	32/31	
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		35/16		12BER09-4			35/43
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6A-10.0312	35/50			12B-5.150	35/37		36/1
6A-10.0314	35/50			12B-7.004	35/37		36/1
6A-10.0317	35/50			12B-7.008	35/37		36/1
6A-14.064	35/50			12B-7.026	35/37		36/1
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9K-8.007	35/42			12D-9.005	35/35		
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COMMUNITY AFFAIRS







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25-12.004	35/42		35/49	33-208.003	35/38	35/49	
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25-12.085	35/42		35/49	33-602.001	34/9		
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59A-35.080	35/47			59H-2.010	35/39		35/50
59A-35.090	35/47			59H-2.011	35/39		35/50
59A-35.100	35/47			59K-17.0035	34/43		
59A-35.110	35/47			59O-137.001	34/43		
59A-35.120	35/47			59O-138.001	34/43		
59A-35.140	35/47			59O-157.302	34/43		
59A-35.150	35/47			59V-560.102	34/39		
59C-1.008	34/48	35/9		59V-560.103	34/39		
		35/20		59V-560.107	34/39		
		35/23		59V-560.108	34/39		
		36/1		59V-560.201	34/39		
59C-1.010	34/48	35/9		59V-560.302	34/39		
		36/1		59V-560.402	34/39		
59C-1.012	34/48	35/9		59V-560.403	34/39		
		35/20		59V-560.602	34/39		
		36/1		59V-560.606	34/39		
59C-1.013	34/48	35/9		59V-560.702	34/39		
		36/1		59V-560.703	34/39		
59C-1.030	34/48	35/9		59V-560.704	34/39		
		35/11		59V-560.705	34/39		
		36/1		59V-560.706	34/39		
59C-1.0355	35/45		36/1w	59V-560.707	34/39		
59E-5.102	35/45			59V-560.801	34/39		
59E-5.201	35/45			59V-560.804	34/39		
59E-7.024	35/12	35/20		59V-560.805	34/39		
59G-4.002	35/44			59V-560.902	34/39		
59G-4.016	32/19			59V-560.903	34/39		
59G-4.220	36/1			59V-560.904	34/39		
59G-6.010	35/46			59V-560.905	34/39		
	35/46			59V-560.906	34/39		
	35/46			59V-560.908	34/39		
	35/46			59W-600.002	34/39		
59G-6.020	34/23c			59W-600.006	34/39		
	35/48			59W-600.013	34/39		
	35/48			59W-600.0131	34/39		
59G-6.030	35/48						
	35/48						
59G-6.045	35/47						
59G-6.090	35/48						
	35/48						
59G-11.001	35/33			60BBER09-3			35/43
59G-11.003	35/33			60BBER09-4			36/1
	35/50			60BBER09-5			36/1
59G-11.004	35/33			60BBER09-6			36/1
59G-13.001	35/43			60BBER09-7			36/1
59G-13.083	34/23c			60BB-2.025	35/48		
59G-14.004	36/1			60BB-3.0251	35/36		
				60BB-3.0252	35/36		
				60BB-3.0253	35/36		
				60BB-3.0254	35/36		

MANAGEMENT SERVICES

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60BB-3.0261	35/42	35/52				35/30	
60BB-3.0262	35/42	35/52			34/41c		
60BB-3.0263	35/42	35/52		61A-1.01012	34/3	34/36	
60D-4.001	35/51					35/30	
60D-4.002	35/51				34/41c		
60D-4.003	35/51			61A-1.01013	34/3	35/30	
60D-4.004	35/51				34/12c		
60D-4.005	35/51			61A-1.01014	34/3	35/30	
60D-4.006	35/51				34/12c		
60D-4.007	35/51			61A-1.01015	34/3	35/30	
60D-4.008	35/51				34/12c		
60FF-5.001	35/25	35/40	35/50	61A-1.01018	34/3	35/30	
60FF-5.004	35/28				34/12c		
60L-35.007	34/2	34/2		61A-1.0102	34/4	35/30	
		34/19			34/12c		
60L-39.001	35/39			61A-1.01021	34/3	34/36	
60L-39.0015	35/39					35/30	
60L-39.003	35/39			61A-1.01022	34/3	34/36	
60L-39.004	35/39					35/30	
60L-39.0041	35/39				34/41c		
60L-39.005	35/39			61A-1.01024	34/3	35/30	
60L-39.006	35/39				34/12c		
60L-39.007	35/39			61A-1.0103	34/3	35/30	
60L-39.008	35/39				34/12c		
60L-39.009	35/39			61A-1.0104	34/3	35/30	
60S-9.001	35/30c				34/12c		
				61A-1.0105	34/3	34/36	
						35/30	
<b>BUSINESS AND PROFESSIONAL REGULATION</b>							
61-5.007	35/40	35/45			34/41c		
61-27.001	35/45			61A-1.0106	34/3	35/30	
61-27.002	35/45				34/12c		
61-27.003	35/45			61A-1.0107	34/3	35/30	
61-27.004	35/45				34/12c		
61-35.0271	35/45			61A-1.0108	34/3	34/36	
61-35.02711	35/45					35/30	
61-35.02711	35/45				34/41c		
61-35.02712	35/45			61A-1.0109	34/12c		
61-35.02713	35/45				34/41c		
61-35.02714	35/45			61A-3.0141	35/18c		
61-35.02715	35/45			61A-5.0105	33/29	33/46	35/48
61-35.02716	35/45			61A-5.747	33/29	33/46	35/48
61-35.02717	35/45					35/5	35/48
61-35.02718	35/45			61B-19.001	35/34		35/48
61-35.02719	35/45			61B-19.0015	35/34	35/51	35/48
61-35.0272	35/45			61B-19.002	35/34		35/48
61-35.02721	35/45			61B-39.003	35/38		35/48
61-35.02722	35/45			61B-40.0062	35/43		36/1
61-35.02723	35/45			61B-80.124	35/34		35/48
61A-1.010	34/12c			61C-1.005	35/39		35/51
61A-1.010(1)	33/2c			61C-3.001	35/22	35/32	
61A-1.0101	34/3	35/30			35/44		
	34/12c			61C-3.002	35/44		
61A-1.01010	34/3	34/36		61C-4.010	35/47		
		35/30		61C-4.0161	35/47		
	34/41c			61C-8.004	35/39		36/1w
61A-1.01011	34/3	34/36		61D-13.008	34/42		

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61D-14.002	35/21			61G4-15.032	34/14	34/19	35/46w
61D-14.005	35/21			61G4-18.003	35/40		35/49
61D-14.0055	35/44			61G4-21.003	35/40		
61D-14.006	35/21			61G5-32.001	35/49		
61D-14.007	35/21			61G6-5.002	34/45		35/51w
61D-14.008	35/21			61G6-5.003	34/45		35/51w
61D-14.010	35/21			61G6-5.009	34/45		35/51w
61D-14.020	35/21			61G7-33.0065	30/16		
61D-14.022(2)	35/43c			61G9-9.001	31/6		
61D-14.023	35/21			61G10-18.001	35/44		35/51
61D-14.036	35/21			61G10-18.002	35/32	35/43	35/50
61D-14.038	35/21			61G10-18.003	35/32	35/43	35/50
61D-14.041	35/21			61G10-18.006	35/32		35/50
61D-14.042	35/21			61G14-19.001	35/38		35/51
61D-14.044	35/21			61G15-19.004	34/32	35/13	
61D-14.047	35/21					35/47	
61D-14.053	35/21			61G15-31.001	35/45		
61D-14.063	35/21			61G15-31.002	35/45		
61D-14.075	35/21			61G15-31.003	35/45		
61D-14.079	35/21			61G15-31.004	35/45		
61D-14.087	35/21			61G15-31.005	35/45		
61D-14.096	35/21			61G15-31.006	35/45		
61D-14.097	35/21			61G15-31.007	35/45		
61D-14.098	35/21			61G15-31.008	35/45		
61D-15.001	35/21			61G15-31.009	35/45		
61E14-1.001	35/43			61G15-31.010	35/45		
61E14-1.002	35/43		35/52	61G15-31.011	35/45		
61E14-1.003	35/40		35/52	61G15-31.012	35/45		
61E14-2.001	35/38			61G17-5.0043	35/35		35/51w
61E14-3.002	35/40		35/51w	61G17-9.005	35/35		35/51w
61E14-4.002	35/42			61G19-6.0036	35/47		
61E14-4.003	35/42			61H1-19.008	35/31		35/47w
61E14-4.004	35/40		35/52	61H1-20.001	35/49		
61E14-4.005	35/42			61H1-20.003	35/33		
61F10-18.001	35/28			61H1-20.004	35/33		
61G1-11.013	35/51			61H1-20.0051	35/33		
61G1-24.002	35/47			61H1-20.0052	35/33		
61G2-2.006	33/47	35/9	35/46w	61H1-20.0053	35/33	35/44	
61G3-16.0010	35/49			61H1-20.007	35/33	35/41	
61G3-16.002	35/49					35/44	
61G3-16.005	35/49			61H1-20.008	35/33	35/41	
61G3-16.007	35/49	35/50		61H1-20.009	35/33	35/41	
61G3-16.008	35/49			61H1-20.0092	35/33	35/41	
61G3-16.010	35/49			61H1-20.0093	35/33	35/41	
61G3-19.011	35/40			61H1-20.0094	35/43		
61G3-20.002	35/49			61H1-20.0095	35/33	35/41	
61G3-20.0075	35/49			61H1-20.0096	35/33	35/41	
61G3-21.001	35/39		35/46	61H1-20.0097	35/33	35/41	
61G3-21.009	35/41		35/47	61H1-20.0098	35/43		35/51
61G3-21.012	35/39		35/46	61H1-20.0099	35/33	35/41	
61G4-15.001	34/10		35/46w	61H1-20.010	35/33		
61G4-15.0021	35/40		35/49	61H1-20.013	35/33		
61G4-15.0022	35/40		35/49	61H1-20.016	35/33		
61G4-15.028	34/10		35/46w	61H1-21.001	35/33	35/41	35/48
61G4-15.029	34/10		35/46w	61H1-21.002	35/33		35/48



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61H1-21.003	35/40		35/50	61J1-7.005	28/41	28/43	
61H1-21.005	35/33		35/48			28/46	
61H1-21.006	35/33		35/48	61J1-11.009	32/37		
61H1-22.001	35/40		35/48	61J2-17.012	28/3	28/17	
61H1-22.002	35/40		35/50	61J2-23.001	35/45		
61H1-22.003	35/40		35/50	61J2-24.001	35/31		
61H1-22.004	35/40		35/50		35/52		
61H1-22.005	35/40		35/50	61K1-1.003	35/50		
61H1-22.006	35/40		35/50	61K1-1.0031	35/50		
61H1-22.007	35/40		35/50	61K1-1.004	35/50		
61H1-22.008	35/40		35/50				
61H1-22.0081	35/40		35/50				
61H1-22.0082	35/40		35/50				
61H1-22.0083	35/40		35/50	62-17.510	35/38		
61H1-22.0084	35/40		35/50	62-17.520	35/38		
61H1-22.0085	35/40		35/50	62-17.535	35/38		
61H1-22.0086	35/40		35/50	62-17.540	35/38	35/45	
61H1-22.009	35/40		35/50	62-17.543	35/38		
61H1-22.010	35/40		35/50	62-17.545	35/38		
61H1-22.011	35/40		35/50	62-17.570	35/38		
61H1-22.012	35/40		35/50	62-17.580	35/38		
61H1-24.001	35/33	35/41	35/48	62-17.590	35/38		
61H1-24.002	35/33		35/48	62-17.600	35/38	35/45	
61H1-26.001	35/40		35/48	62-17.610	35/38		
61H1-26.002	35/40		35/48	62-17.625	35/38		
61H1-26.003	35/40			62-17.660	35/38		
61H1-26.004	35/40			62-17.665	35/38	35/45	
61H1-26.005	35/43		35/51	62-17.680	35/38	35/45	
61H1-27.001	35/43		35/51	62-17.695	35/38		
61H1-27.002	35/40		35/50	62-17.700	35/38		
61H1-27.0041	35/30	35/40		62-17.710	35/38		
61H1-28.0052	35/40		35/48	62-17.750	35/38	35/45	
61H1-29.002	35/40		35/48	62-17.760	35/38		
61H1-29.0025	35/40		35/48	62-204.800	35/41		35/47
61H1-29.003	35/40		35/48	62-210.200	35/52		
61H1-31.001	35/40		35/48	62-210.900	35/52		
61H1-33.001	35/31	35/36	35/48	62-213.205	35/52		
		35/40		62-213.420	35/52		
61H1-33.003	35/31	35/36	35/48	62-213.440	35/52		
		35/40		62-213.460	35/52		
61H1-33.0032	35/31		35/48	62-214.320	35/52		
61H1-33.0035	35/40		35/48	62-258.421	34/51		
61H1-33.006	35/40		35/48	62-296.412	35/52		
61H1-34.002	35/40		35/48	62-296.418	35/52		
61H1-35.001	35/40			62-296.470	32/45c		
61H1-35.002	35/40		35/48	62-296.480	35/40		35/52
61H1-36.006	35/40		35/48	62-296.500	35/52		
61J1-3.001	28/41	28/43		62-304.505	34/16	34/23	
		28/46		62-304.510	29/25		
61J1-3.002	28/41	28/43		62-304.600	35/31		
		28/46		62-304.610	35/31		
61J1-4.005	28/41	28/43		62-341.417	35/25	35/40	35/48
		28/46		62-341.494	34/53	35/13	
						35/36	
61J1-4.010	35/17	35/41				35/50	
61J1-7.004	28/41	28/43		62-346.010	35/20		
		28/46					

ENVIRONMENTAL PROTECTION

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62-346.020	35/20			62-640.600	35/44		
62-346.030	35/20			62-640.650	35/44		
62-346.050	35/20			62-640.700	35/44		
62-346.051	35/20			62-640.750	35/44		
62-346.060	35/20			62-640.800	35/44		
62-346.070	35/20			62-640.850	35/44		
62-346.071	35/20			62-640.860	35/44		
62-346.075	35/20			62-640.880	35/44		
62-346.080	35/20			62-701.100	35/37		35/52
62-346.090	35/20			62-701.200	35/37		35/52
62-346.091	35/20			62-701.210	35/37	35/43	35/52
62-346.095	35/20			62-701.220	35/37		35/52
62-346.100	35/20			62-701.300	35/37	35/43	35/52
62-346.120	35/20			62-701.310	35/37	35/43	35/52
62-346.130	35/20			62-701.315	35/37	35/43	35/52
62-346.150	35/20			62-701.320	35/37	35/43	35/52
62-346.301	35/20			62-701.330	35/37		35/52
62-346.302	35/20			62-701.340	35/37		35/52
62-346.381	35/20			62-701.400	35/37		35/52
62-346.900	35/20			62-701.410	35/37		35/52
62-348.100	35/43			62-701.430	35/37		35/52
62-348.200	35/43			62-701.500	35/37		35/52
62-348.300	35/43			62-701.510	35/37		35/52
62-348.500	35/43			62-701.520	35/37	35/43	35/52
62-348.600	35/43			62-701.530	35/37		35/52
62-348.700	35/43			62-701.600	35/37		35/52
62-348.800	35/43			62-701.610	35/37		35/52
62-348.900	35/43			62-701.620	35/37	35/43	35/52
62-354.071	35/2			62-701.630	35/37	35/43	35/52
62-602.720	35/41			62-701.710	35/37	35/43	35/52
62-606.100	35/41			62-701.730	35/37	35/43	35/52
62-606.200	35/41			62-701.803	35/37		35/52
62-606.300	35/41			62-701.900	35/37		35/52
62-606.400	35/41			62-709.201	35/44	35/49	
62-606.500	35/41			62-709.300	35/44	35/49	
62-606.600	35/41			62-709.305	35/44	35/49	
62-625.100	35/50			62-709.320	35/44	35/49	
62-625.110	35/50			62-709.330	35/44		
62-625.200	35/50			62-709.350	35/44	35/49	
62-625.400	35/50			62-709.460	35/44	35/49	
62-625.410	35/50			62-709.530	35/44	35/49	
62-625.420	35/50			62-709.550	35/44		
62-625.500	35/50			62-709.901	35/44		
62-625.510	35/50			62-731.030	35/32	35/38	35/47
62-625.540	35/50			62-731.050	35/32		35/47
62-625.600	35/50			62-731.060	35/32	35/38	35/47
62-625.700	35/50			62B-26.016	35/44		
62-625.820	35/50			62B-33.002	33/50c		
62-625.880	35/50			(18)(43)(60)			
62-640.100	35/44			62B-33.005	33/50c		
62-640.200	35/44			(1)(a),(1),(2)			
62-640.210	35/44			62B-33.0051	33/50c		
62-640.300	35/44			(1)(a),(2)(c)			
62-640.400	35/44			62B-33.0051	33/50c		
62-640.500	35/44			(1)(a),(2)(d)			

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62B-34.010	35/47				34/50	35/21	
62B-34.060	35/47					35/39	
62B-34.070	35/47					35/52	
62B-34.150	35/47			64B5-2.0144	34/50	35/21	
62B-34.160	35/47					35/39	
62B-34.170	35/47					35/52	
62B-34.180	35/47			64B5-2.0151	34/39		
62B-34.190	35/47			64B5-4.002	35/52		
62B-34.200	35/47			64B5-4.004	35/38		
62B-34.210	35/47			64B5-15.010	27/30		
62B-34.220	35/47			64B6-8.003	35/49		
62B-34.230	35/47			64B7-25.001	36/1		
62B-34.240	35/47			64B7-31.001	36/1		
62B-34.250	35/47			64B7-32.003	36/1		
62B-34.260	35/47			64B8-1.007	35/45		35/52
62B-34.270	35/47				35/47		
62B-56	34/23c			64B8-4.009	35/45		35/52
				64B8-8.001	35/42		35/50
				64B8-8.017	35/42		35/50
				64B8-9.005	35/26		
				64B8-9.009	35/51		
				64B8-13.005	35/51		
				64B8-30.003	35/47		
				64B8-30.012	35/47		
				64B8-31.003	35/47		
				64B8-42.001	35/47		
				64B8-42.002	35/47		
				64B8-44.005	35/49		
				64B8-45.001	35/49		
				64B8-50.003	35/46		
				64B8-51.007	35/50		
				64B8-54.0022	35/50		
				64B9-2.001	35/46		
				64B9-2.002	34/49		
					35/46		
				64B9-2.003	35/46		
				64B9-2.004	35/46		
				64B9-2.005	35/46		
				64B9-2.006	35/46		
				64B9-2.007	35/46		
				64B9-2.008	35/46		
				64B9-2.009	35/46		
				64B9-2.010	35/46		
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				64B9-2.013	35/46		
				64B9-2.014	35/46		
				64B9-2.015	35/46		
				64B9-3.014	35/47		
				64B9-8.005	35/26	35/28	
				64B9-9.015	32/24	32/51	
				64B9-17.001	33/8c		
				64B9-17.002	33/8c		
				64B10-11.001	35/38		
				64B10-11.003	35/38		
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				64B10-15.002	35/38		35/52
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63E-7.002	35/40		35/50				
63E-7.004	35/40		35/50				
63E-7.010	35/40		35/50				
63E-7.011	35/40		35/50				
63E-7.012	35/40		35/50				
63E-7.016	35/40		35/50				
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64-1	30/29c						
64B-1.009	25/39	26/1					
64B-3.008	35/43		36/1				
64B-4.005	35/44		35/52				
64B-4.006	35/44		35/52				
64B1-4.001	35/11	35/51					
64B1-6.005	35/21	35/51					
64B2-11.001	35/50						
64B2-11.012	35/50						
64B2-13.008	35/41		35/52				
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64B3-3.001	35/16						
64B3-5.007	35/44		35/51				
64B3-10.005	35/44		35/51				
64B4-3.001	35/50						
64B4-3.007	35/11						
64B4-3.0085	35/50						
64B4-3.009	35/50						
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64B4-5.001	35/50						
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64B4-11.007	35/40						
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64B12-16.003	35/35		35/47	64B19-11.001	35/52		
64B13-4.001	35/35			64B19-11.005	35/39	35/49	
64B13-5.002	35/35			64B19-11.010	35/50		
64B14-4.100	35/35	35/49	35/52w	64B19-11.011	35/50		
64B14-5.004	35/52			64B19-11.012	35/50		
64B14-7.001	35/52			64B19-12.002	35/52		
64B14-7.004	35/52			64B19-12.003	35/52		
64B15-6.003	35/47			64B19-17.002	35/52		
64B15-6.010	35/47			64B20-2.001	35/50		
64B15-7.003	35/47			64B20-2.003	35/50		
64B15-12.005	35/50			64B20-4.001	35/50		
64B15-12.009	35/50			64B21-500.002	35/49		
64B16-25.170	35/31		35/46	64B23-2.001	35/41		35/51
64B16-26.1002	35/38		35/46	64B23-7.001	35/41		35/51
64B16-26.1003	35/38		35/52w	64B27-1.002	35/52		
	35/52			64B29-1.001	35/49		
64B16-26.1005	35/35		35/50	64B32-2.001	35/50		
64B16-26.203	35/49			64B32-5.007	35/50		
64B16-26.2031	35/49			64B32-6.004	35/50		
64B16-26.2032	35/49			64B32-6.005	35/50		
64B16-26.2033	35/39			64B33-2.005	35/40		35/47
64B16-26.204	35/41			64E-3.001	35/45		
64B16-26.205	35/39			64E-3.003	35/45		
64B16-26.300	35/49			64E-3.006	35/45		
64B16-26.350	35/38	35/47		64E-5.101	35/39		
64B16-26.351	35/38			64E-5.1301	35/39		
64B16-26.601	33/21	35/9		64E-5.1320	35/39		
64B16-27.100	35/35		35/50	64E-5.207	35/39		
64B16-27.1001	35/35		35/50	64E-5.210	35/39		
64B16-27.300	35/35		35/50	64E-5.213	35/39		
64B16-27.410	35/35		35/50	64E-5.216	35/39		
64B16-27.420	35/32	35/44	35/50	64E-5.312	35/39		
64B16-27.430	35/35		35/50	64E-5.331	35/39		
64B16-27.440	35/35		35/50	64E-5.344	35/39		
64B16-27.500	35/50			64E-5.345	35/39		
64B16-27.797	35/38		35/52	64E-5.601	35/39	35/50	
64B16-28.108	35/39			64E-5.6011	35/39		
64B16-28.120	35/39			64E-5.602	35/39		
64B16-28.140	35/35			64E-5.603	35/39		
64B16-28.141	35/35		35/50	64E-5.604	35/39		
64B16-28.451	35/35		35/50	64E-5.605	35/39		
64B16-28.502	35/39			64E-5.606	35/39		
64B16-28.602	35/39			64E-5.607	35/39		
64B16-28.6021	35/39			64E-5.608	35/39	35/50	
64B16-28.605	35/35		35/50	64E-5.609	35/39		
64B16-28.607	35/35		35/50	64E-5.610	35/39		
64B16-28.830	35/35		35/50	64E-5.611	35/39		
64B16-28.901	35/35		35/50	64E-5.612	35/39		
64B16-28.902	35/39			64E-5.614	35/39		
64B16-29.002	35/49			64E-5.615	35/39		
64B16-30.001	35/39			64E-5.616	35/39		
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64B17-3.001	35/50			64E-5.618	35/39		

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64E-5.622	35/39			64E-6.013	35/50		
64E-5.624	35/39			64E-6.015	35/50		
64E-5.625	35/39			64E-6.019	35/50		
64E-5.6251	35/39			64E-6.023	35/50		
64E-5.626	35/39	35/50		64E-6.026	35/50		
64E-5.627	35/39	35/50		64E-6.027	35/50		
64E-5.628	35/39			64E-15.002	35/36		35/51
64E-5.629	35/39			64E-15.003	35/36		35/51
64E-5.630	35/39			64E-15.004	35/36		35/51
64E-5.631	35/39			64E-15.006	35/36		35/51
64E-5.632	35/39			64E-15.007	35/36		35/51
64E-5.633	35/39			64E-15.009	35/36		35/51
64E-5.6331	35/39			64E-15.010	35/36		35/51
64E-5.6332	35/39			64FER09-1			35/38
64E-5.634	35/39			64F-12.011	35/42		35/49
64E-5.635	35/39			64F-12.012	35/42		
64E-5.636	35/39			64F-12.013	35/42		
64E-5.637	35/39			64F-16.006	35/47	35/50	
64E-5.638	35/39			64H-2.002	35/25	35/30	35/48
64E-5.639	35/39					35/34	
64E-5.640	35/39					35/40	
64E-5.641	35/39	35/50		64H-2.008	35/25		
64E-5.6411	35/39			64J-1.001	35/26	35/49	
64E-5.6412	35/39				35/52		
64E-5.642	35/39			64J-1.004	35/52		
64E-5.6421	35/39			64J-1.006	35/26	35/49	
64E-5.6422	35/39			64J-1.008	35/12	35/39	35/46
64E-5.6423	35/39				35/52		
64E-5.643	35/39			64J-1.009	35/12	35/39	35/46
64E-5.644	35/39				35/52		
64E-5.645	35/39	35/50		64J-1.010	35/12		35/46
64E-5.647	35/39			64J-1.011	35/12		35/46
64E-5.648	35/39			64J-1.012	35/12		35/46
64E-5.649	35/39			64J-1.020	35/52		
64E-5.650	35/39			64J-1.0201	35/19	35/39	35/51
64E-5.651	35/39					35/43	
64E-5.652	35/39			64J-1.0202	35/52		
64E-5.653	35/39			64J-3.002	34/43	35/2	
64E-5.654	35/39						
64E-5.655	35/39						
64E-5.656	35/39						
64E-5.657	35/39			65-1	30/6c		
64E-5.658	35/39				30/9c		
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64E-5.660	35/39				32/2c		
64E-5.661	35/39				32/2c		
64E-5.662	35/39			65A-1.205	33/22c		
64E-5.663	35/39			65A-1.303	34/53		35/50w
64E-5.664	35/39			65A-1.400	31/27c		
64E-6.001	35/50			65A-1.603	35/40		35/49
64E-6.003	35/50			65A-1.707	34/53		35/50w
	35/50			65A-1.712	34/53	35/12	35/50w
64E-6.004	35/50				35/30	35/42	35/50
64E-6.010	35/50			65A-1.900	35/13	35/41	
64E-6.0101	35/50			65A-2.032	35/49		

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65A-15.005	32/9			65C-35.006	35/43		
65A-15.062	32/9			65C-35.007	35/43		
65B-27.017	32/9			65C-35.008	35/43		
65C-5.001	32/29	32/37		65C-35.009	35/43		
65C-5.002	32/29	32/37		65C-35.010	35/43		
65C-5.003	32/29	32/37		65C-35.011	35/43		
65C-5.004	32/29	32/37		65C-35.012	35/43		
65C-5.005	32/29	32/37		65C-35.013	35/43		
65C-5.006	32/29	32/37		65D-31.001	35/14	35/37	
65C-5.007	32/29	32/37		65D-31.002	35/14	35/37	
65C-5.008	32/29	32/37		65D-31.003	35/14	35/26	
65C-5.009	32/29	32/37				35/37	
65C-5.010	32/29	32/37		65D-31.004	35/14	35/26	
65C-5.011	32/29	32/37				35/37	
65C-16.008	32/4			65D-31.005	35/14	35/26	
65C-20.008	35/20	35/44	36/1			35/37	
65C-20.009	35/20	35/44	36/1	65D-31.006	35/14	35/37	
		35/47		65E-9.009	34/16	34/20	
65C-20.010	35/20	35/44	36/1	65E-20.002	35/35	35/47	
65C-20.011	35/20	35/44	36/1	65E-20.003	35/35		
65C-20.012	35/20	35/44	36/1	65E-20.014	35/35	35/47	
65C-20.013	35/20	35/44	36/1	65GER09-2			35/47
		35/47		65GER09-3			35/47
65C-20.014	35/20	35/44	36/1	65GER09-4			35/47
65C-22.001	35/20	35/44	36/1	65GER09-5			35/47
65C-22.002	35/20	35/44	36/1	65GER09-6			35/47
65C-22.003	35/20	35/44	36/1	65GER09-7			36/1
65C-22.004	35/20	35/44	36/1	65GER09-8			36/1
65C-22.005	35/20	35/44	36/1	65GER09-9			36/1
65C-22.006	35/20	35/44	36/1	65GER09-10			36/1
65C-22.007	35/20	35/44	36/1	65GER09-11			36/1
65C-22.008	35/20	35/44	36/1	65G-4.001	35/44		
65C-22.009	35/20	35/44	36/1	65G-4.0011	35/44		
65C-22.010	35/20	35/44	36/1	65G-4.0021	35/49		
65C-33.001	34/46			65G-4.0022	35/49		
65C-33.002	34/46			65G-4.0023	35/49		
65C-33.003	34/46			65G-4.0024	35/49		
65C-33.004	34/46			65G-4.0025	35/49		
65C-33.005	34/46			65G-4.003	35/44		
65C-33.006	34/46			65G-4.004	35/44		
65C-33.007	34/46			65G-4.005	35/44		
65C-33.008	34/46			65G-4.006	35/44		
65C-33.009	34/46			65G-4.007	35/44		
65C-33.010	34/46			65G-4.008	35/44		
65C-33.011	34/46			65G-4.009	35/44		
65C-33.012	34/46			65G-4.010	35/44		
65C-33.013	34/46			65G-4.012	35/44		
65C-35.001	35/43			65H-1.001	35/34		35/47
65C-35.002	35/43			65H-1.002	35/34		35/47
65C-35.003	35/43			65H-1.003	35/34		35/47
65C-35.004	35/43			65H-1.004	35/34		35/47
65C-35.005	35/43			65H-1.005	35/34		35/47

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65H-1.010	35/34		35/47	FISH AND WILDLIFE CONSERVATION COMMISSION			
65H-1.011	35/34		35/47	68-1.003	35/44		
65H-1.012	35/34		35/47	68A-6.0022	33/1	33/11	
65H-1.013	35/34		35/47	68A-9.005	35/44		
65H-1.014	35/34		35/47	68A-13.003	35/44		
65H-1.015	35/34		35/47	68A-15.064	35/44		
65H-1.016	35/34		35/47	68A-24.003	28/17		
65H-1.017	35/34		35/47	68A-24.004	28/17		
65H-1.018	35/34		35/47	68A-24.006	28/17		
NAVIGATION DISTRICTS				68A-25.0032	35/19		
66B-1.003	35/50			68B-14.0036	35/44		
66B-1.008	35/50			68B-14.0039	35/44		
66B-1.013	35/50			68B-14.0045	35/44		
66B-2.004	35/50			68B-14.005	35/44		
66B-2.008	35/50			68B-23.101	32/18		
66B-2.013	35/50			68B-23.103	32/18		
FLORIDA HOUSING FINANCE CORPORATION				68B-23.104	32/18		
67ER09-1			35/12	68B-23.106	32/18		
67ER09-2			35/12	68B-23.107	32/18		
67ER09-3	35/43c		35/43d	68B-23.108	32/18		
	35/43c		35/43d	68B-23.109	32/18		
	35/43c		35/43d	68B-23.110	32/18		
	35/43c		35/43d	68B-23.112	32/18		
			35/12	68B-31.004	35/44		
67ER09-4	35/43c		35/43d	68B-31.0045	35/44		
	35/43c		35/43d	68B-44.002	35/44		
	35/43c		35/43d	68B-44.003	35/44		
	35/43c		35/43d	68B-44.004	35/44		
			35/12	68B-44.005	35/44		
67ER09-5			35/12	68B-44.006	35/44		
67-18.005	28/42			68B-44.007	35/44		
67-37.002	35/33		35/46	68B-44.008	35/44		
67-37.005	35/33		35/46	FINANCIAL SERVICES			
67-37.006	35/33		35/46	69-1	30/42c		
67-37.007	35/33		35/46	69A-2.024	35/47		
67-37.008	35/33		35/46	69A-3.012	35/28	35/41	35/49
67-37.010	35/33		35/46	69A-47.013	35/48		
67-37.019	35/33		35/46	69A-47.014	35/48		
67-38.002	35/33		35/46	69A-52.003	35/28	35/40	35/46
67-38.0026	35/33		35/46	69A-60.008	35/28	35/41	35/49
67-38.003	35/33		35/46			35/51	
67-38.004	35/33		35/46	69A-64.005	35/36		35/46
67-38.005	35/33		35/46	69B-33.005(3)(a)	32/32c		
67-38.007	35/33		35/46		32/32c		
67-38.008	35/33		35/46	69B-41.002(19)	32/32c		
67-38.010	35/33		35/46		32/32c		
67-38.011	35/33		35/46	69I-3.001	35/51		
67-38.014	35/33		35/46	69I-3.003	35/51		
67-48.002	30/39			69I-3.004	35/51		
				69I-44.021	35/35		35/46

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69J-9.001	35/50			69L-5.230	35/21	35/46	
69J-123.002	35/39		35/51	69L-5.231	35/21		
69K-13.005	35/50			69L-6.012	35/37		
69K-24.040	35/38	35/44	35/49	69L-7.501	35/44	35/50	
69L-5.101	35/21			69L-7.602	35/23	35/45	36/1
69L-5.102	35/21			69L-7.602(5)(q)	32/45c		
69L-5.103	35/21			69L-24.001	35/25		36/1
69L-5.104	35/21			69L-24.002	35/25		36/1
69L-5.105	35/21			69L-24.003	35/25	35/45	36/1
69L-5.106	35/21			69L-24.004	35/25	35/45	36/1
69L-5.107	35/21			69L-24.005	35/25	35/45	36/1
69L-5.108	35/21			69L-24.006	35/25	35/45	36/1
69L-5.109	35/21			69L-24.007	35/25	35/45	36/1
69L-5.110	35/21			69L-24.021	35/25		36/1
69L-5.111	35/21			69L-24.0211	35/25		36/1
69L-5.112	35/21			69L-24.022	35/25		36/1
69L-5.113	35/21			69L-24.0222	35/25		36/1
69L-5.114	35/21			69L-24.0231	35/25		36/1
69L-5.115	35/21			69L-24.024	35/25		36/1
69L-5.116	35/21			69L-24.0241	35/25		36/1
69L-5.117	35/21			69L-56.530	31/3		
69L-5.201	35/21	35/46		69M-1	29/52c		
69L-5.202	35/21			69O-1	31/37c		
69L-5.203	35/21	35/46			31/37c		
69L-5.204	35/21	35/46		69O-125.005	31/6		
69L-5.205	35/21	35/46			31/26	32/7	
69L-5.206	35/21	35/46			33/26		
69L-5.207	35/21	35/46		69O-125.006	33/26		
69L-5.208	35/21	35/46		69O-136.0075	35/20		
69L-5.209	35/21			69O-136.009	35/20		
69L-5.210	35/21	35/46		69O-136.011	35/20		
69L-5.211	35/21	35/46		69O-137.001	35/32	35/34	35/52
69L-5.212	35/21			69O-138.001	35/32		35/52
69L-5.213	35/21	35/46		69O-139.019	33/10		
69L-5.214	35/21	35/46		69O-146.040	35/20		
69L-5.215	35/21	35/46		69O-156.003	35/24		35/52
69L-5.216	35/21	35/46		69O-156.005	35/24		35/52
69L-5.217	35/21	35/46		69O-156.006	35/24	35/32	35/52
69L-5.218	35/21	35/46		69O-156.007	35/24		35/52
69L-5.219	35/21	35/46		69O-156.0075	35/24		35/52
69L-5.220	35/21	35/46		69O-156.008	35/24		35/52
69L-5.221	35/21	35/46		69O-156.0085	35/24	35/32	35/52
69L-5.222	35/21			69O-156.0095	35/24		35/52
69L-5.223	35/21	35/46		69O-156.011	35/24		35/52
69L-5.224	35/21			69O-156.012	35/24		35/52
69L-5.225	35/21	35/46		69O-156.020	35/30	35/37	35/52
69L-5.226	35/21	35/46		69O-170.006	31/32c		
69L-5.227	35/21	35/46		69O-170.0155	35/47		
69L-5.228	35/21				35/47		
69L-5.229	35/21	35/46		69O-170.020	32/5	32/12	



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Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69O-170.105(1)(d)	35/30c			69O-236.001	35/47		
69O-171.009	32/23c			69O-236.002	35/47		
69O-175.001	31/2c			69O-236.003	35/47		
69O-175.003	31/26			69O-236.004	35/47		
69O-175.008	35/4			69O-236.005	35/47		
	35/12c			69V-40.003	35/47		
69O-186.013	33/8c			69V-560.1013	35/47		
69O-189.003	35/25	36/1		69W-600.0021	35/42	36/1	
69O-204.020	33/50	34/10					
69O-204.030	33/50	34/10					
	34/39	34/52					
69O-204.040	33/50	34/10					
	34/39	34/52					
69O-204.050	33/50						
69O-204.060	33/50						
69O-204.070	33/50	34/10					
		34/15					

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