

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09412
RULE TITLE: Course Requirements – Grades K-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: The purpose of this rule development is to adopt the revised Course Descriptions and the updates/edits for the “2010-2011” school-year. Courses for social studies are updated to align to the Next Generation Sunshine State Standards approved by the State Board of Education for these content areas.

SUBJECT AREA TO BE ADDRESSED: Florida Course Descriptions for Social Studies updated to include the Next Generation Sunshine State Standards.

RULEMAKING AUTHORITY: 1001.03(1), 1011.62(1)(s) FS.

LAW IMPLEMENTED: 1001.42(9), 1003.42, 1011.62(1)(r) 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: Mr. Todd Clark, Chief, Bureau of Curriculum and Instruction, 325 West Gaines Street, Room 432, Tallahassee, FL 32399-0400. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: 6A-10.0341
RULE TITLES: Vocational Education Student Follow-Up Requirements
 6A-10.0342 Vocational Education Program Performance Reporting

PURPOSE AND EFFECT: The purpose of this rule development is to update existing rule language and processes. The effect will be a rule that is more clearly defined.

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education.

RULEMAKING AUTHORITY: 1008.43(1)(a), (b), (4) FS.

LAW IMPLEMENTED: 1008.42(2)(b)3., 1008.43(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark E. Baird, Director, Research and Evaluation, Division of Career and Adult Education, Department of Education, 325 West Gaines St., Suite 744, Tallahassee, FL 32399-0400, (850)245-9060. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-9.070
RULE TITLE: Administrative Sanctions on Providers, Entities, and Persons

PURPOSE AND EFFECT: The 2009 Legislature passed Senate Bill 1986 which revised laws within the jurisdiction of the Agency for Health Care Administration (“AHCA” or “Agency”). These statutory revisions will have an effect upon administrative sanctions and disincentives imposed upon a provider, entity, or person for each violation of any Medicaid – related law. In pertinent summary, revised Section 409.913, F.S., requires the Agency to deny payment or require repayment for Medicaid services under certain circumstances; requires the Agency to immediately terminate a Medicaid provider’s participation in the Medicaid program as a result of certain adjudications against the provider or certain affiliated persons; requires the Agency to suspend or terminate a Medicaid provider’s participation in the Medicaid program if the provider or certain affiliated persons participating in the Medicaid program have been suspended or terminated by the Federal Government or another state; provides that a provider is subject to sanctions for violations of law as the result of actions or inactions of the provider or certain affiliated persons; requires that the Agency provide notice of certain administrative sanctions to other regulatory agencies within a

specified period; requires the Agency to withhold or deny Medicaid payments under certain circumstances; requires the Agency to terminate a provider's participation in the Medicaid program if the provider fails to repay certain overpayments from the Medicaid program; requires the Agency to post a list on its website of Medicaid providers and affiliated persons of providers who have been terminated or sanctioned; and requires the Agency to take certain actions to improve the prevention and detection of health care fraud.

After careful assessment of those certain statutory amendments arising from passage of SB 1986, the Agency has determined that a rule modification is required to fully implement the revised and expanded statutory provisions, as summarized above. Additionally, to assist the Agency and the Legislature achieve their intended and mutual purpose of reducing and preventing fraud and abuse of the Medicaid program, it has become necessary to modify the monetary sanctions, as a disincentive for violating laws governing the Medicaid program.

SUBJECT AREA TO BE ADDRESSED: Administrative Sanctions on Providers, Entities and Persons.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.907, 409.913, 409.9131, 409.920, 812.035 FS.

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

DATE AND TIME: Tuesday, March 2, 2010, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room C, Building 3, 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: Kimberly Noble, Office of the Inspector General, 2727 Mahan Drive, Building 3, Mail Stop 4, Tallahassee, Florida 32308-5407, (850)413-0183, or by email at noblek@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kimberly Noble, Office of the Inspector General, 2727 Mahan Drive, Building 3, Mail Stop 4, Tallahassee, Florida 32308-5407, (850)413-0183, or by email at noblek@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-32.001 **RULE TITLE:** Issuance of Citations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to clarify the guidelines to be followed when issuing a citation.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the issuance of citations.

RULEMAKING AUTHORITY: 455.201, 455.203(5), 455.224(1), 455.228(3) FS.

LAW IMPLEMENTED: 455.224 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 TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Michael Green, Unlicensed Activity Administrator, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2212, (850)487-9518

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before any hearing by contacting Michael Green at (850)487-9815. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-32.003 **RULE TITLE:** Guidelines for Issuing Citations for Unlicensed Practice of a Profession

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to clarify the guidelines and conditions that must be met before a citation can be issued for engaging in unlicensed practice of a profession.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the guidelines to be followed and the conditions that are to be met before a citation can be issued for engaging in the unlicensed practice of a profession.

RULEMAKING AUTHORITY: 455.228(3) FS.

LAW IMPLEMENTED: 455.224, 455.228 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Michael Green at (850)487-9815. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD). 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: Michael Green, Unlicensed Activity Administrator, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2212, (850)487-9518
 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 JUVENILE JUSTICE

Division of Administration

RULE NOS.:	RULE TITLES:
63F-11.001	Purpose and Scope
63F-11.002	Definitions
63F-11.003	Reporting Incidents
63F-11.004	Reportable Incident Types
63F-11.005	Operation of the Central Communications Center
63F-11.006	Daily Reporting

PURPOSE AND EFFECT: The rule governs the accurate reporting and dissemination of information regarding incidents that require immediate or urgent response, action or other intervention by the department to protect the safety and security of youth under its jurisdiction and the public.

SUBJECT AREA TO BE ADDRESSED: The rule governs the operation of the Central Communications Center, including incident reporting and dissemination of critical information.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 20.055(2), 20.316(1), 985.601 FS.

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

DATE AND TIME: Tuesday, March 2, 2010, 10:00 a.m.
 PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-16.0075	Dental Charting by Dental Hygienists

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

RULEMAKING AUTHORITY: 466.004(4), 466.0235 FS.

LAW IMPLEMENTED: 466.0235 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-16.0075 Dental Charting by Dental Hygienists.

(1) Pursuant to Section 466.0235, F.S., a Florida licensed dental hygienist is permitted to, without supervision and within the lawful scope of his or her duties as authorized by law, perform dental charting of hard and soft tissues in public and private educational institutions of the state and Federal Government, nursing homes, assisted living and long-term care facilities, community health centers, county health departments, mobile dental or health units, in health access settings as defined in Section 466.003, F.S. and epidemiological surveys for public health. A Florida licensed dental hygienist is permitted to pro-bono perform dental charting on a volunteer basis at health fairs.

(2) through (5) No change.

Rulemaking Specific Authority 466.004(4), 466.0235 FS. Law Implemented 466.0235 FS. History—New 12-26-06, Amended 6-11-07, _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.0391 Evaluation of Supplemental
 Educational Service Providers

PURPOSE AND EFFECT: The proposed new rule will implement a process for assigning service designations for state-approved supplemental educational services providers as required by Section 1008.331, Florida Statutes.

SUMMARY: Section 1008.331, Florida Statutes, requires Supplemental Educational Services (SES) providers to submit, by May 1 of each year, in an electronic form provided by the Department, student learning gains as demonstrated by mastery of goals established by the Local Educational Agency (LEA), student attendance and completion data, and parent satisfaction survey results, unless a prior agreement has been made with an LEA. The Florida Department of Education must use this information and satisfaction survey results of LEAs and principals to assign service designations of unsatisfactory, satisfactory, and excellent to each state-approved SES provider by July 1. The rule will establish guidelines for SES providers for collection and submission of required information and detail the process of calculating data for assigning service designations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency.

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: 1001.02(1) FS.

LAW IMPLEMENTED: 1008.331 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lisa Bacen, Bureau Chief, Bureau of Student Assistance, 325 West Gaines Street, Suite 348, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0391 Evaluation of Supplemental Educational Service Providers.

(1) Purpose. This rule implements an evaluation system for state-approved supplemental educational service providers, in accordance with Section 1008.331(5), Florida Statutes.

(2) Definitions. For the purpose of this rule, the following definitions will be used:

(a) “Local Educational Agency” or “LEA” means the school district responsible for the administration of supplemental educational services.

(b) “Pre-assessment” means the valid and reliable assessment instrument capable of identifying a student’s deficiencies in mastering the Sunshine State Standards Benchmarks or Access Points, as defined in Section 1003.41, Florida Statutes.

(c) “Post-assessment” means the valid and reliable assessment instrument capable of measuring a student’s achievement on the same set of Sunshine State Standards Benchmarks or Access Points as adopted in Rule 6A-1.09401, F.A.C., measured in the pre-assessment and as identified in the student learning plan.

(d) “Provider” means the individual or organization approved by the Department to provide supplemental educational services.

(e) “Supplemental Educational Services” means the services as defined in subsection 6A-1.039(2), F.A.C.

(f) “Student learning plan” means the plan as defined in subsection 6A-1.039(2), F.A.C.

(g) “Length of prescribed program” means the number of hours of services to be provided to each student based on the provider’s rate and LEA’s per pupil allocation.

(f) “Student” means a student who was enrolled, placed, or assigned to a supplemental education services provider and has a district approved student learning plan for the current year.

(g) “Attendance” means the SES student hours submitted by the provider and approved by the LEA.

(h) “Completion” means an SES student that has expended the total per-pupil allocation and has participated in the provider administered post-assessment.

(i) “Per-pupil allocation” means the maximum amount of funds that may be expended for each eligible student for supplemental educational services based on the Title I, Part A allocation.

(j) “Prior agreement” means that the provider and the LEA have an agreement that the LEA will submit the required data on behalf of the provider to the Department by May 1.

(3) Documentation of data.

(a) A provider shall thoroughly document all student data, including student learning gains and attendance and completion data, and make all student data available to the Department or LEA upon request.

(b) A false statement made by a provider in conjunction with the information required by this rule will be reported by the Department to the appropriate law enforcement agency for prosecution pursuant to Section 837.06, Florida Statutes, (false official statements).

(c) Should the Department find evidence that a provider submitted any falsified data required by this rule, the Department shall open a complaint and investigate the matter in accordance with subsection 6A-1.039(7), F.A.C.

(4) Minimum sample size for provider evaluation. In order to ensure statistical reliability and to avoid the inadvertent release of personally identifiable student data prohibited by Section 1002.22, Florida Statutes, providers that serve ten or fewer students in an academic year will not receive a service designation.

(5) Student assigned after April 1. Any student enrolled with a provider's program after April 1 shall be considered in the following year's service designation.

(6) Evaluation method. The evaluation method for a service designation is comprised of the following five factors, of which a total of 500 points may be earned:

(a) Student learning gains as demonstrated by mastery of applicable benchmarks or access points set forth in the Sunshine State Standards as adopted in Rule 6A-1.09401, F.A.C., worth 300 points;

(b) Attendance and completion data worth 75 points;

(c) Parent surveys worth 25 points;

(d) LEA surveys worth 50 points; and

(e) Principal surveys worth 50 points.

(7) Student learning gains. Student learning gains will be determined in the following manner:

(a) The LEA, in collaboration with the provider and the parent, shall identify a maximum of five measurable goals for each student in each subject area, based on provider-administered pre-assessment data and available LEA data that identify the student's deficiencies. The goals shall be included in the student learning plan. The LEA shall have authority over the content of these goals.

(b) Upon student completion of the length of prescribed program with a provider, the provider shall administer a post-assessment to determine the number of goals that were mastered by the student. The provider shall report the outcome of the services on the final progress report and submit the final progress report to the student's parents and LEA.

(c) The LEA shall review final progress reports and maintain them for use in the verification phase outlined in subsection (15) of this rule.

(d) The provider shall use Form SES 300, Data Entry for LEAs and SES Providers, which is hereby incorporated by reference to become effective with the effective date of this rule, to report the number of goals identified in the student learning plan and the number of goals mastered by the student

directly to the Department on its website at: <http://fldoe.org/flbpso> by May 1 of each school year, unless a prior agreement has been made with the LEA.

(e) Within 30 days of the May 1 deadline, the Department shall calculate for each provider:

1. The total number of goals by subject area pursuant to paragraph (7)(a) of this rule for all students completing the length of prescribed program;

2. The total number of goals by subject area that were mastered pursuant to paragraph (b) for all students receiving supplemental educational services; and

3. The percentage of goals mastered using the data from paragraphs (a) and (b) as described in paragraph (7)(d) of this rule.

(f) The Department shall determine a raw score based upon the percentage of goals mastered multiplied by 300. The raw score constitutes the points for the total student learning gains mastered.

(8) Attendance and completion data. Attendance and completion data shall be calculated in the following manner:

(a) The LEA shall include the length of prescribed program for each student in the student learning plan based on each provider's hourly rate and the LEA's per-pupil allocation.

(b) Verified attendance rosters and invoices shall be maintained by the provider to ensure the hours of tutoring delivered to each student are correct. The attendance rosters and invoices shall be available to the district and the Department upon request.

(c) For each student enrolled with the provider at any time during the school year, the provider shall use Form SES 300 to report the length of prescribed program and the actual number of hours provided directly to the Department on its website at <http://fldoe.org/flbpso> by May 1 of each school year, unless a prior agreement has been made with the school LEA.

(d) The Department shall calculate for each provider:

1. The length of prescribed program pursuant to paragraph (8)(a) of this rule of all students enrolled in Supplemental Educational Services;

2. The total number of hours delivered pursuant to paragraph (8)(b) of this rule to all students enrolled before April 1 of each school year; and

3. The percentage of hours that were completed.

(e) A raw score shall be calculated by the Department for each provider based upon the percentage determined in subparagraph (8)(d)3. of this rule multiplied by 75. The raw score constitutes the total attendance and completion points achieved.

(9) Surveys. The Department shall survey three separate populations: parents, LEAs, and principals where supplemental educational services are provided on site.

(a) All survey questions will have five response levels, to be scored as follows:

1. An answer of “strongly disagree” is worth zero points.
2. An answer of “disagree” is worth one point.
3. An answer of “neither agree nor disagree” is worth two points.
4. An answer of “agree” is worth three points.
5. An answer of “strongly agree” is worth four points.

(b) Parent survey. By May 1 of each school year, parents may submit satisfaction results of provider performance using Form SES 301, Supplementary Educational Services Survey for Parents, which is hereby incorporated by reference and made a part of this rule to become effective with the effective date of the rule on the Department’s website at <http://fldoe.org/flbpo> or in hard-copy.

1. The provider shall make Form SES 301 available to parents electronically and in hard-copy at the tutoring site. Hard-copy surveys shall be collected by the provider and submitted electronically on behalf of the parent on the Department’s website at <http://fldoe.org/flbpo>. Hard-copy surveys shall be mailed by the provider to the Department at 325 West Gaines Street, Suite 348, Tallahassee, FL 32399-0400. Only one parent survey per child will be permitted.

2. Parent survey results shall be calculated by the Department for each provider based upon the percentage of possible points compared to earned points, multiplied by 25.

3. In the event that the Department does not receive parent survey data for a provider, the Department shall modify the calculation to account for the missing survey data by subtracting the number of possible points for the missing survey population from 500, to modify the overall number of points possible as defined in subsection (6) of this rule.

(c) LEA survey. By May 1 of each school year, each LEA shall submit a uniform online survey on the Department’s website at <http://fldoe.org/flbpo> using Form SES 302, Supplementary Educational Services Survey for Districts, which is hereby incorporated by reference to become effective with the effective date of this rule to evaluate each provider’s performance. In the event that the LEA is also acting as a provider, the LEA shall not submit a survey evaluating its performance.

1. LEA survey results shall be calculated by the Department for each provider based upon the percentage of possible points compared to earned points, multiplied by 50.

2. In the event that the Department does not receive LEA survey data for a provider, the Department shall modify the calculation to account for the missing survey data by subtracting the number of possible points for the missing survey population from 500, to modify the overall number of points possible as defined in subsection (5) of this rule.

(d) Principal survey. By May 1 of each school year, each principal of a school where SES is provided on site shall submit a uniform online survey on the Department’s website at

<http://mail.fldoe.org/flbpo> using Form SES 303, Supplementary Educational Services Survey for Principals, which is hereby incorporated by reference to become effective with the effective date of this rule, to evaluate each provider’s performance.

1. Principal survey results shall be calculated by the Department for each provider based upon the percentage of possible points compared to earned points, multiplied by 50.

2. In the event that the Department does not receive principal survey data for a provider, the Department shall modify the calculation to account for the missing survey data by subtracting the number of possible points for the missing survey population from 500, to modify the overall number of points possible as defined in subsection (5) of this rule.

(10) Calculation of service designation percentage. To calculate the services designation percentage for each provider, the Department shall:

(a) Round each raw score in subsections (7) through (9) of this rule to the nearest whole number.

(b) Determine the sum of all raw scores.

(c) Divide the sum of the raw scores by 500 points pursuant to subsection (5) of this rule to determine the total earned points.

(d) Multiply the total earned points by 100. The product will determine a provider’s services designation percentage.

(11) Service Designation Scale. To assign provider service designations, the Department shall use the following scale:

(a) Providers receiving a score of 80% or above will be classified as “excellent.”

(b) Providers receiving a score of at least 50% and less than 80% will be classified as “satisfactory”.

(c) Providers receiving a score of less than 50% will be classified as “unsatisfactory.”

(12) Reporting timeline. To facilitate timely processing of data and data verification, May 1 of each year shall serve as the deadline for all data submission from providers, LEAs, and principals. The Department shall only accept data submitted after May 1 if the provider demonstrates in writing that unforeseen and uncontrollable circumstances took place prohibiting the provider from complying with the reporting timeline.

(13) Incomplete data. If the Department determines that unforeseen and uncontrollable circumstances prohibited the provider from submitting data by the deadline, the Department shall assign a service designation of “incomplete” to the provider. The provider must submit the data within 45 days of the Department’s determination. If the provider fails to submit the data by the deadline the service designation will be assigned pursuant to subsection (14).

(14) Failure to submit data. Notwithstanding subparagraphs (9)(a)3., (b)2., and (c)2., of this rule to ensure compliance with the reporting deadline by providers, in the

event that a provider fails to submit any data, in whole or in part, within 14 days of the May 1 submission deadline, the Department shall assign a score of zero for any missing data based on 500 possible points.

(15) Verification of Data. To ensure accurate and correct data, prior to the announcement of service designations the Department will provide an opportunity to all LEAs and providers to verify the data submitted by the provider and the LEA using Form SES 300 and correct any data reporting errors. The length of verification phase will be determined at the discretion of the Department, and shall not last more than 14 days.

(16) Method of announcement of service designation. By July 1 of each year, service designations will be made available to providers, LEAs, parents, and the public on the Department’s website, found at <http://fldoe.org/flbpso>.

(17) Improvement Plan.

(a) The Department shall establish an improvement plan for any provider with an “unsatisfactory” service designation. The improvement plan must include goals for improvement, and may include, but is not limited to, the following:

1. Improvement of the provider assessment tool;
2. A student attendance improvement plan;
3. A parent outreach action plan;
4. Improvement in the implementation of the assessment mechanism;
5. Improvement in the curriculum and instructional materials; and
6. Improvement in the quality of provider staff.

(b) The provisions for removal as set forth in subsection 6A-1.039(8), F.A.C., shall apply to a provider awarded an unsatisfactory service designation for two consecutive years.

(18) Grievance procedure. A provider shall utilize the Grievance Procedures for Providers, found in Rule 6A-1.039, F.A.C., to resolve complaints about service designations.

Rulemaking Authority 1001.02(1), 1008.331(5)(d) FS. Law Implemented 1008.331(5) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2010

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.0451	Florida Education Finance Program Student Membership Surveys

6A-1.045111 Hourly Equivalent to 180-Day School Year

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 6A-1.0451, F.A.C., is to account for the hourly equivalent of the 180-day school year for purposes of reporting student membership for participation in the Florida Education Finance Program and to delete obsolete language regarding transportation reporting. The proposed new Rule 6A-1.045111, F.A.C., will establish an equivalent number of hours to the 180-day school year requirement, consistent with statutorily required instructional time for participation in the Florida Education Finance Program.

SUMMARY: The purpose of the new rule and the amendment to the existing rule is to ensure that the 180-day school year requirement relating to statutorily required instructional time for participation in the Florida Education Finance Program is clearly articulated in rule.

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: 1001.02(1), 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61(1)(c)2. FS. LAW IMPLEMENTED: 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61(1)(a)1., 1011.61(1)(c)2. FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert Large, Assistant General Counsel, 325 W. Gaines St. Room 1244, Tallahassee, FL 32399, (850)245-0442

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0451 Florida Education Finance Program Student Membership Surveys.

(1) through (3) No change.

(4) During the year, at least four (4) full-time equivalent student membership surveys shall be conducted under the administrative direction of and on a schedule provided by the Commissioner. The second period and the third period full-time equivalent student membership survey for students in a program scheduled for one hundred eighty (180) school days, or the hourly equivalent as provided in Rule 6A-1.045111, F.A.C., shall each be equal to ninety, one hundred eightieths (90/180) of the school year, or the hourly equivalent. Students in a program scheduled for less than one hundred eighty (180)

school days, or the hourly equivalent as provided in Rule 6A-1.045111, F.A.C., in any full-time equivalent student membership survey shall be a fraction of a full-time equivalent member as provided in Section 1011.61(1), F.S. The four (4) survey periods, insofar as practicable, shall be scheduled to take the extended school year, staggered school year, and other variations of or from the regular one hundred eighty (180) day school year into consideration. School districts may submit amendments to student membership survey data in accordance with the following schedule: Survey Period 1 (July) may not be amended after September 30 following the survey; Survey Period 2 (October) may not be amended after March 31 following the survey; Survey Period 3 (February) may not be amended after July 31 following the survey; Survey Period 4 (June) may not be amended after August 31 following the survey, or until a membership survey audit as required by Rule 6A-1.0453, F.A.C., has been completed, whichever shall take place first. Such amendments which are submitted too late to be reviewed and included in the last membership data determining the earnings of Florida education finance program funds for the given year shall be treated as prior year adjustments.

(5) No change.

~~(6) When passengers other than public school students in membership, grades K-12 and exceptional, are transported on a school bus at the same time public school students are transported to or from school, the bus route mileage required to transport students as authorized in Section 1011.68(2), F.S., shall be computed as follows:~~

~~(a) If the number of passengers other than public school students in membership, grades K-12 and exceptional, transported on a bus route exceeds five (5) percent of the manufacturer's rated seating capacity of the bus, the loaded bus route miles for that trip shall be adjusted by the percentage of passengers that are not public school students in membership, grades K-12 and exceptional.~~

~~(b) Bus miles traveled over a side route to load or unload passengers other than public school students in membership, grades K-12 and exceptional, and miles traveled transporting exclusively other passengers shall not be reported to or counted by the Department for the purpose of FEFP transportation funding.~~

~~(6)(7)~~ For students in all special programs, a student's full-time equivalent membership shall be reported in the respective special program cost factor prescribed in Section 1011.62(1)(c), F.S., when the student is eligible and is attending a class, course, or program which has met all of the criteria for the special program cost factor. In addition, when reporting program membership, each student shall be reported in the same special program category as reported in the full-time equivalent membership survey.

~~(7)(8)~~ ESE 135, Department of Juvenile Justice FTE School Funding Certification is hereby incorporated by reference and made a part of this rule. This form may be obtained from the Bureau of School Business Services, Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Specific Authority 1001.02(1) FS. Law Implemented 1011.61, 1011.62(1), 1011.68 FS. History--New 4-19-74, Amended 10-31-74, Repromulgated 12-5-74, Amended 6-1-75, 1-29-76, 4-12-78, 8-2-79, 2-4-81, 7-28-81, 4-27-82, 7-13-83, 7-10-85, Formerly 6A-1.451, Amended 3-12-86, 9-30-87, 10-31-88, 12-5-90, 10-26-94, 12-15-98, 3-24-08.

6A-1.045111 Hourly Equivalent to 180-Day School Year. Each school district which participates in the state appropriations for the Florida Education Finance Program shall:

(1) Operate all schools for a term of one hundred eighty (180) actual teaching days as prescribed by Section 1011.60(2), Florida Statutes, or the hourly equivalent of one hundred eighty (180) actual teaching days, determined as prescribed below:

(a) Kindergarten through grade 3 or in an authorized prekindergarten exceptional program: Not less than seven hundred twenty (720) net instructional hours.

(b) Grades 4 through 12: Not less than nine hundred (900) net instructional hours.

(2) For schools operating on a double-session calendar or utilizing an experimental calendar approved by the Department of Education, operate such schools for a term of one hundred eighty (180) actual teaching days as prescribed by Section 1011.60(2), Florida Statutes, or the hourly equivalent of one hundred eighty (180) actual teaching days, determined as prescribed below:

(a) Kindergarten through grade 3: Not less than six hundred thirty (630) net instructional hours.

(b) Grades 4 through 12: Not less than eight hundred ten (810) net instructional hours.

Rulemaking Authority 1001.02(1), 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61(1)(c)2. FS. Law Implemented 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61(1)(a)1., 1011.61(1)(c)2. FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Kearney, Office of General Counsel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 2010

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: 6A-1.0943
 RULE TITLE: Statewide Assessment for Students with Disabilities

PURPOSE AND EFFECT: The purpose of this rule amendment is to update procedures related to the administration of statewide assessments for students with disabilities, revise criteria related to participation in statewide alternate assessment, and establish procedures for exemption from participation in the statewide assessment when extraordinary circumstances occur. Consistent with current rule requirements, the proposed rule establishes that students with disabilities will participate in the statewide assessment without accommodations unless the individual educational team or team that develops the plan required under Section 504 of the Rehabilitation Act determines and documents that accommodations are needed for participation in the statewide assessment based on accommodations the student has received during instruction. The proposed rule deletes references to specific types of accommodations (e.g. enlarging text, Braille, use of calculators) and instead states that allowable accommodations are those included in the state test administration manuals published by the Department of Education. The proposed rule retains language permitting the use of unique accommodations not included in the statewide test administration manuals upon approval of the Commissioner of Education. The proposed rule includes new language with regard to the provision of testing accommodations for students with disabilities who participate in the statewide assessment but are not currently enrolled in public school. The proposed rule revises previously included language with regard to criteria for determining when participation in the statewide alternate assessment is appropriate for a student. The new criteria provide greater specificity than the current criteria. The proposed rule adds language permitting a special exemption from participation in the statewide assessment under extraordinary circumstances. Currently, Rule 6A-1.09431, F.A.C., permits a special exemption from the graduation test requirement in extraordinary circumstances. The proposed rule will provide for an exemption from the statewide assessment at any grade level in the event of an extraordinary circumstance. Extraordinary circumstances are defined as events or conditions that prevent the student from physically demonstrating the mastery of skills that are measured by the statewide assessment. The special exemption must be approved by the Commissioner of Education and procedures for submission of such a request are stipulated in the proposed rule. The proposed rule deletes sections of the current rule that are unnecessary as the authority is established through other statutes or rules. This includes requirements related to

including test scores of students with disabilities in the state accountability system and exemptions from the assessment required for graduation.

The effect of these amendments will be a rule that reflects current statutory citations, updated assessment procedures, more specific criteria for use by district staff to determine students for whom the alternate assessment is the appropriate statewide assessment, and specific procedures to exempt a student from participation in statewide assessment in the event of an extraordinary circumstance.

SUMMARY: The rule establishes requirements and procedures related to participation in statewide assessment for students with disabilities to include the provision of accommodations, criteria for determining participation in the statewide alternate assessment, and procedures for requesting a special exemption from the Commissioner of Education for participation in the statewide assessment when extraordinary circumstances occur. The rule shall take effect on July 1, 2010.

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: 1003.428(5), 1003.43(8), 1003.571, 1008.22(3), (11) FS.

LAW IMPLEMENTED: 1003.428(5), 1003.43(8), 1003.571, 1008.22(3), (11) FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399; (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-1.0943 follows. See Florida Administrative Code for present text.)

6A-1.0943 Statewide Assessment for Students with Disabilities.

(1) The Department of Education shall assure the participation of students with disabilities as defined by Section 1003.01(3)(a), Florida Statutes, or subsection 6A-19.001(6), F.A.C., in the statewide assessment program and provide technical assistance to school districts in the implementation of the requirements of this rule including appropriate

accommodations for students participating in the statewide assessment program as required by Sections 1008.22(3)(c)6., 1003.428(5) and 1003.43(8), Florida Statutes.

(2) All students with disabilities will participate in the statewide assessment program based on state standards, pursuant to Rule 6A-1.09401, F.A.C., without accommodations unless:

(a) The individual educational plan (IEP) team, or the team that develops the plan required under Section 504 of the Rehabilitation Act, determines and documents that the student requires allowable accommodations during instruction and for participation in a statewide assessment; or

(b) The IEP team determines that a student with a significant cognitive disability meets the criteria for participating in the statewide alternate assessment under subsection (4) of this rule.

(3) Provision of accommodations for students with disabilities participating in the statewide assessment program.

(a) Each school board shall utilize appropriate and allowable accommodations for statewide assessments within the limits prescribed herein and current statewide assessment test administration manuals published by the Florida Department of Education Bureau of Assessment and School Performance, and Bureau of Exceptional Education and Student Services. Copies of the manuals are available by contacting the Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400. Accommodations are defined as adjustments to the presentation of the statewide assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a statewide assessment to include amount of time for administration, settings for administration of a statewide assessment, and/or the use of assistive technology/devices to facilitate the student's participation in a statewide assessment. Accommodations that negate the validity of a statewide assessment are not allowable. Within the limits specified in this rule, allowable statewide assessment accommodations are based on current instructional accommodations and accessible instructional materials used by the student in the classroom.

(b) The accommodations described in paragraph (3)(a) of this rule are authorized for any student who has been determined to be an eligible student with a disability pursuant to Section 1003.01(3)(a), Florida Statutes, and Rule 6A-6.0331, F.A.C., and has a current IEP, or who has been determined to be a student with a disability pursuant to subsection 6A-19.001(6), F.A.C. The accommodations must be identified on the student's IEP or the plan developed under Section 504 of the Rehabilitation Act.

(c) The need for any unique accommodations for use on a statewide assessment not outlined in the statewide assessment test administration manuals published by the Florida Department of Education as described in paragraph (3)(a) of this rule must be submitted to the Department of Education for approval by the Commissioner of Education.

(d) District personnel are required to implement the accommodations in a manner that ensures that the test responses are the independent work of the student. Personnel are prohibited from assisting a student in determining how the student will respond or directing or leading the student to a particular response. In no case shall the accommodations authorized herein be interpreted or construed as an authorization to provide a student with assistance in determining the answer to any test item.

(e) Students with disabilities who are not currently enrolled in public schools or receiving services through public school programs and require accommodations in order to participate in the statewide assessment program may have access to accommodations identified in paragraph (3)(a) of this rule if the following information is provided:

1. Evidence that the student has been found eligible as a student with a disability as defined by Section 1003.01(3)(a), Florida Statutes, or subsection 6A-19.001(6), F.A.C.; and,

2. Documentation that the requested accommodations are regularly used for instruction.

(4) Participation in the statewide alternate assessment. The decision that a student with a significant cognitive disability will participate in the statewide alternate assessment is made by the IEP team and recorded on the IEP. The following criteria must be met:

(a) The student is unable to master the grade-level general state content standards pursuant to Rule 6A-1.09401, F.A.C., even with appropriate and allowable instructional accommodations, assistive technology, or accessible instructional materials;

(b) The student is participating in a curriculum based on the state standards access points, pursuant to Rule 6A-1.09401, F.A.C., for all academic areas; and

(c) The student requires direct instruction in academics based on access points, pursuant to Rule 6A-1.09401, F.A.C., in order to acquire, generalize, and transfer skills across settings.

(5) Pursuant to Section 1008.22(3)(c)6., Florida Statutes, upon approval of the Commissioner, a student with a disability, as defined in Section 1003.01(3)(a), Florida Statutes, is eligible for consideration of a special exemption from participation in statewide assessments, including the alternate assessment, under extraordinary circumstances. Extraordinary circumstances are events or conditions that prevent the student from physically demonstrating the mastery of skills that have been acquired and are measured by statewide assessments. A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program in accordance with Rule 6A-6.03020, F.A.C., does not, in and of itself, constitute an extraordinary circumstance. Extraordinary circumstances are physical conditions that affect a student's ability to communicate in modes deemed acceptable for statewide assessments, creating a situation where the results of administration of a statewide

assessment would reflect a student's impaired sensory, manual, or speaking skills rather than the student's achievement. A request for consideration of this special exemption must be submitted to the Commissioner in writing from the district school superintendent no later than thirty (30) school days prior to the assessment administration window. Attached documentation shall include:

(a) Written description of the student's disabling condition, including a specific description of the student's impaired sensory, manual or speaking skills and the extraordinary circumstances for the exemption request;

(b) Written documentation of the most recent evaluation data;

(c) Written description of the disability's effect on the student's achievement;

(d) Written evidence that the student has had the opportunity to learn the skills being tested; and

(e) Written evidence that the manifestation of the student's disability prohibits the student from responding to the statewide assessment, even when appropriate accommodations are provided so that the result of the testing reflects the student's impaired sensory, manual, or speaking skills rather than the student's achievement.

The Commissioner shall determine whether the exemption will be granted based upon the documentation provided by the district school superintendent. A request for the determination of a special exemption must be submitted annually and approved by the Commissioner.

(6) This rule will become effective on July 1, 2010.

Rulemaking Specific Authority 1008.22(3), 1003.428(5), 1003.43(8), 1003.571 229.57, 232.246 FS. Law Implemented 1008.22(3), 1003.428(5), 1003.43(8), 1003.571 229.57 FS. History--New 9-12-78, Amended 3-4-84, Formerly 6A-1.943, Amended 6-12-90, 9-17-01,

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, K-12 Public Schools

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 14, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09430
 RULE TITLE: Florida Alternate Assessment Requirements

PURPOSE AND EFFECT: This rule establishes procedures for the implementation of the Florida Alternate Assessment and establishes test cut scores for the performance levels. This

assessment is designed specifically for students with significant cognitive disabilities and is aligned to the Next Generation Sunshine State Standards Access Points.

SUMMARY: This rule establishes procedures for the implementation of an assessment for students with significant cognitive disabilities.

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: 1001.02, 1008.22 FS.

LAW IMPLEMENTED: 1001.11, 1008.22, 1008.25 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Division of Public Schools, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399; (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09430 Florida Alternate Assessment Requirements.

(1) The statewide program of educational assessment required by Section 1008.22(3)(c)(11), Florida Statutes, shall be developed under the direction and supervision of the Commissioner of Education and shall be titled the Florida Alternate Assessment (FAA). It shall be:

(a) Kept secured at all times.

(b) Provided to all school districts in the quantity needed for the students in the district.

(c) Administered in accordance with standard written instructions appropriate for the examination. The written instructions will be issued by the Commissioner in the form of test administration manuals and other written communications, as required, and provided to school districts prior to each test.

(d) Revised and updated as needed.

(2) The test shall be developed in consultation with teachers and other appropriate professionals and shall be approved by the Commissioner prior to being administered to students. The FAA shall:

(a) Consist of four (4) sections: one (1) measuring reading skills, one (1) measuring mathematics skills, one (1) measuring science skills, and one (1) measuring writing skills.

(b) Be derived from the skills adopted in Rule 6A-1.09401, F.A.C.

(3) The FAA shall be administered as follows:

(a) All eligible students as defined in Rule 6A-1.0943, F.A.C., in grades three through ten shall take the reading and mathematics tests. All eligible students in grades five, eight, and eleven shall take the science test. All eligible students in grades four, eight, and ten shall take the writing test.

(b) Provisions shall be made by the Commissioner to permit the test to be administered to home school students and private school students under conditions which preserve the security of the test and require the public school districts to be responsible for the test administration procedures.

(4) Examinee scores on FAA Reading, Mathematics, Science and Writing shall be reported on a raw score scale from 0 to 144 defined by the baseline test administered during January and February 2008. Each examinee shall receive a total score for each subject area.

(5) The total scores on FAA Reading, Mathematics, Science and Writing are also reported on an achievement-level scale. The total scores that correspond to each achievement level are shown below. Beginning with the effective date of this rule, the achievement levels for Reading, Mathematics, Science and Writing in the first phase of implementation shall be as shown in the following tables.

(a) Reading grade-level raw scores (0-144) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9
3	0-23	24-39	40-62	63-69	70-84	85-98	99-105	106-119	120-144
4	0-27	28-43	44-62	63-71	72-85	86-98	99-106	107-117	118-144
5	0-28	29-43	44-62	63-70	71-85	86-98	99-110	111-122	123-144
6	0-27	28-44	45-62	63-77	78-88	89-98	99-111	112-123	124-144
7	0-27	28-44	45-62	63-74	75-89	90-98	99-112	113-126	127-144
8	0-25	26-44	45-62	63-73	74-88	89-98	99-111	112-126	127-144
9	0-25	26-42	43-62	63-73	74-89	90-98	99-115	116-126	127-144
10	0-27	28-42	43-62	63-72	73-87	88-98	99-113	114-126	127-144

(b) Math grade-level raw scores (0-144) for each achievement level:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9
3	0-22	23-38	39-57	58-70	71-86	87-98	99-110	111-125	126-144
4	0-22	23-41	42-57	58-69	70-86	87-98	99-110	111-126	127-144
5	0-24	25-39	40-57	58-72	73-86	87-98	99-110	111-123	124-144
6	0-25	26-38	39-57	58-71	72-87	88-98	99-111	112-126	127-144
7	0-25	26-40	41-57	58-69	70-86	87-98	99-110	111-126	127-144
8	0-26	27-40	41-57	58-69	70-85	86-98	99-110	111-126	127-144
9	0-23	24-41	42-57	58-70	71-90	91-98	99-107	108-130	131-144
10	0-28	29-44	45-57	58-69	70-91	92-98	99-108	109-129	130-144

(c) Science grade-level raw scores (0-144) for each achievement level – step 1:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9
5	0-22	23-38	39-58	59-75	76-87	88-102	103-114	115-124	125-144
8	0-23	24-39	40-58	59-71	72-84	85-102	103-113	114-124	125-144
11	0-23	24-39	40-58	59-71	72-85	86-102	103-111	112-122	123-144

(d) Writing grade-level raw scores (0-144) for each achievement level – step 1:

Grade	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9
4	0-23	24-35	36-63	64-70	71-86	87-98	99-111	112-128	129-144
8	0-27	28-40	41-63	64-71	72-86	87-98	99-111	112-125	126-144
10	0-24	25-41	42-63	67-73	74-86	87-98	99-111	112-126	127-144

(6) The Commissioner of Education shall review annually student performance levels and recommend amendments to the existing achievement levels adopted in rule to the State Board of Education as necessary.

(7) The test shall be administered according to a schedule approved by the Commissioner.

(8) Invalidity of a section of this rule shall not invalidate the remainder of the rule.

Rulemaking Authority 1001.02, 1008.22 FS. Law Implemented 1001.11, 1008.22, 1008.25 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner of Education.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF EDUCATION
State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the "Course Code Directory and Instructional Personnel Assignments" by which school districts receive FEFP (Florida Education Finance Program) funding. The effect will be an updated directory of courses for students to take to earn credit toward high school graduation.

SUMMARY: This rule amendment will incorporate the "2010-2011 Course Code Directory and Instructional Personnel Assignments" which has been updated to include new courses as well as delete obsolete courses no longer taught in public schools.

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: 1001.02(1), 1009.53(3), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1009.531, 1009.535, 1009.536, 1011.62(1) FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Heather Sherry, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

(1) through (4) No change.

(5) The "Course Code Directory and Instructional Personnel Assignments 2010-2011 ~~2009-2010~~," is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from the Office of Articulation ~~K-12 Public Schools~~, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Rulemaking Authority 1001.02(1), 1009.53(3), 1011.62(1)(r) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS. History--New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09, 6-22-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 18, 2009

DEPARTMENT OF EDUCATION
State Board of Education

RULE NO.: 6A-4.02451
RULE TITLE: Florida Teacher Standards for ESOL Endorsement

PURPOSE AND EFFECT: The proposed rule updates the Performance Standards, Skills, and Competencies for the Endorsement in English for Speakers of Other Languages (ESOL).

SUMMARY: The proposed rule adopts new performance standards, skills, and competencies for the endorsement in ESOL.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Costs will be minimal. Public school districts will need to update the curricula for their training programs leading to the endorsement in ESOL.

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: 1012.55(1), 1012.56 FS.

LAW IMPLEMENTED: 1012.56, 1012.575 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Rodriguez, Bureau of Academic Achievement through Language Acquisition, Department of Education, 325 West Gaines Street, Suite 501, Tallahassee, Florida 32399; (850)245-0417

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.02451 Florida Teacher Standards for ESOL Endorsement Performance Standards, Skills, and Competencies for the Endorsement in English for Speakers of Other Languages.

The competencies and indicators required for approval of educator preparation programs pursuant to Rule 6A-5.066, F.A.C., and for district in-service add-on programs pursuant to Section 1012.575, F.S., for the Endorsement in English for Speakers of Other Languages (ESOL), are contained in the publication, "Florida Teacher Standards for ESOL Endorsement 2010 English for Speakers of Other Languages (ESOL) Endorsement (Florida's English for Speakers of Other Languages (ESOL) Performance Standards, Skills, and Competencies)," which is hereby incorporated by reference and made a part of this rule. These competencies are published on the Bureau of Student Achievement through Language Acquisition, Department of Education website at www.fldoe.org/aala/perstand.asp. Copies of this publication may also be obtained from the Bureau of Student Achievement through Language Acquisition, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 501, Tallahassee, Florida 32399-0400. The standards set forth in Florida Teacher Standards for ESOL Endorsement 2010 shall be incorporated into all teacher preparation programs and district in-service add-on programs not later than September 1, 2011.

Rulemaking Authority 1012.55(1) FS. Law Implemented 1012.56, 1012.575 FS. History--New 4-21-09, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2010

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.071 Master Inservice Plan Requirements

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt by reference Florida's Professional Development System Evaluation Protocol Standards. The effect is that the standards for professional development will be adopted as required by Section 1012.98, F.S.

SUMMARY: Section 1012.98, F.S. – School Community Professional Development Act, establishes the requirement for a coordinated system of professional development statewide and authorizes the Department of Education to adopt a set of professional development standards, which are used to evaluate the quality of district professional development systems. The Professional Development System Evaluation Protocol Standards are a set of 65 standards containing an overall philosophy and approach to professional learning that is based on and drawn from requirements for professional development contained in Section 1012.98, F.S., as well as the National Staff Development Council's definition of professional learning and supporting research. The proposed rule revision incorporates this set of Standards into the requirements for district professional development systems.

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: 1001.02(1), 1012.98 FS.

LAW IMPLEMENTED: 1010.20, 1011.62, 1012.22, 1012.98 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen McDaniel, Chief, Bureau of Educator Recruitment, Development and Retention, Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.071 Master Inservice Plan Requirements.

(1) Pursuant to Sections 1012.22(1)(i) ~~230.23~~ and 1011.62 ~~236.084~~, Florida Statutes, each district school board shall develop and maintain a master inservice plan ~~an inservice education and training program~~ for all district employees based on state adopted standards for high quality professional development as required under Section 1012.98, Florida Statutes. These standards are contained in the publication, Florida's Professional Development System Evaluation Protocol 2010, which is hereby incorporated by reference and made a part of this rule. Copies of Florida's Professional Development System Evaluation Protocol 2010 may be obtained by contacting the Florida Department of Education, 325 West Gaines Street, Room 126, Tallahassee, Florida 32399, or from the website at <http://www.teachinflorida.com/professionaldevelopment> ~~an assessment of training needs in the district and local schools as described in Section 231.600 and 236.0811, Florida Statutes~~. The master inservice plan inservice education and training program shall be planned, developed, and administered consistent with Sections 1012.98 and 1012.986, Florida Statutes ~~the law and Chapters 6A-4 and 6A-5, F.A.C., rules of the State Board and the Commissioner of Education~~. The program shall be described in a district's master plan for inservice education.

(2) The master inservice plan for inservice educational training shall be updated annually by September 1, and approved each year by the district school board, director of a developmental research school, or governing authority of an eligible state education agency or organization of nonpublic schools pursuant to the criteria and procedures as follow in subsections (3) through (7) of this rule. By October 1 of each year, a letter verifying that the district school board, director of the developmental research school, or governing authority of an eligible state education agency or organization of nonpublic schools has approved the master inservice plan and that the plan meets the criteria pursuant to this rule shall be sent to the Commissioner.

(3) The plan shall include all professional development inservice educational components for all employees from all fund sources including, but not limited to, the following areas:

(a) Implementation ~~Professional development and staff development activities for implementation~~ of school improvement plans for the current fiscal year pursuant to Section 1012.98 ~~236.0811~~, Florida Statutes,

(b) Subject content areas ~~Specific components~~ as prescribed in Section 1012.98 ~~236.0811~~, Florida Statutes,

(c) School inservice training for school reform and accountability pursuant to Sections 1000.03 ~~229.594 and 1008.345~~ ~~229.592~~, Florida Statutes,

(d) Approved add-on certification programs pursuant to Section 1012.575 ~~231.174~~, Florida Statutes, and

(e) The William Cecil Golden Professional Development Program for School Leaders, ~~District management training program~~ pursuant to Section 1012.986, ~~231.087(5)~~, Florida Statutes, and

(f) ~~Professional and technical updating for vocational instructional personnel pursuant to Section 231.614, Florida Statutes.~~

(4) Each component shall remain in the plan for a period of at least five (5) years and shall include:

(a) Title,

(b) An identifying number assigned in accordance with DOE Information Data Base Requirements: Volume II Staff Information System as incorporated by reference in Rule 6A-1.0014, F.A.C., in accordance with Section 1008.385(2) ~~229.555(2)~~, Florida Statutes,

(c) The maximum number of inservice points to be awarded for successful completion of the component,

(d) A description of general and specific objectives and activities to be completed,

(e) Component evaluation criteria for determining:

1. Follow-up activities required for successful ~~Successful~~ participant completion,

2. The degree to which specific objectives have been addressed by the component activities as determined by the participants and component leaders, and

3. The effect of the professional development inservice education and training in the educational setting consistent with Section 1012.98, Florida Statutes.

(5) A component developed after the annual approval of the plan shall be approved as an amendment to the plan by the district school board, director of the developmental research school, or governing authority of an eligible state education agency or organization of a nonpublic schools organization and shall meet the criteria in subsection (4) of this rule.

(6) Inservice points awarded for successful completion of a component shall be assigned as follows:

(a) One (1) inservice point shall be equivalent to one (1) clock hour of participation, or as specified by the master inservice plan based on competency(ies) demonstrated,

(b) Points awarded for completion of college credit shall equate to inservice participation as follows:

1. One (1) semester hour shall equal twenty (20) inservice points,

2. One (1) quarter hour shall equal thirteen (13) and one-third inservice points.

(7) An annual review of the previous year’s program operations shall be made and shall include a determination of the program’s effectiveness in and the carry-over effects of the inservice education and training into the educational settings as measured by changes to classroom or leadership practices and by changes in student outcomes.

~~(8) By October 1 of each year, a letter verifying that the school board, director of the developmental research school, or governing authority of the education agency or nonpublic school organization has approved the master inservice educational training plan and that the plan meets the criteria pursuant to this rule shall be sent to the Commissioner.~~

~~(8)(9)~~ Master inservice plan records shall be maintained and data shall be reported as follows:

(a) Each school district shall report data information for all approved professional development inservice education and training components as required by the DOE Information Data Base Requirements: Volume II Staff Information System in accordance with Section 1008.385(2) 229.555(2), Florida Statutes. Other education agencies and organizations of nonpublic schools with approved master inservice plans without Department of Education automatic data reporting capabilities shall report by October 1 of each year the required inservice component data information using nonautomated equivalent means;

(b) Information shall be maintained for each component to include the following:

1. Dates the component was delivered,
2. Names of component leaders,
3. Names of participants and performance records,
4. Evaluation of the component,
5. Criteria for successful completion; and

(c) Information shall be maintained for each component participant to include the following:

1. Title and number of the component,
2. Dates of participation,
3. Satisfactory or unsatisfactory completion, and
4. Number of inservice points to be awarded, the eligibility of the points to be used for certification, and expiration date of the educator’s certificate(s) if applicable. All requirements for renewal of a Professional Certificate on the basis of completion of inservice points pursuant to Section 1012.585 231.24, Florida Statutes, and Rule 6A-4.0051, F.A.C., shall be met.

~~(9)(40)~~ A developmental research school operated under the control of the State University System, an eligible state education agency, or an organization of nonpublic schools that meets criteria specified in Section 1012.98(4) 236.0811(2), Florida Statutes, may develop and submit a master inservice plan for inservice education and training to the Department for initial approval by the Commissioner. The initial plan shall be developed meeting all criteria in subsections (3) through (7) of this rule. After initial approval of a plan, the continued

approval of the master plan shall be in accordance with the criteria and procedures in subsections (2) through ~~(7)(8)~~ of this rule and requirements for reporting and data maintenance as required in subsection ~~(8)(9)~~ of this rule.

Rulemaking Specific Authority 1012.98 231.600, 236.0811(2) FS. Law Implemented 1012.22(1)(i), 1012.986, 1012.98, 1011.62(3), 1010.20(3)(b), 230.23(4)(i), 231.087(5), 231.600, 236.081(3), 236.0811, 237.34(3)(b), (c) FS. History—New 11-25-75, Formerly 6A-5.72, Amended 4-10-79, 6-28-83, 7-15-84, 12-26-85, Formerly 6A-5.71, Amended 8-28-95, 7-2-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
 RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the curriculum frameworks for Career and Technical Education and Adult General Education Programs for 2010-2011. The effect is to ensure that school leaders have the updated information and expectations as they plan for the next school year.

SUMMARY: The rule is amended to adopt the curriculum frameworks for Career and Technical Education and Adult General Education for 2010/2011.

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: 1004.92(2)(b)3. FS.

LAW IMPLEMENTED: 1004.92(2)(b)4. FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elsie Rogers, Division of Career and Adult Education, Department of Education, 325 West Gaines St., Suite 720, Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0571 Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks.

Section 1004.92, F.S., requires the Department of Education to develop program standards and industry-driven benchmarks for career and technical education; and adult and community education programs. The criteria for qualification of individual courses for inclusion in the classification of secondary career education programs prescribed in Section 1011.80, F.S., or Workforce Development Education programs as prescribed in Section 1011.62, F.S., are annually adopted by the State Board and shall be published by the Commissioner in a document titled, "Career and Technical Education Programs, Academic Year 2010/2011 Curriculum Frameworks by Career Cluster" "~~Standards, Benchmarks, and Frameworks for Career and Technical Education, Academic Year 2009/2010,~~" or in the document "Adult General Education Standards and Curriculum Frameworks 2010-2011." "~~Curriculum Frameworks for Adult General Education, 2009/2010.~~" These criteria are hereby incorporated by this rule and made a part of the rules of the State Board of Education to become effective with the effective date of this rule. Copies of these publications may be obtained from the Division of Career and Adult Workforce Education, Department of Education, The Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399 or from the Department's website at <http://www.fldoe.org/workforce/dwdframe> and http://www.fldoe.org/workforce/dwdframe/ad_frame.asp.

(1) District school boards and community colleges boards of trustees variance authority. District school boards of education and community college boards of trustees are authorized, to vary up to ten (10) percent of the intended outcomes of each framework included in the document "Career and Technical Education Programs, Academic Year 2010-2011 Curriculum Frameworks by Career Cluster" "~~Standards, Benchmarks, and Frameworks for Career and Technical Education, Academic Year 2009/2010,~~" and "Adult General Education Standards and Curriculum Frameworks 2010-2011." "~~Curriculum Frameworks for Adult General Education, 2009/2010.~~" The variance does not apply to frameworks identifying occupations requiring state or federal licensure, certification or registration.

(2) Commissioner of Education waiver authority. The Commissioner of Education may approve a school's waiver request submitted by a district school board to allow the school to substitute locally approved intended outcomes for State Board approved outcomes included in the documents "Career and Technical Education Programs, Academic Year 2010-2011

Curriculum Frameworks by Career Cluster" "~~Standards, Benchmarks, and Frameworks for Career and Technical Education, Academic Year 2009/2010~~" and "Adult General Education Standards and Curriculum Frameworks 2010-2011." "~~Curriculum Frameworks for Adult General Education, 2009/2010,~~" provided that:

(a) The framework does not identify occupations requiring state or federal licensure, certification or registration;

(b) Locally approved outcomes specified for the state approved program adequately address the major concepts/content contained in the curriculum framework;

(c) The waiver request fulfills the provisions of Section 1001.10, F.S.

Rulemaking Authority 1004.92(2)(b)3. FS. Law Implemented 1004.92(2)(b)4. FS. History--New 10-30-78, Amended 10-23-79, 5-29-80, 7-9-81, 7-6-82, 5-29-83, 6-14-84, 7-10-85, Formerly 6A-6.571, Amended 7-9-86, 7-22-87, 8-30-88, 7-31-90, 7-31-91, 7-31-92, 7-31-93, 7-31-94, 4-30-96, 1-23-00, 7-21-08, 4-21-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Loretta Costin, Interim Chancellor, Division of Career and Adult Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 1, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 5, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.0785	Charter School Applicant Training Standards

PURPOSE AND EFFECT: The proposed new rule will codify Department standards for charter school applicant training and establish a procedure for charter school sponsors to demonstrate that their training standards meet or exceed the Department of Education's standards.

SUMMARY: The proposed new rule will establish a procedure by which sponsors may require charter applicants to attend training provided by the sponsor in lieu of the training provided by the Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Districts opting to provide training may incur minimal costs relating to the notification of such training opportunities.

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: 1002.33 FS.

LAW IMPLEMENTED: 1002.33 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0785 Charter School Applicant Training Standards. Training will be provided to charter school applicants in accordance with Section 1002.33(6)(g), Florida Statutes.

(1)(a) Standards for charter school applicant training are specified in Form IEPC-TS, Charter School Applicant Training Standards Certification Form 2009, hereinafter, Training Standards Certification Form, which is hereby incorporated by reference to become a part of this rule upon the effective date of this rule.

(b) The Training Standards Certification Form establishes the standards for charter school applicant training. The standards were developed by the Department pursuant to Section 1002.33(6)(g), Florida Statutes, and address the following topics: charter school laws and rules, the application process, charter school sponsor duties and services, developing business plans, projecting enrollment, estimating costs and income, accurate financial planning and good business practices, requirements of Financial and Program Cost Accounting and Reporting for Florida Schools as incorporated by reference in Rule 6A-1.001, F.A.C., charter school audit requirements, and the types and amounts of state and federal financial assistance a charter school may be eligible to receive.

(c) Copies of the Training Standards Certification Form may be obtained from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(2) A sponsor intending to require charter school applicants to participate in training provided by the sponsor in lieu of the Department's training pursuant to Section 1002.33(6)(g)2., Florida Statutes, must annually certify that the sponsor's training standards meet or exceed the standards developed by the Department through the following process:

(a) The sponsor shall complete, sign, and submit a Training Standards Certification Form prior to offering training to charter school applicants no later than May 1 of each year. The form shall be submitted to the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(b) Upon receipt of the Training Standards Certification Form, the Department will within ten (10) business days notify the sponsor if the form is complete and satisfactorily demonstrates that the sponsor's standards meet or exceed the standards developed by the Department. If the form is not complete, or if additional information is required, the Department will notify the sponsor in writing.

(c) Upon receipt of notification that the Training Standards Certification Form has been accepted by the Department the sponsor shall:

1. Send written or electronic notification about the training requirement to the prospective charter school applicants known to the sponsor;

2. Post a notice about the required training in a prominent place on the sponsor's internet website; and

3. Verbally inform each charter school applicant of the training requirement at the time intent to submit an application is made known to the sponsor.

(3) A sponsor that does not intend to require charter school applicants to participate in training provided by the sponsor in lieu of the Department's training shall provide notification of the applicant training requirement established by Section 1002.33(6)(g)2., Florida Statutes, by sending written or electronic notification to the prospective charter school applicants known to the sponsor. The notification shall include the Department's charter school website.

(4) Applicant training must be offered annually by July 31 and scheduled in a manner that provides all applicants a reasonable opportunity to participate.

(5) Upon completion of the training, the provider shall present a certificate of participation to the applicant and maintain a record of the training date and the name and title of each attendee.

(6) The sponsor may not require charter school applicants to attend sponsor training in lieu of the Department's training prior to the effective date of this rule.

Rulemaking Authority 1002.33(26) FS. Law Implemented 1002.33(6)(g) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Kooi, Executive Director, Office of Independent Education and Parental Choice

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 10, 2009

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: 6A-6.0788
 RULE TITLE: Notice Requirements for Charter School Performance Data

PURPOSE AND EFFECT: The purpose of this new rule is to outline the manner in which charter schools, that serve at least ten students who are tested on the statewide assessment and who do not receive a school grade or school improvement rating, will provide student performance data to the required recipients.

SUMMARY: The proposed rule will establish requirements for certain charter schools to report student performance data on their website and to the public at large.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Charter schools required to comply with this rule may incur minimal costs associated with providing student assessment data in writing to the required recipients.

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: 1002.33(21), (26) FS.

LAW IMPLEMENTED: 1002.33(21) FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0788 Notice Requirements for Charter School Performance Data.

The following provisions have been established to administer the notice requirements of Section 1002.33(21)(b), Florida Statutes.

(1) Distribution of student assessment data.

(a) Department of Education duties. The Department of Education shall annually report student assessment data pursuant to Section 1002.34(3)(c), Florida Statutes, for charter schools that do not receive a school grade or school improvement rating and serve at least ten (10) students who are tested on the statewide assessment test through the individual School Accountability Reports accessible on the Department's website at <http://schoolgrades.fldoe.org>. The data for a school grading component shall be suppressed in cases where the

number of students tested is less than ten (10). The Department shall notify applicable charter schools that the student assessment data is available within ten (10) days of its posting.

(b) Charter school duties. The charter school shall report the student assessment data to the required recipients no later than thirty (30) days after receipt of notification that the data is available in the charter school's School Accountability Report. The data shall be provided in writing on school letterhead to each parent of a student at the charter school, the parent of a child on a waiting list for the charter school, the district in which the charter school is located, and the charter school's governing board, and shall include, as applicable: the percentage of students meeting high standards in reading, math, writing, and science; the percentage of students making learning gains in reading and math; the percentage of the lowest performing twenty-five (25) percent of students making learning gains in reading and math; and the percentage of students tested.

(2) Comparison of charter school student assessment data.

(a) Department of Education duties. Annually, following the release of school grades, the Department of Education shall provide district-level performance data for traditional public school students and state-level performance data for charter school students. The Department shall also provide state-level performance data for students in alternative public (non-charter) schools in the state. This data shall be provided in the grade groupings 3-5, 6-8, and 9-11, and posted on the Department's school grades website at <http://schoolgrades.fldoe.org>, in a downloadable, Excel file format. The data for any component where the number of students is less than ten (10) shall be suppressed. The Department shall notify applicable charter schools that the performance data is available within ten (10) days of its posting.

(b) Charter school duties.

1. A traditional charter school shall provide data comparing the charter school's performance to state-level and district-level performance. Such data shall be posted in a prominent place at the charter school's physical location, and shall include data from the charter school's School Accountability Report, compared to state-level performance data for all charter school students and the district-level student performance data for traditional public schools in the district where the charter school is located. If the charter school maintains a website, the comparison data shall also be posted in a prominent place on the website. The information must remain posted throughout the school year following the availability of the data.

2. An alternative charter school shall provide data comparing the charter school's performance to state-level student performance. Such data shall be posted in a prominent place at the charter school's physical location, and shall include data from the charter school's School Accountability

Report, compared to state-level student performance data for all alternative charter schools in the state. If the alternative charter school maintains a website, the comparison data shall also be posted in a prominent place on the website. The information must remain posted throughout the school year following the availability of the data.

Rulemaking Authority 1002.33(21), (26) FS. Law Implemented 1002.33(21) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Kooi, Executive Director, Office of Independent Education and Parental Choice

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 1, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 10, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03012	Exceptional Student Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services
6A-6.030121	Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 6A-6.03012, F.A.C., is to reflect current knowledge and best practices in the fields of special education and communication disorders regarding speech impairments. Rule 6A-6.03012, F.A.C., currently addresses both speech and language impairments. The purpose of new Rule 6A-6.030121, F.A.C., is to establish evaluation procedures and eligibility criteria with regard to students with language impairments.

SUMMARY: These rules establish required procedures with regard to determining whether a student is an eligible student with a disability with a speech or language impairment. The content of the rules addresses evaluation procedures, eligibility criteria, the role of the speech-language pathologist, and the credentials required for speech-language pathologists relative to provision of language therapy.

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: 1003.01(3), 1003.57, 1003.571, 1012.44 FS.

LAW IMPLEMENTED: 1003.01(3), 1003.57, 1003.571, 1012.44 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Division of Public Schools, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399; (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-6.03012 follows. See Florida Administrative Code for present text.)

6A-6.03012 Exceptional Student Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services Special Programs for Students who Are Speech and Language Impaired.

(1) Speech impairments are disorders of speech sounds, fluency, or voice that interfere with communication, adversely affect performance and/or functioning in the educational environment, and result in the need for exceptional student education.

(a) Speech sound disorder. A speech sound disorder is a phonological or articulation disorder that is evidenced by the atypical production of speech sounds characterized by substitutions, distortions, additions, or omissions that interfere with intelligibility. A speech sound disorder is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

1. Phonological disorder. A phonological disorder is an impairment in the system of phonemes and phoneme patterns within the context of spoken language.

2. Articulation disorder. An articulation disorder is characterized by difficulty in the articulation of speech sounds that may be due to a motoric or structural problem.

(b) Fluency disorder. A fluency disorder is characterized by deviations in continuity, smoothness, rhythm, or effort in spoken communication. It may be accompanied by excessive tension and secondary behaviors, such as struggle and avoidance. A fluency disorder is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(c) Voice disorder. A voice disorder is characterized by the atypical production or absence of vocal quality, pitch, loudness, resonance, or duration of phonation that is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(2) General education procedures and activities. Prior to referral for evaluation, the requirements in subsection 6A-6.0331(1), F.A.C., related to general education procedures for kindergarten through grade twelve students, or subsection 6A-6.0331(2), F.A.C., related to procedures prior to initial evaluation for prekindergarten children, must be met.

(3) Procedures for the evaluation of a speech sound disorder. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the evaluation shall include all of the following:

(a) Information must be gathered from the student's parent(s) or guardian(s) and teacher(s), and when appropriate, the student, regarding the concerns and description of speech characteristics. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

(b) Documented and dated observation(s) of the student's speech characteristics must be conducted by a speech-language pathologist to examine the student's speech characteristics during connected speech or conversation. Observation(s) conducted prior to obtaining consent for evaluation may be used to meet this criterion;

(c) An examination of the oral mechanism structure and function must be conducted; and,

(d) One or more standardized, norm-referenced instruments designed to measure speech sound production must be administered to determine the type and severity of the speech sound errors and whether the errors are articulation (phonetic) or phonological (phonemic) in nature.

(4) Procedures for the evaluation of a fluency disorder. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the evaluation shall include all of the following:

(a) Information must be gathered from the student's parent(s) or guardian(s) and teacher(s), and when appropriate, the student, to address the areas identified in paragraph (4)(d) of this rule. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

(b) A minimum of two (2) documented and dated observations of the student's speech and secondary behaviors must be conducted by a speech-language pathologist in more than one setting, including the typical learning environment. For prekindergarten children, the observations may occur in an environment or situation appropriate for a child of that chronological age. Observations conducted prior to obtaining consent for evaluation may be used to meet this criterion, if the activities address the areas identified in paragraph (4)(d) of this rule;

(c) An examination of the oral mechanism structure and function must be conducted;

(d) An assessment of all of the following areas:

1. Motor aspects of the speech behaviors;

2. Student's attitude regarding the speech behaviors;

3. Social impact of the speech behaviors; and,

4. Educational impact of the speech behaviors; and,

(e) A speech sample of a minimum of 300-500 words must be collected and analyzed to determine frequency, duration, and type of dysfluent speech behaviors. If the speech-language pathologist is unable to obtain a speech sample of a minimum of 300-500 words, a smaller sample may be collected and analyzed. The evaluation report must document the rationale for collection and analysis of a smaller sample, the results obtained, and the basis for recommendations.

(5) Procedures for the evaluation of a voice disorder. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the evaluation shall include all of the following:

(a) Information must be gathered from the student's parent(s) or guardian(s) and teacher(s), and when appropriate, the student, regarding the concerns and description of voice characteristics. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

(b) Documented and dated observation(s) of the student's voice characteristics must be conducted by a speech-language pathologist in one or more setting(s), which must include the typical learning environment. For prekindergarten children, the observation(s) may occur in an environment or situation appropriate for a child of that chronological age. Observation(s) conducted prior to obtaining consent for evaluation may be used to meet this criterion;

(c) An examination of the oral mechanism structure and function must be conducted; and,

(d) A report of a medical examination of laryngeal structure and function conducted by a physician licensed in Florida in accordance with Section 458 or 459, Florida Statutes, unless a report of medical examination from a physician licensed in another state is permitted in accordance with paragraph 6A-6.0331(3)(c), F.A.C. The physician's report must provide a description of the state of the vocal mechanism and any medical implications for therapeutic intervention.

(6) Criteria for eligibility. A student is eligible as a student with a speech impairment in need of exceptional student education if the student meets the following criteria for one or more of the following disorders as determined by the procedures prescribed in this rule and subsection 6A-6.0331(6), F.A.C.

(a) Speech sound disorder. A student with a speech sound disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of a significant phonological or articulation disorder that is characterized by

the atypical production of speech sound(s). The atypical production of speech sound(s) may be characterized by substitutions, distortions, additions, or omissions. Evaluation results must reveal all of the following:

1. The speech sound disorder must have a significant impact on the student’s intelligibility, although the student may be intelligible to familiar listeners or within known contexts;

2. The student’s phonetic or phonological inventory must be significantly below that expected for his or her chronological age or developmental level based on normative data;

3. The speech sound disorder must have an adverse effect on the student’s ability to perform and/or function in the student’s typical learning environment, thereby demonstrating the need for exceptional student education; and,

4. The speech sound disorder is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(b) Fluency disorder. A student with a fluency disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of significant and persistent interruptions in the rhythm or rate of speech. Evaluation results must reveal all of the following:

1. The student must exhibit significant and persistent dysfluent speech behaviors. The dysfluency may include repetition of phrases, whole words, syllables and phonemes, prolongations, blocks, and circumlocutions. Additionally, secondary behaviors, such as struggle and avoidance, may be present;

2. The fluency disorder must have an adverse effect on the student’s ability to perform and/or function in the educational environment, thereby demonstrating the need for exceptional student education; and,

3. The dysfluency is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(c) Voice disorder. A student with a voice disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of significant and persistent atypical voice characteristics. Evaluation results must reveal all of the following:

1. The student must exhibit significant and persistent atypical production of quality, pitch, loudness, resonance, or duration of phonation. The atypical voice characteristics may include inappropriate range, inflection, loudness, excessive nasality, breathiness, hoarseness, or harshness;

2. The voice disorder does not refer to vocal disorders that are found to be the direct result or symptom of a medical condition unless the disorder adversely affects the student’s ability to perform and/or function in the educational environment and is amenable to improvement with therapeutic intervention;

3. The voice disorder must have an adverse effect on the student’s ability to perform and/or function in the educational environment, thereby demonstrating the need for exceptional student education; and,

4. The atypical voice characteristics are not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(7) Speech services.

(a) A group of qualified professionals determining eligibility under requirements of this rule and subsection 6A-6.0331(6), F.A.C., must include a speech-language pathologist.

(b) A speech-language pathologist shall be involved in the development of the individual educational plan for students eligible for speech services, whether as special education or as a related service for an otherwise eligible student with a disability.

(c) Speech therapy services shall be provided by a certified speech-language pathologist pursuant to Rule 6A-4.0176, F.A.C., or a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate pursuant to Rule 6A-4.01761, F.A.C.

(d) Speech-language associate.

1. Speech therapy services provided by a speech-language associate as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master’s degree or higher in speech-language pathology. Services can be provided for a period of three (3) years as described in Section 1012.44, Florida Statutes, in districts that qualify for the sparsity supplement as described in Section 1011.62(7), Florida Statutes.

2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:

a. The model, specifying the type and amount of direction including direct observation, support, training, and instruction;

b. The rationale for using this model;

c. The manner in which the associate will be required to demonstrate competency;

d. The process for monitoring the quality of services;

e. The process for measuring student progress; and,

f. The manner in which the speech-language associate will meet the requirements of the annual district professional development plan for instructional personnel.

(8) This rule shall become effective on July 1, 2010.

Rulemaking Specific Authority 1003.01, 1003.57, 1003.571 ~~1012.44, 1012.55, 1012.56~~ FS. Law Implemented ~~1001.42(1)~~ 1003.01, 1003.57, 1003.571, 1012.44 ~~1012.55~~ FS. History—New 7-1-77, Amended 7-13-83, Formerly 6A-6.3012, Amended 8-1-88, 9-17-01,_____.

6A-6.030121 Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services.

(1) Language impairments are disorders of language that interfere with communication, adversely affect performance and/or functioning in the student's typical learning environment, and result in the need for exceptional student education.

(a) A language impairment is defined as a disorder in one or more of the basic learning processes involved in understanding or in using spoken or written language. These include:

1. Phonology. Phonology is defined as the sound systems of a language and the linguistic conventions of a language that guide the sound selection and sound combinations used to convey meaning;

2. Morphology. Morphology is defined as the system that governs the internal structure of words and the construction of word forms;

3. Syntax. Syntax is defined as the system governing the order and combination of words to form sentences, and the relationships among the elements within a sentence;

4. Semantics. Semantics is defined as the system that governs the meanings of words and sentences; and,

5. Pragmatics. Pragmatics is defined as the system that combines language components in functional and socially appropriate communication.

(b) The language impairment may manifest in significant difficulties affecting listening comprehension, oral expression, social interaction, reading, writing, or spelling. A language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(2) Procedures prior to initial evaluation for prekindergarten children. Prior to initial evaluation, the requirements of subsection 6A-6.0331(2), F.A.C., must be met.

(3) Evaluation procedures for children in prekindergarten. In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C., the minimum evaluation for a prekindergarten child shall include all of the following:

(a) Information gathered from the child's parent(s) or guardian(s) and others as appropriate, such as teacher(s), service providers, and caregivers regarding the concerns and description of language skills. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

(b) One or more documented and dated observation(s) of the child's language skills must be conducted by the speech-language pathologist in one or more setting(s), which must include the child's typical learning environment or an environment or situation appropriate for a child of that chronological age; and,

(c) Administration of one or more standardized norm-referenced instruments designed to measure language skills. The instrument must be administered and interpreted by a speech-language pathologist to determine the nature and severity of the language deficits. If the speech-language pathologist is unable to administer a norm-referenced instrument, a scientific, research-based alternative instrument may be used. The evaluation report must document the evaluation procedures used, including the rationale for use of an alternative instrument, the results obtained, and the basis for recommendations.

(4) Criteria for eligibility for prekindergarten children. A prekindergarten child is eligible as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) There is evidence, based on evaluation results, of significant deficits in language. The impairment may manifest in significant difficulties affecting one or more of the following areas:

1. Listening comprehension;

2. Oral expression;

3. Social interaction; or

4. Emergent literacy skills (e.g., vocabulary development, phonological awareness, narrative concepts).

(b) One or more documented and dated behavioral observation(s) reveals significant language deficits that interfere with performance and/or functioning in the typical learning environment;

(c) Results of standardized norm-referenced instrument(s) reveal a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in paragraph (1)(a) of this rule. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes;

(d) Information gathered from the child's parent(s) or guardian(s), teacher(s), service providers, or caregivers must support the results of the standardized instruments and observations conducted;

(e) The language impairment must have an adverse effect on the child's ability to perform and/or function in the typical learning environment, thereby demonstrating the need for exceptional student education; and,

(f) The language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(5) General education intervention procedures and activities for students in kindergarten through grade twelve. Prior to obtaining consent for initial evaluation, the

requirements of subsection 6A-6.0331(1), F.A.C., related to general education procedures for kindergarten through grade twelve students, must be met.

(6) Evaluation procedures for students in kindergarten through grade twelve.

(a) The school district must promptly request parental or guardian consent to conduct an evaluation to determine if the student needs exceptional student education in the following circumstances:

1. Prior to obtaining consent for evaluation, the student has not made adequate progress after an appropriate period of time when provided appropriate instruction and intense, individualized interventions; or

2. Prior to obtaining consent for evaluation, intensive interventions are demonstrated to be effective but require sustained and substantial effort that may include the provision of exceptional student education; and

3. Whenever a referral is made to conduct an evaluation to determine the student's need for exceptional student education and the existence of a disability.

(b) To ensure that the decreased performance and/or functioning of a student suspected of having a language impairment is not due to lack of appropriate instruction, the minimum evaluation procedures must include all of the following:

1. Review of data that demonstrate the student was provided well-delivered scientific, research-based instruction and interventions addressing the identified area(s) of concern and delivered by qualified personnel in general or exceptional education settings;

2. Data-based documentation, which was provided to the student's parent(s) or guardian(s), of repeated measures of performance and/or functioning at reasonable intervals, communicated in an understandable format, reflecting the student's response to intervention during instruction;

3. Information gathered from the student's parent(s) or guardian(s) and teacher(s), and when appropriate, the student, regarding the concerns and a description of language skills. This may be completed through a variety of methods including interviews, checklists, or questionnaires;

4. Documented and dated observation(s) of the student's language skills must be conducted by the speech-language pathologist in one or more setting(s); and,

5. Administration of one or more standardized norm-referenced instrument(s) designed to measure language skills. The instrument(s) must be administered and interpreted by a speech-language pathologist to determine the nature and severity of the language deficits. If the speech-language pathologist is unable to administer a norm-referenced instrument, a scientific, research-based alternative instrument may be used. The evaluation report must document the

evaluation procedures used, including the rationale for use of an alternative instrument, the results obtained, and the basis for recommendations.

(c) With the exception of the observation required by subparagraph (7)(c)4. of this rule, general education activities and interventions conducted prior to initial evaluation in accordance with subsection 6A-6.0331(1), F.A.C., may be used to satisfy the requirements of paragraph (6)(b) of this rule.

(7) Criteria for eligibility for students in kindergarten through grade twelve. A student meets the eligibility criteria as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) Due to deficits in the student's language skills, the student does not perform and/or function adequately for the student's chronological age or to meet grade-level standards as adopted in Rule 6A-1.09401, F.A.C., in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's chronological age or grade:

1. Oral expression;

2. Listening comprehension;

3. Social interaction;

4. Written expression;

5. Phonological processing; or,

6. Reading comprehension.

(b) Due to deficits in the student's language skills, the student does not make sufficient progress to meet chronological age or State-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the areas identified in paragraph (7)(a) of this rule when using a process based on the student's response to scientific, research-based intervention;

(c) Evidence of a language impairment is documented based on a comprehensive language evaluation, including all evaluation components as specified in paragraph (6)(b) of this rule. There must be documentation of all of the following:

1. Documented and dated observations show evidence of significant language deficits that interfere with the student's performance and/or functioning in the educational environment;

2. Results of standardized norm-referenced instrument(s) indicate a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in paragraph (1)(a) of this rule. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes;

3. Information gathered from the student's parent(s) or guardian(s), teacher(s), and when appropriate, the student, must support the results of the standardized instruments and observations conducted; and,

4. At least one additional observation conducted by the speech-language pathologist when the language impairment is due to a deficit in pragmatic language and cannot be verified by the use of standardized instrument(s). The language impairment may be established through the results of subparagraphs (6)(b)3. and 4. of this rule and the additional observation(s) conducted subsequent to obtaining consent for evaluation as part of a comprehensive language evaluation. The evaluation report must document the evaluation procedures used, including the group's rationale for overriding results from standardized instruments, the results obtained, and the basis for recommendations. The information gathered from the student's parent(s) or guardian(s), teacher(s), and when appropriate, the student, must support the results of the observation(s) conducted; and,

(d) The group determines that its findings under paragraph (7)(a) of this rule are not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

(8) Documentation of determination of eligibility. For a student suspected of having a language impairment, the documentation of the determination of eligibility must include a written summary of the group's analysis of the data that incorporates all of the following information:

(a) The basis for making the determination, including an assurance that the determination has been made in accordance with subsection 6A-6.0331(6), F.A.C.;

(b) Noted behavior during the observation of the student and the relationship of that behavior to the student's academic functioning;

(c) The educationally relevant medical findings, if any;

(d) Whether the student has a language impairment as evidenced by response to intervention data confirming the following:

1. Performance and/or functioning discrepancies. The student displays significant discrepancies, for the chronological age or grade level in which the student is enrolled, based on multiple sources of data when compared to multiple groups, including to the extent practicable the peer subgroup, classroom, school, district, and state level comparison groups; and,

2. Rate of progress. When provided with effective implementation of appropriate research-based instruction and interventions of reasonable intensity and duration with evidence of implementation fidelity, the student's rate of progress is insufficient or requires sustained and substantial effort to close the gap with typical peers or expectations for the chronological age or grade level in which the student is currently enrolled; and,

3. Educational need. The student continues to demonstrate the need for interventions that significantly differ in intensity and duration from what can be provided solely through educational resources and services currently in place, thereby demonstrating a need for exceptional student education due to the adverse effect of the language impairment on the student's ability to perform and/or function in the educational environment.

(e) The determination of the student's parent(s) or guardian(s) and group of qualified professionals concerning the effects of chronological age, culture, gender, ethnicity, patterns of irregular attendance, or limited English proficiency on the student's performance and/or functioning; and,

(f) Documentation based on data derived from a process that assesses the student's response to well-delivered scientific, research-based instruction and interventions including:

1. Documentation of the specific instructional interventions used, the intervention support provided to the individuals implementing interventions, adherence to the critical elements of the intervention design and delivery methods, the duration of intervention implementation (e.g., number of weeks, minutes per week, sessions per week), and the student-centered data collected; and,

2. Documentation that the student's parent(s) or guardian(s) were notified about the state's policies regarding the amount and nature of student performance and/or functioning data that would be collected and the educational resources and services that would be provided; interventions for increasing the student's rate of progress; and the parental or guardian right to request an evaluation.

(9) Language services.

(a) A group of qualified professionals determining eligibility under requirements of this rule and subsection 6A-6.0331(6), F.A.C., must include a speech-language pathologist.

(b) A speech-language pathologist shall be involved in the development of the individual educational plan for students eligible for language services, whether as special education or as a related service for an otherwise eligible student with a disability.

(c) Language therapy services shall be provided by a certified speech-language pathologist pursuant to Rule 6A-4.0176, F.A.C., or a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate pursuant to Rule 6A-4.01761, F.A.C.

(d) Speech-language associate.

1. Language therapy services provided by a speech-language associate as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master's degree or higher in speech-language pathology. Services under this subsection can be provided for a period of three (3) years as described in

Section 1012.44, Florida Statutes, in districts that qualify for the sparsity supplement as described in Section 1011.62(7), Florida Statutes.

2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:

a. The model, specifying the type and amount of direction including, but not limited to, direct observation, support, training, and instruction;

b. The rationale for using this model;

c. The manner in which the associate will be required to demonstrate competency;

d. The process for monitoring the quality of services;

e. The process for measuring student progress; and

f. The manner in which the speech-language associate will meet the requirements of the annual district professional development plan for instructional personnel.

(10) This rule will become effective on July 1, 2010.

Rulemaking Authority 1003.01(3), 1003.57, 1003.571, 1012.44 FS. Law Implemented 1003.01(3), 1003.57, 1003.571, 1012.44 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 14, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.044 RULE TITLE: Residency for Tuition Purposes

PURPOSE AND EFFECT: Section 1009.21, Florida Statutes, governing the determination of resident status for tuition purposes, was revised during the 2009 legislative session. The rule is recommended to be amended to be consistent with the revised statute.

SUMMARY: The proposed rule is revised to align with new statutory provisions.

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: 1009.21(12) FS.

LAW IMPLEMENTED: 1009.21 FS.

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

DATE AND TIME: March 16, 2010, 9:00 a.m.

PLACE: Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Alexander, Division of Florida Colleges, Department of Education, 325 West Gaines Street, Room 1532G, Tallahassee, Florida 32399-0400, (850)245-9523 or e-mail: julie.alexander@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.044 Residency for Tuition Purposes.

The purpose of this rule is to establish consistent policies for the classification of students as residents for tuition purposes in accordance with criteria set forth in Section 1009.21, Florida Statutes. ~~The determinations of classification or reclassification shall be consistent to assure that students are classified the same regardless of the institution determining the classification.~~

(1) A dependent person will be one for whom fifty (50) percent or more of his or her support has been provided by another as defined by the Internal Revenue Service. An independent person will be one who provides more than fifty (50) percent of his or her own support as evidenced by the student's most recent tax return or other documentation, including, but not limited to, pay stubs or bank account statements. ~~The classification of a student as a Florida resident for tuition purposes by an institution or entity governed by Section 1009.40, Florida Statutes, shall be recognized by other public postsecondary institutions to which the student may later seek admission, provided that student has attended the institution or entity making the classification within the last twelve (12) months and the residency is noted on the student's transcript. Once a student has been classified by an institution or entity as a resident for tuition purposes, institutions to which the student may transfer are not required to re-evaluate the classification unless inconsistent information suggests that an erroneous classification was made or the student's situation has changed.~~

(2) For Initial Determination of Residency:

(a) A person or, if that person is a dependent, his or her parent or parents must have established legal residence in Florida for at least twelve (12) consecutive months prior to his or her initial enrollment in an institution of higher education.

(b) A dependent student who attended a Florida high school for a minimum of two (2) academic years immediately preceding his or her initial enrollment in an institution of higher education and graduated from a Florida high school or earned a Florida GED within the last twelve (12) months may use their high school transcript or the GED transcript as evidence of Florida residency. At least one (1) additional

document identified in Section 1009.21(3)(c)1. or 2., Florida Statutes, must be presented evidencing parental legal residence.

(c) If a declaration of domicile, pursuant to Section 222.17, Florida Statutes, is being used as one (1) of the documents to establish residency for tuition purposes, the date that an applicant shall be deemed as establishing residency for tuition purposes shall be twelve (12) months hence from the date that the Clerk of Circuit Court notes the declaration was sworn and subscribed to them.

(3) Residency Reclassification Determination. A student who is classified as a nonresident for tuition purposes may become eligible for reclassification as a resident for tuition purposes by presenting a minimum of three (3) documents identified in Section 1009.21(3)(c)1. or 2., Florida Statutes, that convincingly demonstrate the establishment of permanent legal residence in Florida other than for the sole purpose of pursuing a postsecondary education. Documentation must demonstrate that the student or, if the student is a dependent, his or her parent, has maintained legal residence in Florida for at least twelve (12) consecutive months prior to his or her request for reclassification.

(4) The burden of providing clear and convincing documentation that justifies the institution's classification of a student as a resident for tuition purposes rests with the student or, if the student is a dependent, his or her parent. For documentation to be "clear and convincing," it must be credible, trustworthy, and sufficient to persuade the institution that the student or, if that student is a dependent, his or her parent has established legal residency in Florida that is not solely for the purpose of pursuing an education and has relinquished residency in any other state for at least twelve (12) consecutive months prior to classification. Each institution of higher education may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes.

(5)(2) Non-U.S. citizens who are currently classified such as permanent residents, parolees, asylees, refugees, or other permanent status persons (e.g., conditional permanent residents and temporary residents); must present valid and eligible documentation from the U.S. Citizenship and Immigration Services (USCIS) as identified in subsections (6) and (7) of this rule. Non-U.S. citizens who have applied to and have been approved by the USCIS U.S. Bureau of Citizenship and Immigration Services with no date certain for departure shall be considered eligible to establish Florida residency for tuition purposes. Both student, and parent, if the student is a dependent, must have valid and eligible USCIS documentation. All non-U.S. citizen document categories must be valid and non-expired for the entire term in which a non-U.S. citizen is classified as a Florida resident.

(6)(3) Nonimmigrants holding one of the following visas shall be considered eligible to establish Florida residency for tuition purposes. Individuals with non-immigrant visas must

provide evidence that: (1) he or she is in an eligible visa category (and parent, if a dependent); and (2) he or she has lived in Florida for the required twelve (12) month qualifying period (or parent, if a dependent). Visa categories must be valid and non-expired for the entire term in which a nonimmigrant is classified as a Florida resident. Persons in visa categories not listed herein shall be considered ineligible to establish Florida residency for tuition purposes.

(a) Visa category A – Foreign Government Official, including members of their immediate family.

(b) Visa category E – Treaty Traders and Investors, including their spouse and children trader or investor.

(c) Visa category G – Foreign Government Officials to Representative of International Organizations, including members of their immediate family organization.

(d) Visa category H-1B – Temporary Workers worker (Specialty Occupations, Department of Defense Workers, Fashion Models, and Nurses in HPSA's), including their spouse and children performing professional nursing services or in a specialty occupation.

(e) Visa category H-4 – Only if spouse or child of alien classified H-1.

(e)(f) Visa category I – Foreign information Media Representatives, including their spouse and children representative.

(f)(g) Visa category K – Fiancé(e)s Fiancé, fiancée, or a child of United States citizen(s), including their children.

(g)(h) Visa category L – Intracompany Transferees, transferee (including their spouse and children or child).

(h)(i) Visa category N – Parent or child of alien accorded special immigrant status.

(i)(j) Visa category O-1 – Workers of "Extraordinary" Abilities, including their spouse and children ability in the sciences, arts, education, business, or athletics.

(k) Visa category O-3 – Only if spouse or child of O-1 alien.

(j)(l) Visa category R – Religious workers, including their spouse and children.

(k)(m) Visa category NATO 1-7 – North Atlantic Treaty Organization Representatives and their immediate family Representatives and employees of NATO and their families.

(l) Visa category S – Alien witnesses and informants, including their spouse and children.

(m)(n) Visa category T – Victims of trafficking, who cooperate with federal authorities in prosecutions of traffickers, including and their spouses and children.

(n) Visa category U – Victims of Certain Crimes, including their spouse and children.

(o) Visa category V – Spouses and children of lawful permanent residents.

(7)(4) Non-U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes:

- (a) Citizens of Micronesia.
- (b) Citizens of the Marshall Islands.
- (c) Beneficiaries of the Family Unity Program.
- (d) Individuals granted ~~T~~emporary ~~P~~rotected ~~S~~tatus (TPS).
- (e) Individuals granted ~~W~~ithholding of ~~R~~emoval ~~d~~eportation status.
- (f) Individuals granted ~~S~~suspension of ~~D~~eportation status or ~~C~~ancellation of ~~R~~emoval.
- (g) Individuals granted a ~~S~~tay of ~~D~~eportation status or Stay of Removal.
- (h) Individuals granted ~~D~~eferred ~~A~~ction ~~S~~tatus.
- (i) Individuals granted ~~D~~eferred ~~E~~nforced ~~D~~eparture status.
- (j) Applicants for ~~A~~adjustment of ~~S~~tatus.
- (k) Asylum applicants with INS receipt or Immigration Court stamp.

(8) Institutions shall establish a residency appeal committee that is responsible for making final residency determinations for students who initiate an appeal according to the institution's official appeal process. The official appeal process shall be written and prominently displayed on the institution's web site.

~~(5) If a declaration of domicile, pursuant to Section 222.17, Florida Statutes, is being used as one of the documents to establish residency for tuition purposes, the date that an applicant shall be deemed as establishing residency for tuition purposes shall be twelve (12) months hence from the date that the Clerk of Circuit Court notes the declaration was sworn and subscribed to them. Nothing in this subsection shall prevent the use of additional documentation as evidence that legal residency was established by other means pursuant to Section 1009.21(1)(c), Florida Statutes, as of a date earlier than that established by the Declaration of Domicile.~~

~~(6) An applicant shall be classified at the time of initial classification as an "All Florida" resident for tuition purposes, and the institution to which the applicant is applying shall grant the applicant residency for tuition purposes, if all of the following criteria are met. If the applicant does not meet all of the criteria, he or she must be evaluated to determine residency status:~~

- (a) Students requesting All Florida resident status as an independent person must meet all of the following criteria:
 1. The student's nation of citizenship is the United States;
 2. The student is twenty four (24) years of age or over;
 3. The student's permanent address is a Florida address;
 4. The high school from which the student graduated is a Florida high school;
 5. Every institution the student attended is located in the State of Florida; and

~~6. The student provides written or electronic verification that he or she has been issued two (2) of the following three (3) Florida documents that are dated more than twelve (12) months old: a voter's registration, a driver's license or a vehicle registration.~~

~~(b) Students requesting All Florida resident status as a dependent person must meet all of the following criteria:~~

1. The student is eligible to be claimed by his or her parent or legal guardian as a dependent under the federal income tax code;
2. The student's nation of citizenship is the United States;
3. The student is under twenty four (24) years of age;
4. ~~The student's mother, father or legal guardian is the person claiming Florida residence;~~
5. The student's mother, father or legal guardian claiming Florida residence has a Florida permanent legal address; and
6. The student's mother, father or legal guardian claiming Florida residence provides written or electronic verification that he or she has been issued two of the following three Florida documents that are dated more than twelve (12) months old: a voter's registration, a driver's license or a vehicle registration.

~~(7) An applicant, who at the time of initial classification is not classified as an All Florida resident for tuition purposes, shall be further assessed by the institution to which the applicant is applying. The student shall provide clear and convincing evidence that establishes that he or she, or if a dependent, the student's mother, father, or guardian, has been a Florida resident for the preceding twelve (12) months. No single piece of documentation shall be conclusive.~~

~~(a) The documentation may include, but is not limited to, the following: driver's license, voter registration card, vehicle registration, declaration of domicile, proof of purchase of a permanent home, transcripts from a Florida school for multiple years, proof of permanent full-time employment, a Professional or Occupational License, Florida incorporation, documents evidencing family ties, proof of membership in organizations, and any other documentation that supports the student's request for resident status.~~

~~(b) Dependent or independent status will be based on a copy of a student's or his or her parents' most recent tax return or other documentation. A dependent person will be one for whom fifty (50) percent or more of his or her support has been provided by another as defined by the Internal Revenue Service. An independent person will be one who provides more than fifty (50) percent of his or her own support.~~

~~(c) An independent or dependent student who is enrolled full-time in an institution and is seeking to be re-classified as a resident for tuition purposes, must provide such documentation which substantiates that he or she, or if a dependent, the~~

~~student's mother, father, or guardian, is establishing Florida as his or her permanent domicile and not as a mere temporary residence incident to the enrollment in higher education.~~

~~(8) A student, or if a dependent, his or her father, mother or guardian, must maintain legal residence in the state of Florida for at least twelve (12) months immediately prior to the first day of classes of the term for which residency status is sought at a Florida institution. Institutions may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes. The burden of providing the documentation, which justifies the classification of a student as a resident for tuition purposes, rests with the applicant.~~

~~(9) Notwithstanding the foregoing, institutions shall classify persons as residents for tuition purposes in accordance with the criteria set forth in Section 1009.21, Florida Statutes.~~

~~(10) For purposes of determining residency for tuition purposes, any reference to federal or state government shall be construed as meaning U.S. federal or Florida state government.~~

~~(11) In determining the domicile of a married person, the determination of a legally married person shall be consistent with Chapter 741, Florida Statutes.~~

~~(12) Definitions:~~

~~(a) The term "institution," as used in this rule when adopted by the Board of Governors shall mean state universities, and when adopted by the State Board of Education shall mean community colleges, with the understanding that both Boards shall coordinate and cooperate as a K-20 system.~~

~~(b) Community colleges shall mean those set forth in Section 1000.21(3), Florida Statutes.~~

~~(c) State universities shall mean those set forth in Section 1000.21(6), Florida Statutes.~~

~~(d) The term "full-time" shall mean enrollment in twelve (12) or more credits per term for undergraduate students and nine (9) or more credits per term for graduate students. Institutions may provide exceptions for students such as, dissertation students, co-op students, or students with disabilities.~~

~~Rulemaking Specific Authority 1009.21(11) FS. Law Implemented 1009.21(11) FS. History--New 10-6-92, Amended 10-17-00, 3-22-05, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Willis Holcombe, Chancellor, Division of Florida Colleges, Department of Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 2010

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

Medicaid

RULE NOS.:	RULE TITLES:
59G-12.001	Purpose
59G-12.002	Definitions
59G-12.003	Eligibility/Enrollment
59G-12.004	Program Administration
59G-12.005	Program Forms

PURPOSE AND EFFECT: The purpose is to repeal Rules 59G-12.001-12.005, F.A.C., titled Ron Silver Senior Drug Program. This program is obsolete. Statutory authority for the program ended with the elimination of Section 409.9065, Florida Statutes.

SUMMARY: The proposed repeal of the rule eliminates obsolete rules related to a program and statutory authority that no longer exists.

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: 409.9065(4)(b) FS.

LAW IMPLEMENTED: 409.906(20), 409.9065(4)(b), 409.908, 409.912 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: Marie Donnelly, (850)487-4441

THE FULL TEXT OF THE PROPOSED RULES IS:

59G-12.001 Purpose.

~~Rulemaking Specific Authority 409.9065(4)(b) FS. Law Implemented 409.906(20), 409.9065(4)(b), 409.908, 409.912 FS. History--New 1-9-03, Repealed _____.~~

59G-12.002 Definitions.

~~Rulemaking Specific Authority 409.9065(4)(b) FS. Law Implemented 409.906(20), 409.9065(4)(b), 409.908, 409.912 FS. History--New 1-9-03, Repealed _____.~~

59G-12.003 Eligibility/Enrollment.

Rulemaking Specific Authority 409.9065(4)(b) FS. Law Implemented 409.906(20), 409.9065(4)(b), 409.908, 409.912 FS. History–New 1-9-03, Repealed.

59G-12.004 Program Administration.

Rulemaking Specific Authority 409.9065(4)(b) FS. Law Implemented 409.906(20), 409.9065(4)(b), 409.908, 409.912 FS. History–New 1-9-03, Repealed.

59G-12.005 Program Forms.

Rulemaking Specific Authority 409.9065(4)(b) FS. Law Implemented 409.906(20), 409.9065(4)(b), 409.908, 409.912 FS. History–New 1-9-03, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anne Wells

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2010

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NOS.:	RULE TITLES:
60H-1.001	Definitions
60H-1.002	Department Approval of Space Need
60H-1.003	Use of Approved Forms
60H-1.004	Filing of Leases
60H-1.006	Escalation Clauses
60H-1.007	Right-to-Terminate Clause Required
60H-1.009	Notice of Renewal
60H-1.013	Fire Code Compliance in Leased Space
60H-1.015	Procurement of Leases of 5,000 Square Feet or More
60H-1.016	Procurement of Leases of Less Than 5,000 Square Feet
60H-1.017	Turnkey Lease
60H-1.021	Department Prior Approval
60H-1.022	Department Final Approval
60H-1.023	Lease Modifications
60H-1.024	Lease Extensions
60H-1.0241	Lease Renewal
60H-1.025	Disclosure Statement
60H-1.026	Disclosure Statement – Public Officials
60H-1.0261	Change of Ownership
60H-1.027	Legal Review
60H-1.028	Information and Forms
60H-1.029	Evaluation of Responses
60H-1.0291	Filing of Leases
60H-1.030	Availability of Rate and Market Data

PURPOSE AND EFFECT: To amend existing Chapter 60H-1, Florida Administrative Code, in order to provide greater detail and explanation related to the statutory requirements for leasing of privately owned space by state agencies. This includes responding to comments from the Joint Administrative Procedures Committee (JAPC) and rule conformity with statute changes in Chapters 2007-220, 2007-73 and 2009-77, Laws of Florida.

SUMMARY: Administrative procedures for state agency’s leasing of state-owned or privately owned space will be adjusted to meet continuing and amended statutory requirements. The processes for private leasing activity by state agencies will be updated to reflect obligations for achieving “best interest of the state” leases as indicated in Section 255.25, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business activities. No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding any estimated cost impact must do so in writing within 21 days of this notice. This proposed rule change does impact state agencies requirements and procedures when leasing either public or private space.

RULEMAKING AUTHORITY: 255.249, 255.25, 255.503 FS. LAW IMPLEMENTED: 255.249, 255.21, 255.25, 255.503, 255.254, 281.02 FS.

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

DATE AND TIME: March 8, 2010, 9:00 a.m. – 11:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Building 4075, Room 152, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Anthony Andreala, 4050 Esplanade Way, Tallahassee, Florida 32399-2100, phone: (850)488-3759. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Andreala, Chief of Real Property Administration, Division of Real Estate Development and Management, phone: (850)488-3759, Email: Anthony.Andreala@dms.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewrite of Rule 60H-1.001 follows. See Florida Administrative Code for present text.)

60H-1.001 Definitions.

Terms are used herein as defined in the referenced law, Section 255.248, Florida Statutes. In addition, the following terms shall also apply:

(1) "Agency" shall mean an official, officer, commission, authority, council, committee, department, division, bureau, board, section or other unit or entity of the Executive Branch of the government of the State of Florida.

(2) "Agency Lease" shall mean an agreement to lease a building or any part thereof other than a Florida Facilities Pool property as identified in Section 255.505, Florida Statutes.

(3) "Approval of Space Need" shall mean the Department's acknowledgement that an Agency has met the requirements of Rule 60H-1.002, Florida Administrative Code and, therefore, may proceed to procure, but not execute, the associated lease.

(4) "Best Interest of the State" shall mean an efficient and economical use of state resources as determined by the Department.

(5) "Certificate of Compliance" shall mean the Department's form with which an Agency conforms that a lease was executed in compliance with all leasing criteria as provided in Chapter 255, Florida Statutes.

(6) "Department" shall mean the Department of Management Services.

(7) "Final Approval" shall mean the Department's acknowledgement that all applicable requirements have been met and, upon required Department signature, the associated lease is fully-executed.

(8) "Lease Action" shall mean the execution, modification, renewal, termination or cancellation of an agreement for the use of real property.

(9) "Lease Agreement" shall mean the standard lease form as defined in Rule 60H-1.003, Florida Administrative Code.

(10) "Lease Clause" shall mean a distinct article, stipulation or provision of a Lease Agreement.

(11) "Nominal Lease" shall mean any lease which results in a total of all payments made by lessee to lessor of less than \$1.00.

(12) "Prior Approval" shall mean the Department's acknowledgement that an Agency has met the requirements of Rule 60H-1.021, Florida Administrative Code and, therefore, may proceed to execute the associated lease.

(13) "Pool Facility" shall mean a facility under the care and direction of the Department pursuant to subsection 255.505, Florida Statutes.

(14) "Program Director" shall mean the head of the Department or his or her designee.

(15) "Turnkey Lease" shall mean a lease in which a single entity is procured, through Competitive Solicitation, to perform all primary activities including, but not limited to, the financing, design, development and post-construction management of real property.

(16) "Warehouse Space" shall mean real property used primarily as storage.

Rulemaking Specific Authority 255.249, 255.25, 255.503(11) FS. Law Implemented 255.249, 255.25(2), 255.503 FS. History--New 8-11-75, Amended 8-27-75, 4-25-79, Formerly 13D-7.01, Amended 3-18-86, Formerly 13M-1.001, Amended 4-27-04,_____.

(Substantial rewrite of Rule 60H-1.002 follows. See Florida Administrative Code for present text.)

60H-1.002 Department ~~Division~~ Approval; of Space Need When Required.

(1) No Agency may proceed with the procurement, negotiation or execution of a Lease unless an Approval of Space Need has been granted by the Department.

(2) The requesting Agency shall:

(a) Submit Department Form 4105 (Request for Space Need) which clearly states:

1. The contact details for the requesting Agency; and

2. The square footage and location of the desired Lease;

and

3. The intended procurement method.

(b) Submit Department Form 4100 (Space Allocation Worksheet) completed in compliance with Rule 60H-1.0021, Florida Administrative Code; and

(c) Acknowledge that no suitable State-owned space would meet the leasing needs being sought.

(3) The Department shall grant the Approval of Space Need when the required submissions, as stipulated in this subsection, are in compliance with rule and are in the Best Interest of the State.

Rulemaking Specific Authority 255.25, 255.249, 255.503(11) FS. Law Implemented 255.249(4)(b), (k), (5), 255.25(2)(b), (3)(b), (4)(a), 255.503 FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.02, Amended 3-18-86, Formerly 13M-1.002, Amended 2-21-96, 5-13-03,_____.

(Substantial rewrite of Rule 60H-1.003 follows. See Florida Administrative Code for present text.)

60H-1.003 Use of Approved Forms ~~Standard Lease Agreement Form.~~

(1) The Department shall publish approved forms for use by Agencies for actions under Sections 255.248, 255.249 and 255.25, Florida Statutes.

(2) Other lease terms or conditions which supplement, remove, or modify any lease term or condition of an approved form may be used only with approval from the Department.

(3) Any Agency request for changes to an approved form or for use of an alternate form shall be submitted to the Department in writing and state with reasonable particularity why the form modification or use of alternate form is necessary and in the best interest of the state. The request shall also contain the following:

(a) Verification from the agency that the best interests of the state are met with the request; and

(b) Agency's general counsel's approval that the use of the requested language is consistent with all applicable laws.

(4) Unless the Department's approval has been obtained in accordance with this rule, any such change shall be considered null and void.

Rulemaking Specific Authority 255.249(5), 255.25(2) FS. Law Implemented 255.249 (4)(b),(e), (k), 255.25(2) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.03, Amended 3-18-86, Formerly 13M-1.003, Amended 9-30-96, 5-13-03, 4-27-04, 7-12-07, _____.

60H-1.004 Filing of Leases.

Rulemaking Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.04, 13M-1.004, Repealed _____.

(Substantial rewrite of Rule 60H-1.006 follows. See Florida Administrative Code for present text.)

60H-1.006 Escalation Clauses.

No Agency's Lease shall contain an open rate, including Consumer Price Index or open rental escalation clause.

Rulemaking Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.06, 13M-1.006, Amended 4-27-04, _____.

60H-1.007 Right-to-Terminate Clause Required.

Rulemaking Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.07, 13M-1.007, Amended 5-13-03, 8-5-03, 4-27-04, Repealed _____.

60H-1.009 Notice of Renewal.

Rulemaking Specific Authority 255.249(2), 255.25 FS. Law Implemented 255.25(2) FS. History--New 8-11-75, Amended 4-25-79, Formerly 13D-7.09, Amended 3-18-86, Formerly 13M-1.009, Amended 2-21-96, 5-13-03, Repealed _____.

(Substantial rewrite of Rule 60H-1.013 follows. See Florida Administrative Code for present text.)

60H-1.013 Fire Code Compliance in Leased Space.

(1) Any building to be leased by a state Agency shall comply with the Uniform Fire Safety Standards of the Division of the State Fire Marshal.

(2) The Department shall withhold approval of any proposed Lease until the facility or construction or renovation plan complies with the Uniform Fire Safety Standards of the Division of the State Fire Marshal.

(3) The cost of all modification or renovations made for the purpose of bringing leased property, other than a pool facility, into compliance with uniform fire safety standards shall be borne by the lessor.

Rulemaking Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(5), 281.02 FS. History--New 4-25-79, Formerly 13D-7.091, Amended 3-18-86, Formerly 13M-1.013, Amended _____.

(Substantial rewrite of Rule 60H-1.015 follows. See Florida Administrative Code for present text.)

60H-1.015 Procurement of Leases of 5,000 Square Feet or More.

(1) No Agency shall enter into a lease for 5,000 square feet or more of space in a privately owned building without procurement through Competitive Solicitation.

(2) Without regard to square footage, no agency shall enter into, within any 12-month period, more than one lease in the same privately owned facility or complex except upon procurement through Competitive Solicitation.

(3) Procurement specifications for Competitive Solicitation shall be drawn in general terms so as to allow for ample competition and to not favor any particular potential responder.

(4) Agency requirements detailed in a Competitive Solicitations shall state:

(a) Approximate Net Usable Square Feet required, consistent with Rule 60H-2.002, Florida Administrative Code; and

(b) Preliminary floor plan for use of desired space; and

(c) Geographic information sufficient to determine whether a potential property is within the Agency's desired boundaries; and

(d) Requested occupancy date; and

(e) Desired term of lease and potential for renewal options; and

(f) Date by which responses must be received; and

(g) Anticipated date for award of procurement; and

(h) Services required, including parking, dining and transportation requirements.

(5) Respondent requirements detailed in a Competitive Solicitation shall state that lessor shall:

(a) Indicate whether proposed leased space is in an Energy Star Building Rating, as determined by the United States Department of Energy; and

(b) Secure a life-cycle cost analysis pursuant to subsection 255.254(1), Florida Statutes and Rule 60D-4.007, Florida Administrative Code; and

(c) Provide monthly energy use data to the Department, pursuant to subsection 255.254(1), Florida Statutes; and

(d) Enter into a Lease approved by the Department; and

(e) Provide a scaled floor plan showing present configurations and measurements that equate to Net Usable Square Footage offered; and

(f) Comply with the requirements of Chapter 60D-1, Florida Administrative Code, Design Standards for Special Facilities for the Physically Disabled, if awarded lease; and

(g) Maintain offer, as set forth in response to Competitive Solicitation, for a minimum of thirty (30) days following the public response due date; and

(h) Comply with the Uniform Fire Safety Standards if awarded lease; and

(i) Propose a rental rate per square foot per year that will include all renovations and other special requirements necessary to accommodate the program at the time of initial occupancy; and

(j) Provide per square foot rental rates for all years of the proposed lease including renewals, if any; and

(k) Provide a general description of the space such as a room number, building name, and physical address; and

(l) Specifically address each requirement and specification; and

(m) Contain the signature of the owner(s), corporate officer(s) or legal representative(s). If authority to transact business has been granted by the owner or officer, written evidence of this authority must accompany the response; and

(n) Contain the corporate, trade or partnership name either stamped, written or typewritten beside the actual signature(s); and

(o) If ownership is considered foreign to the State of Florida a certificate of authority pursuant to Section 606.1501, Florida Statutes must accompany the response. Lessor must include proof of the lessor's authority to offer the facility, i.e., copy of lessor's option to purchase (if the lessor is not the owner or owner's representative). This option must be valid through the time period stated in the solicitation for which responses may not be withdrawn.

(6) Replacement Lease.

If the Agency determines that it is in their best interest to remain in their present location a replacement lease may be negotiated 12 to 18 months prior to lease expiration if:

(a) An independent comparative market analysis demonstrates that the rental rates of the replacement lease will be at or below the total of the market rates for a comparable lease plus moving costs; and

(b) The term does not exceed the base term of the lease being replaced; and

(c) All other leasing requirements are met.

(7) This rule shall not apply to:

(a) Department approved emergency acquisition of space under the requirements of subsection 255.25(10), Florida Statutes; or

(b) Leases for the purpose of providing care and living space for persons, provided the Agency has filed with the Department a certificate of exemption demonstrating that the lease is exempt from Competitive Solicitation under paragraph 255.249(4)(b) or 255.25(3)(b), Florida Statutes; or

(c) Leases having a term of less than 120 consecutive days for the purpose of securing a one-time special use of the leased property; or

(d) Replacement leases, as defined in subsection 255.25(3)(c), Florida Statutes.

Rulemaking Specific Authority 255.249(4) FS. Law Implemented 255.249(2)(b), (4), 255.21, 255.25(3), (5), (7), 255.254 FS. History--New 4-25-79, Amended 4-19-83, Formerly 13D-7.092, Amended 3-18-86, Formerly 13M-1.015, Amended 2-21-96, 5-13-03, 4-27-04, 7-12-07,_____.

60H-1.016 Procurement of Leases of Less Than 5,000 Square Feet.

(1) For all leases under 5,000 square feet at least three quotes documented quotes are required which must have the following information:

(a) Prospective leased premises building name, if applicable; and

(b) Property physical and mailing address; and

(c) Prospective landlord full name and business address; and

(d) Proposed Net Usable Square Feet being offered; and

(e) Proposed rate per Net Usable Square Foot for each year of the term of the lease; and

(f) Proposed term in years; and

(g) Date proposed leased space will be available; and

(h) Proposed tenant improvement amount to be offered; and

(i) Proposed landlord's agent or representative, if applicable; and

(j) Whether the proposed facility is an "Energy Star" qualified facility as defined by the United States Environmental Protection Agency and the United States Department of Energy.

(2) Upon receipt of documented quotes as stipulated in this subsection, the Agency shall complete Department Form 4137A (Quote Synopsis) summarizing the quotes received and submit to the Department for review.

(3) Without regard to square footage, no Agency shall enter into, within any 12-month period, more than one lease in the same privately owned facility or complex except upon procurement through Competitive Solicitation.

Rulemaking Authority 255.249(4) FS. Law Implemented 255.249(2), (4), 255.25(2)(b), (8) FS. History--New_____.

(Substantial rewrite of Rule 60H-1.017 follows. See Florida Administrative Code for present text.)

60H-1.017 Turnkey (Lease) Construction Program.

(1) The Department shall have the authority to approve a lease under this rule when the following conditions have been met:

(a) An appropriate procurement has been attempted and no suitable space has been identified; and

(b) Approval of Space Need has been obtained, in accordance with Rule 60H-1.002, Florida Administrative Code; and

(c) Department has been notified, in writing, of the Agency's intent to seek a Turnkey Lease as defined in Rule 60H-1.001, Florida Administrative Code.

(2) The Agency shall prepare the following:

1. Performance specifications; and
2. Optimum Site and Building Requirements; and
3. Unique Planning Information; and
4. Lease Agreement; and
5. Intended User's program.

(3) The Agency shall advertise, setting forth means by which building specifications may be obtained.

(4) The Agency shall advise respondents that no State payments for use of space being developed will be made prior to final acceptance and approval of the completed building and its site, in accordance with the terms and conditions set forth in the Department's Standard Lease Agreement form.

(a) The Agency will advise that if a Developer is interested in developing a structure for the purpose indicated and in leasing the building and its site to the State of Florida, the Developer should submit his best response or responses by (Time), (Date), to the (Department), (Location or Street Address), (City), (State).

(b) The Agency will set the response period depending upon the complexity of the needed facility. The Developer's requirements as requested by the Agency and the Department:

1. Agreement to enter into a lease-build contract on the Department's Standard Lease Agreement form setting forth the terms and conditions therein.

2. Intent to furnish 100% Performance Bond if response is accepted.

- a. Complete and satisfactory evidence of ownership;
- b. Local tax assessor's appraisal of the site;
- c. A site survey; and
- d. The Developer's estimated valuation cost of construction \$ per square foot, for gross square feet, and provide a statement of rental rate per square foot, including necessary maintenance and operations costs.

3. Completion date (the date that the building will be offered to the State for acceptance), contingent upon Developer's Authorization to Proceed.

4. Developers shall indicate the period of time that a response will remain open; such period shall be a minimum of sixty 60 days.

5. Site improvement information shall include the following:

- a. Grading outside buildings;
- b. Sanitary and storm sewers;
- c. Landscaping;
- d. Paving and retaining walls;
- e. Water;
- f. Gas and electric distribution systems; and
- g. Extraordinary excavation and/or foundations.

6. Life Cycle Cost Analysis pursuant to Section 255.255, Florida Statutes. See Rule 60H-4.004, Florida Administrative Code for requirements.

7. Building information which will enable the Department to review both the functional and aesthetic aspects of the building including:

- a. Floor plans showing proposed utility core, office space, public space, corridors and parking areas (scale 1" equals 8').
- b. Elevations and cross sections of buildings indicating exterior material and colors (scale 1" equals 8').

8. A response submitted by a Developer shall be signed by the Developer or his or her duly authorized representative. Corporate, trade, or partnership titles may be stamped, written or type-written, but the actual signature of the authorized representative must appear on the response. If the response is signed by a Developer's agent, the agent must demonstrate authority to sign and it shall accompany the response. Evaluation of responses will be made by the Agency on the basis of price, design, characteristics of construction, completion date, location (including environment or characteristics of surrounding neighborhood), public transportation availability, availability of parking facilities, availability of satisfactory dining facilities, and conformance to the Agency program, performance specifications, and floor layout plan. The Agency then presents the entire "project review package" to the Department.

9. The project review package shall contain:

- a. A letter of transmittal setting forth:

 - (i) The fact that "this is a lease-build response," and
 - (ii) Functional and staff justification as to the facility's necessity.
- b. Proof of Advertisement.
- c. A list of the responses to the advertisements.
- d. Set of the Agency's program, any unique planning information, performance specifications (building and site), site description and/or delineated area, floor layout plan, and property appraisal.

10. All responses submitted to the Agency must be in accordance with guidelines developed.

11. Agency's recommendation with justification. The Department will review the project. If it concurs with the Agency's recommendation, it will give approval and return to the User Agency for execution. The Agency and the Department must be in joint agreement on the response before approval is granted.

12. A physical inspection of completed buildings and sites will be made by the various Agencies who will, in turn, supply the Division of Facilities Management with a certificate of acceptance, and a certificate citing the date of occupancy.

Rulemaking Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(1), (2)(a) FS. History--New 8-11-75, Formerly 13D-7.10, Amended 3-18-86, Formerly 13M-1.017, Amended 2-21-96, 4-27-04, 7-12-07, _____.

60H-1.021 Department Prior Approval.

(1) No Agency may proceed with the execution of a Lease Action unless the Department has granted Prior Approval for the Lease Action.

(2) For Leases of less than 5,000 feet, the requesting Agency shall submit:

(a) An unexecuted Lease Agreement pursuant to Rule 60H-1.003, Florida Administrative Code; and

(b) A minimum of three documented quotes; and

(c) A completed Department Form 4113 (Certificate of Compliance); and

(d) A completed Department Form 4137A (Quote Synopsis).

(3) For Leases of 5,000 square feet or greater, the requesting Agency shall submit:

(a) An unexecuted Lease Agreement pursuant to Rule 60H-1.003, Florida Administrative Code; and

(b) A copy of procurement documents issued for the Competitive Solicitation; and

(c) A copy of all responses to the Competitive Solicitation; and

(d) A completed Department Form 4137 (Bid Synopsis); and

(e) Scaled drawings in hardcopy or electronic format; and

(f) The Sustainable Building Rating as obtained from the United States Department of Energy; and

(g) The completed Energy Performance Analysis.

(4) The Department shall grant Prior Approval when the required submissions, as stipulated in this subsection, are in the Best Interest of the State.

Rulemaking Authority 255.249(4) FS. Law Implemented 255.249(4)(b), (k), 255.25(2)(b) FS. History--New _____.

(Substantial rewrite of Rule 60H-1.022 follows. See Florida Administrative Code for present text.)

60H-1.022 Department Final ~~Prior~~ Approval of ~~Space~~ Need.

(1) No Lease shall become fully executed until the Department has granted Final Approval for the Lease Action.

(2) The requesting Agency shall submit:

(a) All lease documents fully-executed by both the Agency and the lessor, consistent with Chapter 60H-1, Florida Administrative Code; and

(b) Approval from the State Fire Marshal; and

(c) Department Form 4114 (Disclosure Statement)

(3) The Department shall grant Final Approval when the required submissions, as stipulated in this subsection, are in the Best Interest of the State.

Rulemaking Specific Authority 255.249, 255.25 FS. Law Implemented 255.25(2)(b), (3), (4), (5) FS. History--New 3-18-86, Formerly 13M-1.022, Amended 2-21-96, 5-13-03, 4-27-04, 7-12-07, _____.

60H-1.023 Lease Modifications.

(1) An Agency wishing to execute a Lease modification shall obtain the Department's Approval of Space Need, Prior Approval and Final Approval.

(2) An Agency may enter into a modification of a lease to increase the square footage by no more than 4,999 square feet if the modification is upon the same terms and conditions of the approved lease.

(3) An Agency may enter into, within any 12-month period, more than one modification to increase the square footage, provided the total space acquired by modification within the 12-month period is less than 5,000 square feet.

Rulemaking Authority 255.249(4) FS. Law Implemented 255.249(4)(b), 255.25(1)(b), (3)(c) FS. History--New _____.

60H-1.024 Lease Extensions.

(1) An Agency wishing to execute a Lease extension shall obtain the Department's Approval of Space Need, Prior Approval and Final Approval.

(2) The leasing rules applicable to each Lease are determined at the time of initial execution of the original Lease Agreement.

(3) The Department will approve extensions of an existing Lease if such extensions are determined by the Department to be in the Best Interest of the State.

(4) All Agency requests for an extension under this clause shall be submitted in writing to the Department no less than sixty (60) days before a lease is to end. The agency shall furnish a statement of justification for the extension.

(5) The Department shall review the request and issue a written decision.

Rulemaking Authority 255.249(4) FS. Law Implemented 255.249(4)(b), 255.25(1)(b), (3)(c) FS. History–New _____.

60H-1.0241 Lease Renewals.

(1) An Agency wishing to execute a Lease renewal shall obtain the Department’s Approval of Space Need, Prior Approval and Final Approval.

(2) A copy of the notice of renewal, with proof of the date the notice was received by the lessor clearly marked thereon, shall be furnished to the Department.

(3) The Agency shall submit a Form FM 4113 (Certificate of Compliance).

Rulemaking Authority 255.249(2), 255.25 FS. Law Implemented 255.25(2) FS. History–New _____.

(Substantial rewrite of Rule 60H-1.025 follows. See Florida Administrative Code for present text.)

60H-1.025 Disclosure Statements –Private Entities.

(1) Pursuant to Sections 255.249(4)(h) and 255.249(4)(j), Florida Statutes, no Lease Action shall be approved unless the Agency has submitted Form Number 4114 (Disclosure Statement) completed in full compliance with the law.

(2) Each subsequent Lease Action for which a Disclosure Statement has been required may be accompanied by a lessor’s affidavit, Form Number 4114A (Disclosure Update), that the previous Disclosure Statement submitted on (date to be provided) is still valid, if no change in the interest held or individuals concerned has occurred.

(3) It is not necessary to make disclosure under subsections (1) and (2) of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, which stock is for sale to the general public. A statement certifying the registration shall be provided the Department.

(4) It is not necessary to make disclosure under subsections (1) and (2) of any leasehold interest in property located outside the territorial boundaries of the United States.

Rulemaking Specific Authority 255.249(4) FS. Law Implemented 255.249(4)(h) FS. History–New 4-5-76, Amended 4-25-79, Formerly 13D-7.15, 13M-1.025, Amended _____.

60H-1.026 Disclosure Statement – Public Officials.

Rulemaking Specific Authority 255.249(2) FS. Law Implemented 255.249(2)(i) FS. History–New 4-5-76, Amended 4-25-79, Formerly 13D-7.16, 13M-1.026, Repealed _____.

60H-1.0261 Change of Ownership.

(1) If ownership of a leased facility changes during the term of the Lease, the Department must be furnished a copy of the deed or other legal document effecting transfer of facility and the Department’s Form 4114 (Disclosure Statement).

(2) If the lessor requests rent payments be made to a different person, entity or address other than that which is stated on the Lease, they must notify the respective Agency in writing of the changes, and the Agency will notify the Department.

Rulemaking Authority 255.249(2) FS. Law Implemented 255.249(2)(h), (4) FS. History–New _____.

(Substantial rewrite of Rule 60H-1.027 follows. See Florida Administrative Code for present text.)

60H-1.027 Legal Review.

(1) Lease Actions using approved forms, as defined in rule 60H-1.003, shall not require approval of the Department’s Office of General Counsel.

(2) Lease Actions using non-approved forms, as defined in Rule 60H-1.003, Florida Administrative Code, shall require signature by the Offices of General Counsel of both the respective Agency and the Department.

Rulemaking Specific Authority 255.249(2)(a), ~~(e)~~ FS. Law Implemented 255.249(1), ~~(3)~~, (4)(e), 255.25(2) FS. History–New 4-25-79, Formerly 13D-7.17, 13M-1.027, Amended 2-21-96, 5-13-03, _____.

(Substantial rewrite of Rule 60H-1.028 follows. See Florida Administrative Code for present text.)

60H-1.028 Information and Forms.

Information and copies of all forms named in this Chapter may be obtained from:

- Department of Management Services
- Division of Facilities Management
- Bureau of Property Management
- 4050 Esplanade Way
- Building 4030, Suite 380
- Tallahassee, Florida 32399-0950

Rulemaking Specific Authority 120.53(1)(a), 255.249(4)~~(2)(a)~~ FS. Law Implemented 255.21, 255.249, 255.25, 255.254 FS. History–New 4-25-79, Formerly 13D-7.18, 13M-1.028, Amended 2-21-96, _____.

60H-1.029 Evaluation of Responses.

Rulemaking Specific Authority 255.249(4)(b) FS. Law Implemented 255.25 FS. History–New 12-18-84, Formerly 13D-7.19, 13M-1.029, Amended 4-27-04, Repealed _____.

60H-1.0291 Filing of Leases.

A copy of each agency lease shall be filed with the Department at the following address:

- Department of Management Service
- 4050 Esplanade Way
- Building 4050, Suite 315
- Tallahassee, FL 32399-0950

Rulemaking Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New _____.

(Substantial rewrite of Rule 60H-1.030 follows. See Florida Administrative Code for present text.)

60H-1.030 Availability of Rate and Market Information Data Rental Rate Guidelines for Privately Owned Space.

The Department shall supply Agencies with regional market information and rental rates upon request.

Rulemaking Specific Authority 255.249(4)(a)(f) FS. Law Implemented 255.249(4)(a)(e), 255.25(2) FS. History--New 4-1-85, Formerly 13D-7.20, Amended 3-18-86, Formerly 13M-1.030, Amended 2-21-96, Amended 9-30-96, 5-13-03, 4-27-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anthony Andreala, Chief of Real Property Administration,
Division of Real Estate Development and Management
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Ms. Linda H. South, Secretary,
Department of Management Services
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 26, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 4, 2009

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NOS.:	RULE TITLES:
60H-2.001	Definitions
60H-2.002	Space Allocation
60H-2.0021	Space Allocation and Configuration Standards
60H-2.0022	Agency Space Allocation Plans
60H-2.003	Space Measurement
60H-2.005	Rental Rates

PURPOSE AND EFFECT: To amend existing Chapter 60H-2 Florida Administrative Code, in order to provide greater detail and explanation related to the statutory requirements for leasing of privately owned space by state agencies. This includes responding to comments from the Joint Administrative Procedures Committee (JAPC) and rule conformity with statute changes in Chapters 2007-220, 2007-73 and 2009-77, Laws of Florida.

SUMMARY: Administrative procedures for state agency's leasing of state-owned or privately owned space will be adjusted to meet continuing and amended statutory requirements. The processes for private leasing activity by state agencies will be updated to reflect obligations for achieving "best interest of the state" leases as indicated in Section 255.25, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business activities. No Statement of Estimated Regulatory Costs was prepared.

Any person who wishes to provide information regarding any estimated cost impact must do so in writing within 21 days of this notice. This proposed rule change does impact state agencies requirements and procedures when leasing either public or private space.

RULEMAKING AUTHORITY: 255.249, 255.25, 255.503 FS. LAW IMPLEMENTED: 255.249, 255.21, 255.25, 255.503, 255.254, 281.02 FS.

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

DATE AND TIME: March 8, 2010, 9:00 a.m. – 11:30 a.m.
PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Building 4075, Room 152, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Anthony Andreala, Chief of Real Property Administration, Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida 32399-2100, (850)488-3759. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Andreala, Chief of Real Property Administration, Division of Real Estate Development and Management. Phone: (850)488-3759. Email: Anthony.Andreala@dms.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewrite of Rule 60H-2.001 follows. See Florida Administrative Code for present text.)

60H-2.001 Definitions.

For the purpose of this chapter, each of these words shall have the following meanings:

(1) Agency – as the context requires, means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or other unit or entity of the executive branch of State government.

(2) Department – State of Florida Department of Management Services.

(3) Secretary – the Secretary of the Department of Management Services or his/her designee by written order.

(4) Division Director – the Director of the Division or his/her designee by written order.

(5) State-owned building – any state-owned office building as defined under Section 255.248, F.S., and specifically excluding Supreme Court building pursuant to Section 272.04, F.S.

Rulemaking Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(1), (4), 255.503, 272.04, 288.18(2) FS. History—New 8-11-75, Amended 4-25-79, Formerly 13D-8.01, Amended 3-18-86, Formerly 13M-2.001, Amended 2-21-96, 4-27-04, 9-1-05,_____.

(Substantial rewrite of Rule 60H-2.002 follows. See Florida Administrative Code for present text.)

60H-2.002 Space Allocation and Configuration Standards.

(1) The Department shall have authority to approve allocation of space in all state-owned and privately-owned leases.

(2) To the extent possible, without sacrificing critical public or client services, agencies are directed to obtain an average allocation of space, not to exceed, 180 Net Usable Square Feet per full-time employee measured in accordance with Rule 60H-2.003, Florida Administrative Code.

(3) Approval of space allocation shall be obtained from the Department in accordance with Rule 60H-1.002, Florida Administrative Code.

(4) The following types of space are exempt from the space allocation standards and are not counted in the average allocation of space referenced in subsection 60H-2.002(2), Florida Administrative Code:

(a) Public use space including reception areas, service counters and interview rooms.

(b) Special use space including rooms dedicated as laboratories, mail rooms, large conference, file or copy rooms, training rooms, records storage and warehouses, LAN rooms and cafeterias.

Rulemaking Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(1), (3), (4)(d), 255.503, 272.04, 288.18(2) FS. History—New 8-11-75, Amended 4-25-79, Formerly 13D-8.02, Amended 3-18-86, Formerly 13M-2.002, Amended 2-21-96, 4-27-04, 9-1-05,_____.

(Substantial rewrite of Rule 60H-2.0022 follows. See Florida Administrative Code for present text.)

60H-2.0022 Agency Space Allocation Plans.

(1) Each agency shall annually submit by June 30 to the Department a Space Allocation Plan in a manner prescribed by the Department.

(2) Agency Space Allocation Plans shall provide the Department with each agency's strategy for allocation of all space in all existing leases and shall be consistent with the Space Allocation and Configuration Standards provided in Rule 60H-2.002, Florida Administrative Code.

(3) Agency Space Allocation Plans shall include:

(a) Agency point of contact;

(b) Inventory of space, including exempted space, and whether the space is used for administrative or customer contact purposes; and

(c) Needs assessment of space for program's activities and tasks, personnel and equipment; and

(d) Lease expiration schedules by county and planned full-time equivalent data; and

(e) Business case analysis for agency planned consolidations or co-locations; and

(f) Current occupancy and relocation costs inclusive of furnishing, fixtures and equipment, data, and communications; and

(g) A forecast of agency space needs based on population and employment expectation; and

(h) Reconfiguration or relocation strategy; and

(i) Reconfiguration or relocation timeline.

Rulemaking Specific Authority 255.249(4)(d), 255.503(11), 272.04 FS. Law Implemented 255.249(1), (3)(c), (4)(d), 255.503(2) FS. History—New 4-27-04, Amended _____.

(Substantial rewrite of Rule 60H-2.003 follows. See Florida Administrative Code for present text.)

60H-2.003 Department Standard Method of Space Measurement.

(1) The Department's Standard Method of Space Measurement shall be Net Usable Square Footage as used in measuring the square footage of all leases.

(2) For the purposes of Agency Leases of real property, Net Usable Square Feet shall be defined as square footage which has usable value.

(a) Net Usable Square footage includes:

1. All space which has usable value; and

2. One half of walls which are shared by two separate tenants; and

3. Columns and projections which are part of the structure of a building; and

4. Corridors in the leased space or for exclusive access to the leased space.

(b) Net Usable Square Footage does not include:

1. Building vertical penetrations such as vertical air ducts, furnace or flue shafts, elevator shafts or exit stairwells; or

2. Space unavailable for lease such as public corridors, lobbies or reception areas, waiting areas or elevator lobbies, stairways or bathrooms; or

3. Space designated to the provision of building services such as mechanical rooms, elevator equipment rooms, janitorial closets or electrical rooms.

(3) Agencies shall pay rent in leased spaces for Net Usable Square Footage only.

(4) This method of space measurement shall be applied to bids, proposals or other offers by prospective lessors, public and private.

Rulemaking Specific Authority 255.249, 255.25, 272.04, 288.18 FS. Law Implemented 255.249(4)(c), 255.25(2), 272.04, 288.18(2) FS. History—New 8-11-75, Amended 4-25-79, Formerly 13D-8.03, 13M-2.003, Amended 2-21-96, 4-27-04, 9-1-05,_____.

(Substantial rewrite of Rule 60H-2.005 follows. See Florida Administrative Code for present text.)

60H-2.005 Rental Rates.

(1) Rates to be assessed agencies occupying space in Department-managed facilities shall be determined and established annually by the Department in accordance with Section 255.51, Florida Statutes, fulfilling the obligations of the Florida Facilities Pool Revenue Bond Resolution and maintaining the public’s real estate investment. Rates shall be made known to the agencies for assistance in their planning and budgeting for such occupancy. In determining the rental rate, the Department shall take into account the following expenses incurred during the ensuing fiscal year:

(a) The amount of debt service charges or any higher amount determined by the Department that must be paid during the fiscal year to the State Board of Administration or any other trustee for any debt obligations incurred by the Department for the pool facilities program.

(b) The necessary deposits or any higher amount determined by the Department, if any, to a working capital reserve, contingency reserve or other type of reserve pledged to the security of any debt obligations incurred by the Department for the pool facilities program.

(c) Necessary deposits for capital maintenance to the Capital Depreciation Reserve authorized under the Florida Building and Facilities Act.

(d) Projected operating and regular maintenance expenses to be incurred during the fiscal year for all pool facilities and expenses incurred by the Department in managing the pool facilities and for administering the fixed capital outlay program and the pool.

(2) Rates shall take into account the type of space leased by the agencies and the service elements offered and special request.

Rulemaking Specific Authority 255.249, 255.503(11) FS. Law Implemented 255.249(4)(g), 255.503, 288.18(3) FS. History—New 8-11-75, Amended 4-25-79, Formerly 13D-8.05, Amended 3-18-86, Formerly 13M-2.005, Amended 9-1-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anthony Andreala, Chief of Real Property Administration, Division of Real Estate Development and Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ms. Linda H. South, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 24, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of this rule is to raise the remaining fine limits of \$1500.00 for a first offense to \$2500.00.

SUMMARY: The rule will raise the remaining fine limits of \$1500.00 for a first offense to \$2500.00.

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: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

VIOLATION

(a) through (o) No change.

(p) Failing to report to the department any person who the licensee knows is in violation of Chapter 468, Part XII, Chapter 455, or the rules of the Board or Department.

(455.277(1)(I), F.S.)

(q) No change.

(r) Practicing or offering to practice beyond the scope of law or competence.

(455.227(1)(o), F.S.)

(s) Knowingly delegating professional responsibilities to an unqualified person.

(455.227(1)(p), F.S.)

(t) No change.

(u) Failing to lawfully execute the duties and responsibilities specified in this part and in Sections 553.73, 553.781, 553.79 and 553.791, F.S.

RECOMMENDED RANGE OF PENALTY

(p)1. In case of an applicant, the usual action of the Board shall be denial or licensure with probation and an administrative fine. In case of the licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ 1,500.

(p)2. After the first offense, in the case of an applicant the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation to revocation and a fine of up to \$5,000.

(r)1. In the case of an applicant, the usual action of the Board shall be licensure with probation and an administrative fine or denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension of license and a fine of up to ~~\$2,500~~ 1,500.

(r)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension of license followed by probation to revocation and a fine of up to \$5,000.

(s)1. In case of an applicant, the usual action of the Board shall be licensure with probation and an administrative fine or denial. In case of the licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$2,500~~ 1,500.

(s)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action shall be to impose a penalty from suspension of license followed by probation to revocation and a fine of up to \$5,000.

(u)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ 1,500.

(u)2. After the first offense, a minimum of one year's probation to revocation or denial of licensure, and a fine of up to \$3,000 depending on the underlying offense and the magnitude of the violation.

(v) Performing building code inspection services under Section 553.791, F.S., without satisfying the insurance requirements of said section.

(3) through (5) No change.

Rulemaking Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History--New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06, 1-10-07, 9-20-09,_____.

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

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 NO.: 64B5-16.005
 RULE TITLE: Remediable Tasks Delegable to Dental Assistants

PURPOSE AND EFFECT: To clarify and update language.

SUMMARY: The rule amendment will clarify and update 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: 466.004(4), 466.024(3) FS.

LAW IMPLEMENTED: 466.024 FS.

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

(v)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$2,500 ~~4,500~~.

(v)2. After the first offense, a minimum of one year's probation to revocation or denial of license, and a fine of up to \$3,000 depending on the underlying offense and the magnitude of the violation.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.005 Remediable Tasks Delegable to Dental Assistants

(1) through (5) No change.

(6) The following remediable tasks may be performed by a dental assistant who is a graduate of an expanded duty program approved by the Florida Board of Dentistry pursuant to Rule 64B5-16.002, Florida Administrative Code, or has received the required training through a program accredited by the American Dental Association's Commission on Dental Accreditation and who performs these tasks in health access settings as defined by Section 466.003, F.S., under general supervision:

(a) Applying topical fluorides which are approved by the American Dental Association or the Food and Drug Administration, including the use of fluoride varnishes;

(b) Polishing clinical crowns when not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – slow-speed hand pieces, rubber cups, bristle brushes and porte polishers;

(c) Applying dental sealants;

(d) Polishing dental restorations of the teeth when not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – burnishers, slow-speed hand pieces, rubber cups, and bristle brushes;

(e) Using appropriate implements for preliminary charting of existing restorations and missing teeth and a visual assessment of existing oral conditions;

(f) Positioning and exposing dental and carpal radiographic film and sensors;

(g) Taking or recording patients' blood pressure rate, pulse rate, respiration rate, case history and oral temperature.

(7) The dental assistant performing tasks in health access settings as defined by Section 466.003, F.S., under general supervision shall maintain current training in cardiopulmonary resuscitation (CPR) at the basic support level, including one-rescuer and two-rescuer CPR for adults, children, and infants; the relief of foreign body airway obstructions for adults, children, and infants; the use of an automatic external defibrillator (AED); and the use of ambu-bags resulting in certification or recertification by the American Heart Association, the American Red Cross or an entity with equivalent requirements.

Rulemaking Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.005, Amended 3-30-94, Formerly 61F5-16.005, Amended 1-9-95, 9-27-95, 6-12-97, Formerly 59Q-16.005, Amended 1-8-01, 4-22-03, 7-13-05, 3-24-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 8, 2010

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.006
RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: To clarify and update language.
SUMMARY: The rule amendment will clarify and update 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: 466.004, 466.023, 466.024 FS.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist

(1) through (5) No change.

(6) The following remediable tasks may be performed by a Florida licensed dental hygienist in health access settings as defined by Section 466.003, F.S., without the physical presence, prior examination or authorization of a dentist:

(a) Taking or recording patients' blood pressure rate, pulse rate, respiration rate, case history and oral temperature;

(b) Removing calculus deposits, accretions and stains from exposed surfaces of the teeth and from the tooth surfaces within the gingival sulcus (not to include root planing or curettage);

(c) Applying topical fluorides which are approved by the American Dental Association or the Food and Drug Administration, including the use of fluoride varnishes;

(d) Applying dental sealants.

Rulemaking Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 8, 2010

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001
RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The purpose of this rule amendment is to specify the percentage ranges for the various items in the examination rather than exact percentages in the examination rule.

SUMMARY: The rule specifies the percentage rangers for examination items.

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: 456.017(1)(2), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(1)(2), 463.006(2) 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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-4.001 Examination Requirements.

The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), and Parts I and II of the state examination for licensure. The examination for certification of a licensee shall consist of the Treatment and Management of Ocular Disease (hereafter TMOD) part of the NBEO.

(1) The Florida licensure examination authorized in subsection 463.006(2), Florida Statutes, shall consist of the following parts: NBEO Examination—A passing score must be obtained on Parts I, II, and the Treatment and Management of Ocular Disease (TMOD) of the NBEO examination within the five years prior to application for the state examination. However, said five years period shall be extended to include those immediately preceding years after the applicant has taken and passed the NBEO and during which the applicant was continuously attending a qualified school of optometry. Candidates with NBEO scores before 1993 may substitute a scaled score of at least 75 on the clinical pharmacology section of the clinical sciences part of NBEO examination for the TMOD requirement.

(a) Part I – a written examination on applicable Florida laws and rules governing the practice of optometry developed by the Florida Department of Health;

(b) Part II – a practical examination containing a clinical portion and a pharmacology/ocular disease portion developed by the Florida Department of Health;

(c) Part III – the Applied Basic Science portion of the examination developed by the National Board of Examiners in Optometry (NBEO); and

(d) Part IV – the Clinical Science portion of the examination developed by the NBEO.

(2) An applicant must achieve a passing grade on all four parts of the Florida licensure examination. A score of 84 percent or better must be obtained in order to achieve a passing score on Part I of the Florida licensure examination. A score of 80 percent or better must be obtained on each section of Part II in order to achieve a passing score on Part II of the Florida licensure examination. Passing scores for Part III and Part IV of the Florida licensure examination are established by the NBEO. Given constant advances in research and developing

knowledge in the area of basic and clinical science as applied to the diagnosis, correction, remedy, and relief of insufficiencies or abnormal conditions of the human eyes and their appendages, passing scores on Part III and Part IV of the Florida licensure examination must be obtained within the 5 year period immediately preceding October 1 of the year that the applicant takes Parts I and II of the Florida licensure examination State Examination.

~~(a) The state examination for licensure shall consist of two parts. An applicant shall be required to achieve a passing grade on both Parts I and II of the state examination. Part I of the examination is a written examination, and Part II is a practical examination.~~

~~(b) Part I of the state examination for licensure is an examination on the applicable state laws and rules governing the practice of optometry.~~

~~(c) An applicant must attain a score of 84 percent or better on this examination in order to secure a passing grade on Part I of the examination.~~

~~(3)(d) Part II of the Florida licensure state examination for licensure shall consist of a clinical portion and a pharmacology/ocular disease portion.~~

~~(a) The subject areas and associated weights for the clinical portion of Part II the practical examination shall be as follows:~~

1.a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting Visual Field Recognition, Location, and Disease Process)	7-12% 9%
2.b. Muscle Balance and Motility	2-7% 4%
3.e. Pupillary Examination	8-13% 8%
4.d. Objective Examination (Retinoscopy)	1-6% 3%
5.e. Subjective Refraction	15-20%
6.f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy	18-5%
7.g. Biomicroscopy Anterior	17-22% 21.5%
8.h. Biomicroscopy Posterior (Fundus Lens)	16-21% 17%
9.i. Goldmann Tonometry	9-14% 10%
10.j. Gonioscopy	6-11% 7%

~~(b) The grading criteria for each subject area and the points associated with each criterion shall be as follows:~~

a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting and Visual Field Defect Recognition, Location, and Disease Process) ~~1-1-1~~ Conducts specified visual field test in a manner consistent with obtaining accurate findings.

Accurately identify visual field defect name, location, and disease process 6-11 9
 b. Muscle Balance and Motility Testing = ~~1-1~~
 Conducts examinations in a manner That will allow for evaluation of any phoric and or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis 3-8 4
 c. Pupillary Examination = ~~1-1~~ Conducts pupillary tests in a manner consistent with obtaining accurate findings 5-10 8
 d. Objective Examination (Retinoscopy) = ~~1-1~~ Conducts Retinoscopy in a manner capable of obtaining a visual acuity of 20/30 2-7 2
 e. Subjective Refraction = ~~1-1~~ Conducts refraction in a manner capable of obtaining a visual acuity of 20/20 2-7 3
 f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy = ~~1-1~~ Accurately views and evaluates retinal landmark as requested 16-21 ~~18-5~~
 g. Biomicroscopy (Anterior) = 1.1. Uses proper technique to demonstrate requested views of anterior structures of eye 20-25 ~~21-5~~
 h. Biomicroscopy Posterior (Fundus lens.) = ~~1-1~~ Accurately views and evaluates posterior landmarks as requested 16-21 ~~17~~
 i. Tonometry = ~~1-1~~ Demonstrates accurate technique for the measurement of intra-ocular pressure 7-12 ~~10~~
 j. Gonioscopy = 1.1. Demonstrates accurate technique for identifying angle structures 4-9 7

- ~~(c)3~~: No change.
- 1.a: No change.
- 2.b: No change.
- 3.e: No change.
- 4.d: No change.
- 5.e: No change.
- 6.f: No change.
- 7.g: No change.
- ~~(d)4~~: No change.
- ~~(e)5~~: No change.
- 1.a: No change.
- 2.b: No change.
- 3.e: No change.
- 4.d: No change.
- 5.e: No change.
- 6.f: No change.
- 7.g: No change.
- 8.h: No change.
- ~~(f)6~~: No change.
- (4)3: No change.

Rulemaking Specific Authority 456.017(~~1~~)(~~2~~), 463.005, 463.006(2) FS. Law Implemented 456.017(~~1~~)(~~2~~), 463.006(2) FS. History–New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02, 3-8-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2009 and October 22, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 7, 2009

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-5.002
 RULE TITLE: Criteria for Approval
 PURPOSE AND EFFECT: The purpose of the amendment is to clarify that instructors for courses focusing on optometric practice management need not hold doctoral level degrees.
 SUMMARY: The rule clarifies that instructors of optometric practice management courses need not hold doctoral degrees.
 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: 463.005(1) FS.
 LAW IMPLEMENTED: 463.007(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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B13-5.002 Criteria for Approval.
- (1) No change.
- (2)(a)1. through 6. No change.
- 7. Instructors must have the necessary qualifications, training and experience to present the course. Principal instructors must hold a minimum of a doctorate-level degree (O.D., M.D., Ph.D., D.O., J.D., D.D.S., D.C., Pharm.D., L.L.D., D.Ed., D.Sc., etc.) or its international equivalent.

Faculties at accredited schools or colleges of optometry are exempt from this requirement. Individuals who do not hold at least a doctorate-level degree, or are not on faculty at an accredited school or college of optometry shall only be listed as adjunct instructors for the course and only when the principal instructor holds a doctorate-level degree. For courses focusing on optometric practice management, instructors are not required to hold doctoral level degrees, but must demonstrate their expertise in providing such continuing education.

(b) No change.

(3) through (4) No change.

Rulemaking Specific Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History--New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00, 5-8-02, 8-19-03, 12-26-05, 12-25-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry

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

DATES PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2009 and October 22, 2009

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-3.001
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board is adding mandatory courses and renumbering accordingly.

SUMMARY: Mandatory courses are being added and renumbered accordingly.

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: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.807, 468.808, 468.809 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

As used in this chapter, the following terms shall mean:

(1) through (18) No change.

(19) Mandatory courses – those courses defined by Board Rule 64B14-5.005, F.A.C., and required by the Board for registration, initial license, and license renewal.

(19) through (30) renumbered (20) through (31) No change.

Rulemaking Specific Authority 468.802 FS. Law Implemented 468.802, 468.803, ~~468.807~~, 468.808, 468.809 FS. History--New 10-21-99, Amended 2-19-04, 5-5-04, 5-23-07, 8-8-07, 3-2-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.003
RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to add new language for requirements for eligibility of licensure.

SUMMARY: New language is being added for requirements for eligibility of licensure.

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: 468.802 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist or prosthetist under Section 468.803(3)(a) or (b), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132m 8/08, herein incorporated by reference, which is available from the Board office or at the board's website: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

(a) through (d) No change.

(e) Documentation of completion of the mandatory courses.

(2) In order to establish eligibility for licensure as an orthotic fitter under Section 468.803(3)(c), F.S., the applicant must provide at a minimum:

(a) through (d) No change.

(e) Documentation of completion of the mandatory courses.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under Section 468.803(3)(d), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(d) Documentation of completion of the mandatory courses.

(4) In order to establish eligibility for licensure as a pedorthist under Section 468.803(3)(e), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(d) Documentation of completion of the mandatory courses.

~~(5) Each applicant, as a condition to initial licensure, shall attend and provide proof of attending, a Board approved two hour course relating to the prevention of medical errors. The course must include a study of root cause analysis, error reduction and prevention, and patient safety.~~

Rulemaking Specific Authority 468.802 FS. Law Implemented 456.013(1), (7), 468.803 FS. History--New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.110
RULE TITLE: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify documentation for completion of mandatory courses.

SUMMARY: The proposed rule will clarify documentation for completion of mandatory courses.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist.

(1) Requirements for Licensure as an Orthotic Fitter. The applicant must demonstrate:

(a) through (b) No change.

(c) Documentation of completion of the mandatory courses.

(2) Requirements for Licensure as an Orthotic Fitter Assistant. The applicant must demonstrate successful completion of the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, documentation of completion of the mandatory courses, and completion of an approved eight hour course in custom-molded shoes.

(3) Requirements for Licensure as a Pedorthist.

(a) through (b) No change.

(c) Documentation of completion of the mandatory courses.

Rulemaking Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended 1-16-06, 9-21-06, 8-13-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.005
RULE TITLE: Mandatory Courses
PURPOSE AND EFFECT: The Board is adding a list of mandatory courses.

SUMMARY: The proposed rule will add a list of mandatory courses.

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: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.806, 468.808, 468.809 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.005 Mandatory Courses.

(1) Mandatory courses consist of the following:

(a) Two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; and

(b) Two hours relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety; and

(c) One hour on infection disease control, including HIV/AIDS; and

(d) A Course resulting in current registration or certification demonstrating competency in CPR sponsored by the American Heart Association, the American Safety and Health Institute or the American Red Cross.

(2) With the exception of the CPR and infectious disease control courses, mandatory courses shall be designed and developed specifically for the fields of Orthotics and Prosthetics.

(3) Mandatory courses may be used for multiple registrations, examinations or initial license applications and for license renewal, if they are used within two years of the date the courses were completed.

(4) Mandatory courses set forth in paragraphs (1)(a), (1)(b) and (1)(c) must be individually approved by the Board.

(5) To be considered for approval, each mandatory course must meet the requirements set forth in Rule 64B14-5.003, F.A.C., and must:

(a) Be resubmitted for review and renewal every biennium;

(b) Be authored and presented by individual(s) knowledgeable in the course material and the field of orthotics and prosthetics;

(c) Contain the name of the author, the author's credentials demonstrating expertise and knowledge, the original date of authorship, and the date last reviewed and/or modified; and

(d) Be submitted to the Board by an approved continuing education provider.

(6) Providers and a list of mandatory courses may be obtained from www.cebroke.com.

Rulemaking Authority 468.802 FS. Law Implemented 468.802, 468.803, 468.808, 468.809 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.001
RULE TITLE: Standards of Practice
PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify standards of practice.

SUMMARY: The rule amendment will clarify the rule in the practice of prosthetics and orthotics.

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: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-7.001 Standards of Practice.

(1) Pursuant to a licensed physician’s written prescription, the orthotist, prosthetist, ~~resident, intern,~~ pedorthist ~~orthotic fitter or orthotic fitter assistant~~ shall assume the responsibility for assessing the patient, planning the patient’s treatment ~~plan,~~ ~~program~~ and directing the program. No licensee shall implement a prescription that, in the licensee’s judgment, is contraindicated. No change shall be made in the prescription without the authorization of the prescribing physician.

(2) The ~~licensee’s or registrant’s~~ ~~orthotist, prosthetist, or pedorthist’s~~ professional responsibilities include:

(a) through (g) No change.

(h) ~~Prior to rendering services, a~~Advising the patient or guardian, in terms which the patient or guardian can understand, of the nature and purpose of the services to be rendered, ~~the nature and purposes of the prescribed device, and the treatment plan, techniques for use and care of an orthosis or prosthesis, and an estimate of delivery time and financial responsibilities.~~

(i) No change.

(3) Sexual misconduct in the practice of “Orthotics/Prosthetics” by any person licensed under this chapter is prohibited. Sexual misconduct in the practice of orthotics/ prosthetics means exercising influence within the licensee-patient relationship for purposes of engaging a patient in sexual activity.

(4) It is below the standards of practice for any person licensed under this chapter ~~orthotists/prosthetists~~ to practice if they are unable to practice with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics or chemicals, or any other type of material, or as a result of any mental or physical condition.

(5) It is below the standard of practice and prohibited under this section for any person licensed under this chapter to delegate or assign activities, tasks or procedures that fall within the scope of any practice defined in Section 468.80, F.S., to support personnel, without providing direct supervision for the performance of the activities, tasks or procedures. Direct Supervision requires:

(a) The licensed orthotist, prosthetist, orthotist/prosthetist, or pedorthist to provide a physical evaluation of each patient’s orthotic and or prosthetic needs and may delegate appropriate duties to support personnel. However, the licensed practitioner

shall physically evaluate the effectiveness, appropriateness and fit of all devices within the scope of the licensed practitioner’s licensure practice requirements, including those repaired devices in which the repairs affect the fit, physical structure or biomechanical function of the device, on every patient, prior to the delivery of the device;

(b) For the purpose of replacement of worn or broken components which do not in any way alter the fit, physical structure or biomechanical functioning of the existing device, direct supervision of support personnel providing repairs to orthoses or prosthesis means the aforementioned repair must be approved by the appropriately licensed practitioner prior to beginning of repairs. The responsible licensed practitioner must at all times be accessible by two way communication, enabling the supervisor to respond to questions relating to the repair.

Rulemaking Specific Authority 468.802 FS. Law Implemented 456.063(1), 456.072(1)(o), (u), 468.802, 468.808 FS. History–New 7-1-98, Amended 10-24-04, 1-16-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 20, 2009

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-51.020
RULE TITLE: Certificates of Competency

PURPOSE AND EFFECT: To simplify the rule and clarify that an application for Certificate of Competency for a Special Inspector must be submitted by the employing insurance company which must be authorized to, and be actively engaged in, writing boiler insurance in this State. The amendment also updates and consolidates the applications for special and deputy inspectors and renewals, and adopts an application for the required examination.

SUMMARY: The rule sets forth the process for issuing a Certificate of Competency for a Special Inspector who is employed by an insurer issuing boiler insurance in this state. The application must be submitted by the employing insurance company which must be authorized to, and be actively engaged in writing boiler insurance in this State. The amendment also updates and consolidates the applications for special and deputy inspectors and renewals, and adopts an application for the required examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared by the agency.

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: 554.103 FS.

LAW IMPLEMENTED: 554.105, 554.106, 554.107, 554.108, 554.111, 554.112, 554.113 FS.

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

DATE AND TIME: Monday, March 8, 2010, 9:30 a.m.

PLACE: Third Floor Conference Room, the Atrium Office Building, 325 John Knox Road, 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: Mike Burns (850)413-3614; Mike.Burns@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 IS: Mike Burns, Chief Boiler Inspector, (850)413-3614; Mike.Burns@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-51.020 Certificates of Competency.

~~(1) Special Inspectors. Certificates of Competency shall be issued to applicants for the position of Deputy Inspector who meet the requirements of Rule 69A-51.015, F.A.C., and who pass the examination described in Rule 69A-51.035, F.A.C., and who are employees of the Boiler Safety Program, Division of State Fire Marshal, Department of Financial Services.~~

(a) Certificates of Competency designating Special Inspectors of Boiler and Pressure Vessels shall be issued by the Chief Inspector upon application by any company authorized by the Department to insure boilers in this state. All such companies shall be actively engaged in writing boiler coverage insurance in this state.

(b) Applications shall be made on Form DFS-K3-404, revised _____, entitled "Application for Original and Renewal Certificate of Competency Special and Deputy Inspectors" adopted herein and incorporated by reference. The form may be obtained online at http://www.myfloridacfo.com/sfm/bfpr/bfpr-boil_index.htm and from the Boiler Safety Program, Department of Financial Services, 325 John Knox Road, Tallahassee, Florida 32303; (850)413-3627.

(c) Certificates of Competency shall be issued to individuals who meet the requirements of Section 554.113, F.S., pay the fee described in Section 554.111, F.S., pass the examination described in Rule 69A-51.035, F.A.C., if applicable, and are employees of the applicant company. Applications to take the examination shall be submitted on Form DFS-K3-2014, effective _____, entitled "Application for Florida Boiler Commission Examination," adopted herein and incorporated by reference. The form may be obtained online at http://www.myfloridacfo.com/sfm/bfpr/bfpr-boil_index.htm and from the Boiler Safety Program, Department of Financial Services, 325 John Knox Road, Tallahassee, Florida 32303; (850)413-3627.

(d) A Certificate of Competency shall be valid only so long as such Special Inspector is an employee of the applicant company. Upon termination of employment, the applicant company shall give written notice to the Chief Inspector within fifteen (15) days following the date of termination.

(e) All companies insuring boilers in this state shall inspect all boilers insured by them that are located in places of public assembly covered by these rules, utilizing their Special Inspectors certified by the Department.

~~(2) Deputy Inspectors. Certificates of Competency shall be issued to applicants as Special Inspectors who meet the requirements of Rule 69A-51.015, F.A.C., and who pay the fee described in Section 554.111, F.S., and who pass the examination described in Rule 69A-51.035, F.A.C., and who are full-time employees of Authorized Inspection Agencies.~~

(a) The Department shall issue a Certificate of Competency to any of its employees who meet the requirements of Section 554.113, F.S., pass the examination described in Rule 69A-51.035, F.A.C., if applicable, and are employed by the Chief Inspector.

(b) Applications shall be made on Form DFS-K3-404.

(c) A Certificate of Competency is valid only so long as such inspector is employed by the Department's Boiler Safety Program.

(3) Renewals.

(a) Every Certificate of Competency issued by the Department shall expire on December 31 of each year. Applications for renewal shall be made on Form DFS-K3-404. The application for renewal shall be properly completed, signed, and forwarded to the Department. Upon receipt of the application, an invoice for the fee set forth in Section 554.111(1)(a), F.S. will be sent to the applicant company.

(b) A certificate which is not timely renewed is inoperative; as a consequence, inspection reports dated after December 31 will not be accepted and the boilers to which they relate must be reinspected by a certified inspector.

~~(c) A certificate which is inoperative because of failure to renew shall be restored in accordance with Section 554.113(3), F.S. Applications for Certificates of Competency shall be made on the form entitled "Application for Certificate of~~

Competency Special and Deputy Inspectors” prescribed by the Boiler Safety Program, Division of State Fire Marshal, which may be obtained from the Boiler Safety Program, Department of Financial Services, Larson Building, Tallahassee, Florida 32399 0300; (850)413 3722. Application for Certificate of Competency Special and Deputy Inspectors, Form Number DI4 404, revised 9/89, is hereby adopted and incorporated by reference.

(4) The Certificate of Competency is valid for one year and shall expire on December 31 of each year.

(5) The Department shall mail each certificate holder or his employer an application for renewal on a form entitled “Renewal Application for Certificate of Competency,” Form Number DI4 436, revised 10/95 which is hereby adopted and incorporated by reference. The application for renewal shall be properly completed, signed and forwarded to the Department with the appropriate fee, and the Department shall, upon receipt of the properly completed application and fee, renew the certificate.

(6) The certificate is valid only when the inspector is continuously employed either by the Boiler Safety Program or by a duly authorized inspection agency in the State of Florida. The certificate credential card will state the name of the inspector's employer.

(7) A certificate which is inoperative because of failure to renew shall be restored upon payment of the renewal fee, if the application for restoration is made to the Department within sixty (60) days after the renewal date.

(8) If a certificate becomes inoperative because of failure to renew and if the application for restoration is not made within the sixty (60) day period, then the fee for restoration shall be equal to the initial application fee (\$50.00) plus the renewal fee (\$30.00).

Rulemaking Specific Authority 554.103 FS. Law Implemented 554.103, 554.105, 554.106, 554.107, 554.108, 554.111, 554.112, 554.113 FS. History—New 2-27-89, Amended 7-15-98, Formerly 4A-51.020, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Burns
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 24, 2009

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE
Division of Library and Information Services
RULE NO.: RULE TITLE:
1B-2.011 Library Grant Programs
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. 51, December 24, 2009 issue of the Florida Administrative Weekly. Changes have been made to the guidelines and grant agreement to incorporate the Department of State’s grant noncompliance policy and to provide notice of the penalty that may be imposed if a grant recipient and/or its governing body fails to comply with contractual grant requirements for any grant from any Division of the Department of State. Changes have also been made to the grant contract to allow either the grant recipient or the Department to hold copyrights to materials that are created with grant funds and to award licenses within the discretion of the Division. In all cases and in accordance with federal regulations, the federal awarding agency maintains certain licenses regarding copyrighted materials created with grant funds.

Copies of the full text of the changes may be obtained by contacting: Marian Deeney by mail at R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399, by phone at (850)245-6620, or by e-mail at mdeeney@dos.state.fl.us.

THE FULL TEXT OF THE RULE IS:

1B-2.011 Library Grant Programs.

(1) This rule provides procedures for library grant programs administered by the Division of Library and Information Services (Division). Each program shall be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, if applicable, and application forms. All grant awards shall be subject to final approval by the Secretary of State.

(2) Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines for each grant program:

(a) The State Aid to Libraries Grant Guidelines and Application, effective 4-1-98, amended 11-20-01, amended 12-28-03, amended 2-21-07, amended _____, which contain guidelines and application forms, State Aid to Libraries Grant Application (Form DLIS/SA01), effective 4-1-98, amended 12-28-03, amended _____; State Aid to Libraries Grant Application – Multicounty Library (Form DLIS/SA02),

effective 4-1-98, amended 12-28-03, amended_____; Grant Agreement, effective 12-28-03, amended_____; Certification of Credentials – Single Library Administrative Head (Form DLIS/SA03), effective 4-1-98, amended 12-28-03, amended_____; State Aid to Libraries Grant Application – Summary Financial Report (Form DLIS/SA04), effective 4-1-98, amended 12-28-03, amended_____; State Aid to Libraries Required Documents Checklist (Form DLIS/SA05), effective_____.

(b) The Library Construction Grant Guidelines and Application, effective 4-1-98, amended 2-14-99, amended 1-9-03, amended 2-21-07, which contain instructions, grant application (Form DLIS/PLC01), effective 4-1-98, amended 2-14-99, amended 4-4-00, amended 12-18-00, amended 1-9-03; Payment Request #1 (Form DLIS/PLC02) effective 1-9-03; Payment Request #2 (Form DLIS/PLC03) effective 1-9-03; Payment Request #3 (Form DLIS/PLC04) effective 1-9-03; Payment Request #4 (Form DLIS/PLC05) effective 1-9-03; and Closeout Report (Form DLIS/PLC06) effective 1-9-03.

(c) The Library Cooperative Grant Guidelines and Application, effective 4-1-98, amended 1-24-2008 which contain instructions and application (Form DLIS/LCG01), effective 4-1-98, amended 4-4-00, amended 1-24-2008; Mid-Year Report (Form DLIS/LCG02) effective 1-24-08, Annual Report Form (Form DLIS/LCG03) effective 1-24-08, Annual Statistical Report Form for Multitype Library Cooperatives (Form DLIS/LCG04), effective 4-1-98, amended 4-4-00, amended 1-24-2008, Grant Agreement (Form DLIS/LCG05), effective 1-24-08 and the FLIN Manual, effective 1-24-08.

(d) The Library Services and Technology Act Grant Guidelines and Application, effective 4-1-98, amended 2-14-99, amended 11-20-01, amended_____, which contain instructions and application (Form DLIS/LSTA01), effective 4-1-98, amended 2-14-99, amended 4-4-00, amended 12-18-00, amended 11-20-01; Mid-Year Report (Form DLIS/LSTA02), effective 2-14-99, amended 4-4-00, amended 12-18-00, amended 11-20-01; and Annual Report (Form DLIS/LSTA03), effective 4-4-00, amended 12-18-00, amended 11-20-01; and Grant Agreement, effective_____.

(e) The Florida Library Literacy Grants Guidelines and Application, effective 4-4-00, amended 11-20-01 which contain instructions and application (Form DLIS/FLL01), effective 4-4-00, amended 11-20-01; Mid-Year Report (Form DLIS/FLL02), effective 4-4-00, amended 11-20-01; and Annual Report (Form DLIS/FLL03), effective 4-4-00, amended 11-20-01.

(f) The Community and Library Technology Access Partnership Grants Guidelines and Application which contain instructions and application (Form DLIS/CLTA01), effective 12-18-00; and Annual Report (Form DLIS/CLTA02), effective 12-18-00.

(g) The Community Libraries in Caring Program Application, effective 11-16-04, which contains instructions and application (Form DLIS/CLIC01), effective 11-16-04; Annual Report (Form DLIS/CLIC02), effective 11-16-04; and Grant Agreement (Form DLIS/CLIC03), effective 11-16-04, revised 2-21-06, amended 2-21-07.

(3) Guidelines and forms in this rule are incorporated by reference and may be obtained from the Director of the Division, Florida Department of State, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250.

(4) The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, F.S. Eligible communities applying for Library Services and Technology Act grants, Florida Library Literacy Grants, and Library Construction grants must request waiver of matching requirements at the time of grant application.

(5) This section supersedes Chapters 1B-3 and 1B-5, F.A.C.

Rulemaking Specific Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History– New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, 11-16-04, 2-21-06, 2-21-07, 1-24-08,_____.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:

12C-1.051 Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 52, December 31, 2009 issue of the Florida Administrative Weekly. When adopted, by reference, changes to Form F-1193, Application for Florida Renewable Energy Production Credit Allocation, will be made to provide that the Florida Renewable Energy Credit is based on increases in electricity produced from renewable sources between January 1, 2007, and June 30, 2010. The application for the credit must be submitted on or before February 1, 2010, for electricity produced during the 2009 calendar year. The revision date of the form will be “R. 01/10.” When adopted, paragraph (13)(a) of Rule 12C-1.051, F.A.C., will incorporate by reference the January 2010 revision to Form F-1193.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-2.322 Population and Impact Analysis and Verification of 10-year Requirements

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. 34, August 28, 2009 issue of the Florida Administrative Weekly.

Notice is hereby given that the following changes have been made to proposed Rule 40D-2.322, F.A.C., to remove the originally proposed subsection 40D-2.322(2) and renumber sections. Proposed Rule 40D-2.322, F.A.C., is related to other proposed amendments to Rules 40D-1.607, 40D-2.091, 40D-2.301, and 40D-2.321, that were published in Vol. 35, No. 34, August 28, 2009 and Notice of Change published in Vol. 35, No. 51, December 24, 2009 issue of the Florida Administrative Weekly.

Section 40D-2.322, F.A.C., will now read as follows:

40D-2.322 Population and Impact Analysis and Verification of 10-year Requirements.

(1) This Rule 40D-2.322, F.A.C., shall apply to new and renewal permits issued after [effective date of rule] and permits that are substantially modified after [effective date of rule].

(2) For 20 year General and Individual Public Supply Permits, at years 10 and 15 of the permit the permittee shall submit an analysis and summary of the long-term trends over the reporting period and through the term of the permit that addresses population growth based on the District's BEBR medium based GIS model or equivalent methodology, non-population based factors such as large industrial or other uses, other water demand, and per capita use. If the reporting period demands are less than 90% of the projected demands as reflected in the permit for that period or for the remainder of the term of the permit, the permittee shall demonstrate a legal, technical or other type of hardship as to why the permitted demand should not be reduced to an allocation based on actual demands experienced through the reporting period and demands projected through the remaining term of the permit. Within 90 days of a District notification to the permittee that the demonstration was not made, the permittee shall submit a request to modify the permit allocation consistent with actual and projected demands.

(3) Where data indicate adverse impacts to environmental or other water resources, offsite land use or a legal existing use, non-compliance with a minimum flow or level or associated recovery or prevention strategy, or interference with a reservation, or where data indicate the impacts predicted at the time of permit issuance were underestimated to the degree that the previous analysis is inadequate, an updated ground-water modeling analysis and data analysis shall be required to address compliance with conditions for issuance.

(4) Permits that are issued for 20 year duration based on meeting the requirements set forth in paragraph 40D-2.321(1)(b), (c), (d) or (e), F.A.C., within 10 years shall include a timeline of activities proposed to result in achieving these requirements, and progress reports. If these requirements are not achieved within 10 years, the permit duration shall revert to the applicable duration provided in Rule 40D-2.321, F.A.C., unless this reversion would result in the permit having expired or less than a year of remaining duration. In such cases, the permit will expire one year following the final determination of non-achievement and will be limited to a permitted quantity that equals an additional two years future demand beyond current demand, as determined pursuant to section 3.0 of Part B, Basis of Review, of the Water Use Permit Information Manual incorporated by reference in Rule 40D-2.091, F.A.C., from the point of final determination of non-achievement.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.219, 373.223, 373.227, 373.250 FS. History—New _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-80.075 Recovery Strategy for the Lower Alafia River System

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:
59A-35.020 Applicability
59A-35.030 Definitions
59A-35.040 License Required; Display
59A-35.050 Fees Required; Adjustments
59A-35.060 Licensure Application Process
59A-35.062 Proof of Financial Ability to Operate
59A-35.065 License Renewal
59A-35.070 Change of Ownership
59A-35.080 License Categories
59A-35.090 Background Screening

- 59A-35.100 Minimum License Requirements
- 59A-35.110 Reporting Requirements; Electronic Submission
- 59A-35.120 Inspections
- 59A-35.150 Moratorium; Emergency Suspension

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. 47, November 25, 2009 issue of the Florida Administrative Weekly.

59A-35.020 Applicability.

No change.

59A-35.030 Definitions.

No change.

59A-35.040 License Required; Display.

(1) through (5) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.804, 408.810, 408.813 FS. History–New _____.

59A-35.050 Fees Required; Adjustments.

(1) No change.

(2) When payment for licensure fees has been dishonored, the licensee has 10 days from the date of notification to remit to the Agency the licensure fee plus any applicable fees as provided by law in the form of a money order or cashier’s check. In the event that the licensure fee is not paid, the license may be subject to revocation or suspension.

(3) through (4) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.805 FS. History–New _____.

59A-35.060 Licensure Application Process.

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

(q) Home for Special Services as provided under part V of chapter 400; AHCA Form 3110-3001, February 2010 AHCA Recommended Form July 2009.

(r) though (z) No change.

(aa) Clinical Laboratories, as provided under part I of Chapter 483; AHCA Form 3170-2004, Rev. July 2009 or AHCA Form 3170-2004D, September 2009 (addition of specialty, subspecialty or change in specialty).

(bb) and (cc) No change.

(2) through (4) No change.

(5) Unresponsive applicant. If certified mail sent to the provider’s address of record, or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider’s address of record, or mailing address if applicable, with a copy to the applicant’s address if different from the provider. The applicant must respond to the request within 21 days of the

date of the letter sent by regular mail. If timely response is not received, the application will be subject to withdrawal or denial.

(6) No change.

(7) A licensure inspection will not be authorized until subsections (6)(a) and (6)(b) of this section have been satisfied.

(8) No change.

59A-35.062 Proof of Financial Ability to Operate.

(1) through (3) No change.

(4) All documents required under this section must be prepared in accordance with generally accepted accounting principles. All documents required under this section for Home Health Agencies, Home Medical Equipment Providers, and Health Care Clinics must be compiled and signed by a certified public accountant.

(5) through (6) No change.

(7) An applicant for renewal of a license shall not be required to provide proof of financial ability to operate, unless the licensee or applicant has demonstrated financial instability. If an applicant or licensee has shown signs of financial instability, as provided in Section 408.810(9), F.S., at any time, the Agency may require the applicant or licensee to provide proof of financial ability to operate by submission of:

(a) through (b) No change.

59A-35.065 License Renewal.

No change.

59A-35.070 Change of Ownership.

(1) through (2) No change.

(3)(4) When a change of ownership application is submitted during the review of a renewal licensure application, the pending renewal will be administratively withdrawn from review if the change of ownership application is approved with an effective date prior to the expiration of the license.

(4)(5) Expiration of a license prior to the approval of the change of ownership application, when no renewal application has been submitted, will result in the denial of a change of ownership application.

(5)(6) If the applicant has not been issued the license on the effective date of the change of ownership, documentation must be submitted that provides for continuation of operation of the licensee for those days between the date of the change of ownership and the date the applicant is licensed by the Agency.

59A-35.080 License Categories.

(1) Provisional License. If a license expires while an action to deny or revoke the license is pending, or while an action to withdraw a renewal application from further consideration is pending, and renewal applications are filed, the Agency may issue a provisional license. The provisional license shall identify the pending action. The provisional license will expire when the Agency action is final. The

provisional license does not affect the revocation or denial action or constitute a defense on behalf of the licensee or applicant.

(2) Inactive License. An inactive license may be issued, as provided in Section 408.808(3), F.S.

(a) through (c) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.808(2), (3) FS. History–New_____.

59A-35.090 Background Screening.

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

(c) “Disqualifying Offense” means any criminal offense prohibited in Sections 435.03, 435.04, or 408.809(5), F.S.

(d) through (f) No change.

(g) “Level 1 Screening” means an assessment of the criminal history record obtained from the FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.03 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(h) “Level 2 Screening” means an assessment of the criminal history record obtained through a fingerprint search through the FDLE and FBI to determine whether screened individuals have any disqualifying offenses pursuant to s. 435.04 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(2) through (3) No change.

(4) Results of Screening and Notification.

(a) Final results ~~Results~~ of background screening requests will be provided to the requesting provider through the Agency’s secure web site.

(b) When the dispositional information of a potentially disqualifying offense is unclear or not present in a criminal history from a Level 1 request, a notice will be sent to the requesting licensee or entity to obtain the arrest report and dispositional information from the individual being screened. The information must then be forwarded to the Agency for a final determination or show such information cannot be obtained. If a Level 2 criminal history is incomplete, a certified letter will be sent to the individual being screened requesting the arrest report and dispositional information. If the letter is returned unclaimed, a copy of the letter will be sent by regular mail. For Level 1 and Level 2, the missing information must be filed with the Agency within 30 days of the Agency’s request, or the individual is subject to automatic disqualification in accordance with Section 435.05(1)(d), F.S.

(c) through (d) No change.

(5) through (6) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.809, 408.810 FS. History–New_____.

59A-35.100 Minimum Licensure Requirements.

~~(1)~~ Provider location.

~~(1)(a)~~ A licensee must maintain proper authority for operation of the provider at the address of record. If such authority is denied, revoked or otherwise terminated by the local zoning or code enforcement authority, the Agency may deny or revoke an application or license, or impose sanctions.

~~(2)(b)~~ With the exception of federally authorized clinical laboratories, more than one license will not be issued to operate the same provider types at the identical physical or street address. Existing licensees must comply with this paragraph upon license renewal.

59A-35.110 Reporting Requirements; Electronic Submission.

(1) No change.

(2) Electronic submission of information.

(a) The following required information must be reported through the Agency’s Internet site at ahca.myflorida.com/reporting/index.shtml:

1. Nursing homes:

a. Semi-annual staffing ratios required pursuant to Section 400.141(1)(o), F.S., and Rule 59A-4.103, F.A.C.

b. Adverse incident reports required pursuant to Sections 400.147(7) and (8), F.S., and Rule 59A-4.123, F.A.C.

c. Liability claim reports required pursuant to Section 400.147(10), F.S., and Rule 59A-4.123, F.A.C.

2. Assisted living facilities:

a. Adverse incident reports required pursuant to Sections 429.23(3) and (4), F.S., and Rule 58A-5.0241, F.A.C.

b. Liability claim reports required pursuant to Section 429.23(5), F.S., and Rule 58A-5.0242, F.A.C.

(b) through (c) No change.

59A-35.120 Inspections.

No change.

59A-35.150 Moratorium; Emergency Suspension.

In addition to other remedies permitted by law, violation of a moratorium issued by the Agency is considered a Class 1 violation and subject to a fine of \$500 per day until the violation is corrected.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.0261	Definitions Relating to Extended Benefits
60BB-3.0262	How to Apply for Extended Benefits
60BB-3.0263	Diligent Work Search Requirements

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.

60BB-3.0261 Definitions Relating to Extended Benefits.

For the purposes of extended benefits payable under Section 443.1117, Florida Statutes, and Rules 60BB-3.0261 through 60BB-3.0263, F.A.C., the following definitions apply:

(1) Good job prospects: An individual has good job prospects if he or she has a definite return to work date within 4 weeks of the eligibility notices referred to in subsection 60BB-3.0263(2), F.A.C.

(2) 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. 8501-8525, other than emergency unemployment compensation, trade readjustment allowance, disaster unemployment assistance, and extended unemployment compensation under Sections 443.1115 and 443.1117, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented ~~443.031~~, 443.036, 443.1115, 443.1117 FS. History–New _____.

60BB-3.0262 How to Apply for Extended Benefits.

(1) Initiating a Claim for Extended Benefits. The Agency will mail a Form AWI-UC310EB (10-09), ~~(Application for Extended Benefits (EB))~~, which is hereby incorporated by reference into this rule, to all individuals who exhaust their available emergency unemployment compensation. This form will advise the recipient that the application for extended benefits may be filed using the form or by applying online at <http://www.floridajobs.org>. The online application report (AWI UCB-310EB-ONL (Rev. 2/10) Extended Benefit Online Application) is hereby incorporated by reference into this rule. The Form AWI-UC310EB may be submitted by

(a) ~~M~~mailing the completed form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P.O. Drawer 5350, Tallahassee, Florida 32314-5350.

(b) Faxing the form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, (850)921-3938.

(2) Notice of Determination.

(a) Notice of the Agency's determination of an individual's eligibility or ineligibility for extended benefits will be mailed to the individual on a Form AWI-UCB11 EB (11/09), ~~(Monetary Determination/Redetermination for Extended Benefits)~~, which is hereby incorporated by reference into this rule, when the Agency:

1. Determines that the individual is eligible for extended benefits; or

2. Determines that the individual is ineligible for extended benefits because:

a. The individual has available credits remaining on a claim for regular benefits or emergency unemployment compensation; or

b. The individual's claim for extended benefits was previously made in relation to the wrong regular unemployment claim.

(b) Notice of the Agency's determination of an individual's eligibility or ineligibility for extended benefits will be mailed to the individual on a Form AWI-UCB11-I EB (10/09), ~~(Extended Benefits Determination of Eligibility)~~, which is hereby incorporated by reference into this rule, when the individual:

1. Has not exhausted his or her regular benefits or emergency unemployment compensation;

2. Did not exhaust his or her regular benefits or emergency unemployment compensation during his or her eligibility period;

3. Has rights to regular or extended benefits available or is potentially eligible for such benefits under the law of any state (which shall include Puerto Rico, the U.S. Virgin Islands, or the District of Columbia); or

4. Is receiving compensation under the unemployment compensation law of Canada.-

(c) Any notice mailed pursuant to this rule will be accompanied by an EB BRI (10/09), ~~(Extended Benefits Benefit Rights Information)~~, which is hereby incorporated by reference into this rule.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.1115, 443.1117 FS. History–New _____.

60BB-3.0263 Diligent Work Search Requirements.

(1) Claim Certification. Every two weeks, an individual determined to be eligible for extended benefits must report his or her work search activities. The individual may satisfy this requirement by reporting online at <http://www.floridajobs.org/unemployment/EB/index.html>, and clicking on the "Claim Your Weeks" icon, or by filing an AWI UCB-60EB (~~1/10 11/09~~), ~~(Unemployment Compensation Extended Benefit Weekly Claim Certification)~~, in the manner prescribed in paragraphs 60BB-3.0262(1)(a) and (b), F.A.C. Both the online work search report (AWI UCB-60EB-ONL (Rev. 2/10) Benefit Claim Certification) and the AWI UCB-60EB are hereby incorporated by reference into this rule.

(2) Work Search Requirements. Except as provided in subsection (3) of this rule, any eligible individual must conduct at least two work search activities on separate days per week.

(3) Good Job Prospects. Individuals who have been determined to have good job prospects, as defined in subsection 60BB-3.0261(1), F.A.C.:

(a) Are not required to seek other employment, except as provided by subsection (4) of this rule.

(b) Must list, in the Work Search Record portion of the report required in subsection (1) of this rule, the name and address of the employer to which the individual expects to report to work, and the date such work is expected to begin.

(4) Additional Reporting Requirement for Individuals with Good Job Prospects. If, after four weeks of extended benefits, an individual determined to have good job prospects remains unemployed, the Agency will mail him or her an AWI Form UCB231EB (Rev. 12/09 ~~11/09~~), (Unemployment Compensation Extended Benefits (EB) Eligibility Review Questionnaire), which is hereby incorporated by reference into this rule. The individual shall fill out and return this form within ten days of the mailing date, in the manner prescribed in paragraphs 60BB-3.0262(1)(a) and (b), F.A.C.

(5) Failure to Comply. Failure to comply with the requirements of this rule will result in the individual's disqualification from receiving extended benefits until:

- (a) Four weeks have passed since the noncompliance;
- (b) The individual has earned wages that equal four times his or her weekly benefit amount.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented ~~443.031, 443.091, 443.101, 443.111,~~ 443.1115, 443.1117 FS. History--New _____.

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NO.:	RULE TITLE:
60FF-5.002	Rural County Grants

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 4, January 29, 2010 issue of the Florida Administrative Weekly.

The Correction is necessary to correct a typographical error striking out unnecessary language:

Paragraph 60FF-5.002(2)(a), line 9 should read as: "The applicant must provide . . . and seven ~~nine~~ copies postmarked or . . ."

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

The correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above. The person to be contacted regarding this rule is: Ryan Butler, Special Services/E911Manager, E911 Board, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-3050.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Community Affairs, received a petition for waiver from a requirement in Chapter 9B-43, Florida Administrative Code, in regards to a Community Development Block Grant Economic Development Application. The Petitioner, Town of Cross City, submitted an application that mistakenly stated that a Economic Development Element had been adopted as part of the Town's Comprehensive Plan. That accounts for 30 Project Impact Score Points. The Town's Economic Development Element is still in draft status and will be adopted as soon as complete. The request for waiver is based upon the fact that the purpose of the rule will be achieved when the Economic Development Element is adopted. The project is vital to one of the Town's few large employers and would therefore be vital to the Town's economic viability. The Petition was assigned DCA Case No.: DCA10-WAI-015.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on January 26, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not demonstrated how the intent of the code would be met. Nor did the petitioner mention any reason for a variance from Sec. 112.3d, ASME A17.1, as submitted by Paul Starstrom, St. Johns River Power Park and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-446).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to William Snyder, 320 W. Kennedy Bldg., Tampa, FL, to not comply with Rules 3.10.3 and 3.4.2, ASME A17.3, 1996 edition (VW 2009-592).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lydia L. Moscato, Palma Del Mar Condo Assoc. #2, St. Petersburg, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-656).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lydia L. Moscato, Savannah Condo Assoc., Inc., South Pasadena, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-657).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lydia L. Moscato, Santa Maria Condo Assoc., Inc., South Pasadena, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-658).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Ken Walker, Mease Hospital, Dunedin, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until August 1, 2010 (VW 2009-694).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden as there was no explanation as to how the intent of the code would be met. Further, Petitioner did not provide written documentation from the owner stating he is authorized to act on their behalf, as submitted by Dennis Carter, Isle of Clearwater Condo and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-762).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tommy G. Tucker, Lake Destiny Executive Center, Maitland, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-811).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lawrence T. LoCascio, Monroe Park Tower, Tallahassee, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until 2009-814 (VW 2009-814).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Snell Arcade, St. Petersburg, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until December 20, 2012 (VW 2009-817).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Promenade, Longboat Key, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until December 20, 2012 (VW 2009-818).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Veolia Es Pinellas, St. Petersburg, FL to not comply with Rules 5.7.12.2, ASME A17.1, 2000 edition (VW 2009-821).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Rick Lacy, Melbourne Beach Hilton, Indialantic, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until January 1, 2012 (VW 2009-825).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on January 20, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Section 509.221(1)(b), Florida Statutes, and Paragraph 5-202.11(A), 2001 FDA Food Code from Gelato & Such, Orlando, FL. The above referenced F.A.C. addresses the requirements that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize a mopsink located within another licensed establishment under the same ownership and utilize holding tanks to provide potable water and collect waste water.

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.

NOTICE IS HEREBY GIVEN THAT on January 21, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition for a Routine Variance on January 12, 2010 for subsection 61C-4.010(6), Florida Administrative Code, Paragraph 6-501.115(A), 2001 Food Code from Reggae J's located in Panama City Beach, FL. The above referenced F.A.C. addresses the requirements that live animals are not to be allowed on the premises of a public food service establishment under the described conditions. They are requesting to have two live, caged birds (Macaws) in the establishment.

The variance request was published on Vol. 36, No. 04, 1/29/10 and approval is contingent upon the petitioner must ensure the Macaws will not contaminate, either directly or indirectly, food, clean equipment, utensils, linens, or unwrapped single-service or single-use articles. The public is prohibited from direct contact with the parrot. No other prohibited animals will be allowed on the premise. The display enclosure and night sleeping enclosure will be maintained clean and in good repair. All outlined written instructions provided by veterinarian Kim Breeze are to be followed. Birds are to be enclosed in a display cage (approximately 8 feet wide by six feet deep by 10 feet tall). Cleaning instructions include twice daily display cage liner removal, daily spot cleaning and weekly deep cleaning and sanitizing of the cages. Birds will be checked for disease prior to introduction and then screened annually thereafter via diagnostic testing to include blood

work, viral screening and fecal and choanal gram stains. Monthly visual checkups will be conducted to ensure proper husbandry and to detect any change in the birds' health.

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.

NOTICE IS HEREBY GIVEN THAT on January 27, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Section 509.221(1)(b), Florida Statutes, paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Yogurbella, Naples, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be installed within the establishment for use by customers. They are requesting to utilize public bathrooms located on another level less than 300 feet away for customers.

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.

NOTICE IS HEREBY GIVEN THAT on January 25, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Paragraph 4-301.12(A), 2001 FDA Food Code, subsections 61C-4.010(5), 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, Section 509.221(1)(b), Florida Statutes, and Paragraph 5-202.11(A), 2001 FDA Food Code from Yogen Frusz, Miami, FL. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils; discharge sewage into an approved collection system with an approved plumbing system. They are requesting to utilize the dishwashing facilities located within another licensed establishment at the same location and under the same ownership and install potable and waste water holding tanks.

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.

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance for Anthony Ankersmit, filed on August 6, 2009. The Notice of Petition for Variance was published in Vol. 35, No. 33, of the August 21, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 10, 2009, in Tampa, Florida.

The Board's Order, filed on November 30, 2009, grants the Petitioner a conditional Variance or Waiver from subsection 61G4-15.001(2), F.A.C., which would allow Petitioner to construct non-habitable communication structures/cell phone towers, including traditional steel towers, "stealth" communication structures (which are communication structures enclosed with facades to resemble trees, church steeples, and clock towers), and communications structures that are placed on roof tops or are otherwise attached to habitable structures, and habitable accessory use structures not to exceed three stories in height.

A copy of the Board's Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Osteopathic Medicine hereby gives notice that it has received a petition, filed on January 27, 2010, by Douglas Baska, D.O., seeking a permanent waiver or variance of paragraphs 64B15-13.001(3)(b) and (5), F.A.C., with respect to the continuing education requirement for biennial renewal and the provisions of the rule that require live participatory attendance.

Comments on this petition should be filed with: Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, at the above address or telephone (850)245-4161.

The Board of Osteopathic Medicine hereby gives notice that it has received a petition, filed on February 2, 2010, by John J. Urban, Esq., on behalf of Brian R. Kirkland, D.O., seeking a waiver or variance of Rule 64B15-13.001, F.A.C., with respect to the following licensure requirement that every person licensed pursuant to Chapter 459, F.S., except those licensed as a physician assistants pursuant to Section 459.022, F.S., shall be required to complete forty (40) hours of continuing medical education courses approved by the Board in the twenty-four (24) months proceeding each biennial renewal period as established by the Department.

Comments on this petition should be filed with: Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, at the above address or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on February 2, 2010, the Department of Health, received a petition for Variance from paragraph 64E-11.007(5)(a), Florida Administrative Code (F.A.C.), from Jennifer L. Benzie of Pour Sip Savor LLC., 1253 Okeechobee Road, B9, West Palm Beach, FL 33401. This rule section states, "Lavatories shall be located in or immediately adjacent to all toilet rooms. At least one employee handwashing facility shall be located within each food preparation area." 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: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code from Children's Home Society of Florida and Elizabeth Perez, assigned Case No.: 10-001W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

CORRECTION ON DATE – 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: February 24, 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.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Pesticide Registration Evaluation Committee (PREC)** announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2010, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399, (850)487-2130

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section at (850)487-2130 or PREC website: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 15, 2010, 1:00 p.m. – 3:30 p.m.

PLACE: Holiday Inn Hotel & Suites, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the Florida Department of Agriculture and Consumer Services to discuss and review Council programs and budget issues.

A copy of the agenda may be obtained by contacting: Bureau of LP Gas Inspection at (850)921-8001.

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: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection at (850)921-8001. 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: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 15, 2010, 3:30 p.m. – 4:30 p.m.

PLACE: Holiday Inn Hotel & Suites, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Liquefied Petroleum Gas Advisory Board and representatives of the Florida Department of Agriculture and Consumer Services to discuss department programs and issues of industry interest.

A copy of the agenda may be obtained by contacting: Bureau of LP Gas Inspection at (850)921-8001.

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: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection at (850)921-8001. 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: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

The **Florida Peanut Advisory Council** announces a general meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday February 25, 2010, 3:00 p.m. (CST)

PLACE: Jackson County Agricultural Complex and Conference Center Meeting Room B 2741, Penn Ave., Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss research and funding for the current year.

A copy of the agenda may be obtained by contacting: Paul Davis at (850)487-2779.

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: Paul Davis at (850)487-2779. 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: Paul Davis at (850)487-2779.

DEPARTMENT OF EDUCATION

The Florida **Department of Education**, Office of Independent Education and Parental Choice, Charter School Appeal Commission announces a hearing to which all persons are invited.

DATES AND TIMES: February 22, 2010, 9:00 a.m. – until completion; February 23, 2010, 8:30 a.m. – 5:00 p.m.

PLACE: Florida Department of Education, 325 W. Gaines Street, Conference Room 1703/07, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission. Commission Hearing will be hearing the termination of Toussaint L'Ouverture International School, Inc. D/B/A Charter School of Fort Pierce vs. St. Lucie County School Board and the Charter Application Denials of Tradition Academy vs. St. Lucie County School Board; Kathleen C. Wright Schools, Inc. vs. Broward County School Board; Pivot Charter School vs. Broward County School Board; Pivot Charter School vs. Alachua County School Board and Community Green Charter School vs. DeSoto County School Board.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

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: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, February 26, 2010, 9:00 a.m. or as soon thereafter as can be heard

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.

The **Florida Atlantic University** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 2010, 8:00 a.m.

PLACE: 777 Glades Road, Bldg. 69, Room 118, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting regarding Florida's Art in State Building Program for BT-624 FAU/UF Joint Use Facility.

A copy of the agenda may be obtained by contacting: Corina Mavrodi at cmavrodi@fau.edu.

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: Corina Mavrodi at (561)297-0541. 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: Corina Mavrodi at cmavrodi@fau.edu.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Century Commission for a Sustainable Florida** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 1, 2010, 10:00 a.m.

PLACE: Conference Call: (712)451-6000, Participant code #652471 (normal long distance charges will apply)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Strategic Planning Committee of the Century Commission for a Sustainable Florida will meet to develop a work plan for 2010-2011 in order to meet its charge to envision the state over 25 and 50 year planning horizons. The meeting is open to the

public. Callers not engaged in the conversation are asked to keep their phones on mute to enable a more productive meeting.

A copy of the agenda may be obtained by calling (850)219-0082, ext. 5, or by visiting the web site.

All information regarding this meeting and the Century Commission may be obtained at the Internet address www.centurycommission.org.

DEPARTMENT OF REVENUE

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

DATE AND TIME: February 24, 2010, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for Sales and Use Tax Rule 12A-1.060, F.A.C. (Registration).

A copy of the agenda may be obtained by contacting: by going to the Department's Internet site at <http://dor.myflorida.com/dor/rules> or by contacting: Larry Green at (850)922-4830.

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 **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of proposed rules in new Rule Chapter 12D-9, (Requirements for Value Adjustment Boards in Administrative Reviews; Uniform Rules of Procedure for Hearings), partial repeal of provisions in Rule Chapter 12D-10, (Value Adjustment Board), and revised Rule 12D-16.002 (Index to Forms), Florida Administrative Code. Notice of the proposed adoption of rules in new Rule Chapter 12D-9, F.A.C., and revisions to Rule 12D-16.002, F.A.C., were published in the Florida Administrative Weekly (Weekly) on September 4, 2009 (Vol. 35, No. 35, pp. 4249-4280). Notice of the proposed partial repeal of provisions in Rule Chapter 12D-10 was published in the Weekly on December 18, 2009 (Vol. 35, No.

50, pp. 6430-6434). Notices of Change for the rules in new Rule Chapter 12D-9, F.A.C., and Rule 12D-16.002, F.A.C., were published in the January 22, 2010 edition of the Weekly (Vol. 36, No. 3). A second Notice of Change for new Rule Chapter 12D-9, F.A.C., was published in the February 5, 2010 edition of the Weekly (Vol. 36, No. 5).

A copy of the agenda may be obtained by contacting: Janice Forrester at (850)922-7945 or ForrestJ@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)922-7945 or ForrestJ@dor.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).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2010, 2:00 p.m. – 5:00 p.m.

PLACE: The Hermitage Room, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee.

DATE AND TIME: March 25, 2010, 9:00 a.m. – 12:00 Noon

PLACE: The Emerald Coast Room, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee and interviews of audit firms for audits of FRS Pension Plan and FRS Investment Plan.

DATE AND TIME: March 25, 2010, 2:00 p.m. – 5:00 p.m.

PLACE: The Hermitage Room, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee and interviews of audit firms for audits of FRS Pension Plan and FRS Investment Plan.

DATE AND TIME: March 26, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: The Hermitage Room, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee and interviews of audit firms for audits of FRS Pension Plan and FRS Investment Plan.

A copy of the agenda may be obtained by contacting: Loveleen Verma, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Hurricane Catastrophe Fund Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, 9:00 a.m. (ET), immediately following the conclusion of the meeting of the Governor and Cabinet

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Board of Directors of the Florida Hurricane Catastrophe Fund Finance Corporation, a public benefits corporation created under Section 215.555, F.S. The Board of Directors will address and take action on the need to raise additional revenue to fund the obligations, costs and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation. In addition, other general business may be addressed.

A copy of the agenda may be obtained by contacting: Not available.

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 hours before the workshop/meeting by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, (850)413-1341 or tracy.allen@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).

For more information, you may contact: Tracy Allen at the number or email listed above.

The **State Board of Administration (SBA)** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, 9:00 a.m. (ET), immediately following the conclusion of the meeting of the Governor and Cabinet

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to address and take action on the need to raise additional revenue to fund the obligations, costs and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation. In addition, other general business may be addressed.

A copy of the agenda may be obtained by contacting: Not available.

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 hours before the workshop/meeting by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, (850)413-1341 or tracy.allen@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).

For more information, you may contact: Tracy Allen at the number or email listed above.

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2010, 3:00 p.m.

PLACE: Cabinet Meeting Room, LL-03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cabinet Aides briefing session to discuss the agenda of the March 4, 2010, State Board of Administration Trustees meeting.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration at (850)413-1253 or diane.bruce@sbafla.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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Investment Advisory Council (IAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 3, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration at (850)413-1253 or diane.bruce@sbafla.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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 4, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting with the Trustees to discuss general State Board of Administration operations and investments of trust funds.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration at (850)413-1253 or diane.bruce@sbafla.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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, March 3, 2010; March 17, 2010; March 24, 2010; March 31, 2010, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

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: Florida Parole Commission at ada@fpc.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.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: March 2, 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.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 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: 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, Tallahassee, Florida.

The Florida **Public Service Commission** announces its Internal Affairs Meeting for March 2, 2010, to which all interested persons are invited.

DATE AND TIME: March 2, 2010, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: 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 public meeting in the following docket to which all persons are invited. One or more Commissioners may be in attendance and may participate.

DOCKET NO. AND TITLE: 090505-EI – Review of replacement fuel costs associated with the February 26, 2008 outage on Florida Power & Light's electrical system.

PREHEARING CONFERENCE:

DATE AND TIME: Wednesday, March 3, 2010, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING:

DATES AND TIME: Wednesday and Thursday, March 17, 2010, 9:30 a.m.; March 18, 2010 has also been reserved for the continuation of the hearing if needed.

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING: The purpose of the meeting is to permit parties to present testimony and exhibits regarding the appropriate responsibility for and amount of purchased power costs associated with February 26, 2008, Flagami Transmission event, 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 March 3, 2010.

Emergency Cancellation of Customer Meeting: 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 the 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 a public customer meeting in the following docket to which all persons are invited.

TITLE: Application for staff-assisted rate case in Polk County by West Lakeland Wastewater, Inc.

Docket No.: 090415-SU

DATE AND TIME: Tuesday, March 9, 2010, 6:00 p.m.

PLACE: Village Lakeland Clubhouse, 3574 Lazy Lake Dr. North, Lakeland, FL 33801-6408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No.: 090415-SU – Application for staff-assisted rate case in Polk County by West Lakeland Wastewater, Inc. The purpose of the customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this

meeting. All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present.

Emergency Cancellation of Customer Meeting: 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.

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 32399-085, (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 a public customer meeting in the following docket to which all persons are invited.

DATE AND TIME: Wednesday, March 10, 2010, 6:00 p.m.

PLACE: Chain of Lakes Complex (Poolside Room), 210 Cypress Gardens Boulevard, Winter Haven, Florida 33880

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 090414-WU – Application for staff-assisted rate case in Polk County by Pinecrest Ranches, Inc.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact: Commission staff, Ralph Jaeger at (850)413-6234 (legal questions) or Lydia Roberts at (850)413-6877 (technical questions).

Emergency Cancellation of Customer Meeting: 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 the 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 16, 2010; February 23, 2010, 1:30 p.m. – 2:30 p.m.

PLACE: Room 2105, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Prescription Drug Monitoring Program Direct Support Organization.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

For more information, you may contact: Claude Shipley at (850)414-8820.

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010, 1:00 p.m. – until completion

PLACE: Toni Jennings Room, 110 Senate Office Building, 404 South Monroe Street, Tallahassee, FL. Staff will conduct the conference call from: 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 (866)233-5216 and the conference code is 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 5 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.

The **Office of Suicide Prevention** announces a public meeting to which all persons are invited.

DATE AND TIME: March 23, 2010, 1:30 p.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide prevention issues.

A copy of the agenda may be obtained by contacting: Erin MacInnes at (850)922-0498.

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: Erin MacInnes at (850)922-0498. 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: Erin MacInnes at (850)922-0498.

The **Florida Film and Entertainment Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday March 26, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4104765#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry, general administrative matters of the Advisory Council and hear public input and advisement.

A copy of the agenda may be obtained by contacting: Office of Film and Entertainment at (850)410-4765.

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: Office of Film and Entertainment at (850)410-4765. 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: Office of Film and Entertainment at (850)410-4765.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 6:00 p.m.
 PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 6:00 p.m.
 PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 7:30 p.m.
 PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **East Central Florida Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 17, 2010, 10:00 a.m.
 PLACE: ECFRPC Conference Room, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Tuesdai Brunsonbyrd-Bowden at (407)262-7772 or tbyrd@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 2 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Tampa Bay Regional Planning Council**, Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 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.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 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.

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: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 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 TBRPC 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. 22.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Suzanne Cooper at (727)570-5151, ext. 32. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 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 TBRPC Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 1, 2010, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Park Square at Doral Development Order – City of Doral. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Marathon. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call: Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 South Monroe 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 website: www.ethics.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: 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.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 1:00 p.m. (EST)

PLACE: District Headquarters, 10 miles west of Tallahassee on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

OTHER MEETINGS HELD ON FEBRUARY 25, 2010:

12:00 Noon – 12:30 p.m. District Lands Committee Meeting – to discuss Land Acquisition Matters.

1:15 p.m. Public Hearing on Regulatory Matters.

1:20 p.m. Public Hearing on Land Acquisition Matters.

A copy of the agenda may be obtained by contacting: Robin Tucker, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet at www.nfwfmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten at (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF AMENDMENT – The St. Johns River Water Management District announces a public meeting to which all persons are invited.

AMENDED DATE AND TIME: Monday, February 22, 2010, 1:30 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on pending applications for individual consumptive use permits and individual environmental resource permits. An agenda will be available at least 7 days before the meeting. The agenda will identify those permit applications for which the District will receive public testimony or information.

A copy of the agenda may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, Attention: Vicki Young, 4049 Reid Street, Palatka, FL 32177, (386)329-4523, or by visiting the District's website: 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 announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 25, 2010, 5:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on a pending application for Individual Consumptive Use Permit No.: 2-107-119244-1, Little Big Sturgeon Farm.

A copy of the pending application may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, Attention: Vicki Young, 4049 Reid Street, Palatka, FL 32177, (386)329-4523, or by visiting District's website" 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 Southwest Florida Water Management District (SWFWMD) announces a workshop to which all persons are invited.

DATE AND TIME: Monday, February 22, 2010, 9:00 a.m.

PLACE: Brooker Creek Preserve Environmental Education Center, 3940 Keystone Road, Tarpon Springs, FL 34688

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board and Tampa Bay Water Joint Workshop: Discuss state of the water resources and emerging issues. SWFWMD Basin Board members and elected officials from Pinellas, Pasco and Hillsborough counties may attend.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, 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).

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: Luanne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0013).

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 22, 2010, 12:30 p.m.
 PLACE: Brooker Creek Preserve Environmental Education Center, 3940 Keystone Road, Tarpon Springs, FL 34688
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, 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).

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: Luanne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0014).

The **Water Resources Advisory Commission (WRAC)**, Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, 9:00 a.m. – 4:00 p.m.
 PLACE: Bearsley Room, 1300 South WC Owens Ave., Clewiston, FL 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Lake Okeechobee service area water supply needs. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours 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).

The Upper **East Coast Regional, Water Supply Plan, Water Resources Advisory Commission**, Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 9:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Martin/St. Lucie Service Center, 780 S. E. Indian Street, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: Upper East Coast Overview of Water Supply Planning requirements and update process. Public water supply population projections and demands. Goal and proposed objectives for UEC Plan Update.

A copy of the agenda may be obtained by contacting: Linda Hoppes at email: lhoppes@sfwmd.gov or (561)682-2213.

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).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Quarterly meeting of the Everglades Technical Oversight Committee (TOC), March 2, 2010, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website (http://www.sfwmd.gov/org/ema/toc/draft_agenda.html) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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 Clerk's Office 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).

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: District Clerk's Office at (561)682-2087.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Communities for a Lifetime announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 2010, 9:30 a.m. – 11:30 a.m. (EST)

PLACE: City of Niceville, City Hall Council Chambers, 208 N. Partin Drive, Niceville, Florida 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presenters will discuss economic fraud and how seniors can identify it and protect themselves.

A copy of the agenda may be obtained by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, by email: harrisj@elderaffairs.org or by phone: (850)414-2373.

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: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, by email: harrisj@elderaffairs.org or by phone: (850)414-2373. 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: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, by email: harrisj@elderaffairs.org or by phone: (850)414-2373.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8509210813#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Panel on Excellence in Long-Term Care will be discussing pending Rule 59A-4.201, F.A.C., Gold Seal Award, Gold Seal Panel agenda items and other business as needed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 (850)488-5861.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)488-5861.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 10, 2009, 2:00 p.m. – 4:30 p.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room D, 2727 Mahan Drive, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of a Technical Advisory Panel formed by the Agency will examine need for any changes to two existing Agency rules: Subsection 59A-7.020(15) and Rule 59A-7.037, F.A.C., in accordance with Section 483.245(1), Florida Statutes. That subsection states that it is unlawful for any person to pay or receive any commission, bonus, kickback, or rebate or engage in any split-fee arrangement in any form whatsoever with any dialysis facility, physician, surgeon, organization, agency, or person, either directly or indirectly, for patients referred to a clinical laboratory licensed under Chapter 483, Part I, Florida Statutes.

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: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)487-3109. 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: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)487-3109.

The **Agency for Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: February 23, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The additional public hearing is for proposed Rule 59G-6.020, F.A.C., Payment Methodology for Inpatient Hospital Services, which published in Vol. 35, No. 48 of the Florida Administrative Weekly on December 4, 2009. The purpose of the proposed Rule 59G-6.020, F.A.C., is to incorporate

changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective July 1, 2009.

A copy of the agenda may be obtained by contacting: Edwin Stephens, 2727 Mahan Drive, Tallahassee, FL 32308, (850)414-2759 or e-mail: stephene@ahca.myflorida.com.

The **Agency for Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: February 23, 2010, 10:00 a.m. – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The additional public hearing is for proposed Rule 59G-6.030, F.A.C., Payment Methodology for Outpatient Hospital Services, which published in Vol. 35, No. 48 of the Florida Administrative Weekly on December 4, 2009. The purpose of the proposed Rule 59G-6.030, F.A.C., is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective July 1, 2009.

A copy of the agenda may be obtained by contacting: Edwin Stephens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308, (850)414-2759 or stephene@ahca.myflorida.com.

For more information, you may contact: Edwin Stephens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308, (850)414-2759 or stephene@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Governor's Mansion Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 22, 2010, 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 414-2483#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Meeting.

A copy of the agenda may be obtained by contacting: Department of Management Services, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315, Tallahassee, FL 32399-0950, (850)413-8417.

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: Department of Management Services, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315, Tallahassee, FL 32399-0950, (850)413-8417.

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 BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 24, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Conference Call: 1(888)808-6959, Conference Code: 9222736#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will conduct a SunCom remote teleconference to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: doug.melvin@dbpr.state.fl.us.

The **Board of Auctioneers** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 12, 2010, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers at (850)922-5012 or by Fax (850)617-4458.

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 Auctioneers at (850)922-5012 or by Fax (850)617-4458. 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 Auctioneers at (850)922-5012 or by Fax (850)617-4458.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: February 23, 2010, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Board of Cosmetology** announces a public meeting to which all persons are invited.

DATE AND TIME: April 26-27, 2010, 9:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida 32084, (904)819-6065

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

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 Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Pilot Commissioners** announces a public meeting to which all persons are invited.

DATES AND TIMES: April 29, 2010, 1:00 p.m.; April 30, 2010, 9:00 a.m. (CST)

PLACE: Crowne Plaza Hotel, 200 E. Gregory Street, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel, portions may be closed to the public, and regular board business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

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

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

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 23, 2010, 10:00 a.m.

PLACE: FBPE Offices, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303. Conference Call: 1(866)895-8146, Conference Code: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@fbpe.org.

The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: April 6, 2010, 10:00 a.m.

PLACE: Hyatt Regency Tampa, Two Tampa Center, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday-Wednesday, April 6, 2010, 1:00 p.m.; April 7, 2010, 8:30 a.m.

PLACE: Hyatt Regency Tampa, Two Tampa Center, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@fbpe.org.

The **Florida Engineers Management Corporation**, Board Operations Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 20, 2010, 10:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303. Conference Call: 1(866)895-8146, Conference Code: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@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: Rebecca Sammons at rsammons@fbpe.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 2010, 8:30 a.m. – 12:30 p.m.

PLACE: Wyndham Orlando Resort, Palm C & D Room, 8001 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to discuss the U.S. Environmental Protection Agency's (EPA) proposed numeric nutrient criteria for lakes and flowing waters, including canals, in Florida. The Department plans to respond to questions raised by the public during EPA's public hearings scheduled for February 16-18, 2010, on the proposed criteria and field any additional questions to the best of the Department's ability. While not intended as a meeting of the Numeric Nutrient Criteria Technical Advisory Committee (Nutrient TAC), one or more members of the Nutrient TAC may participate and provide comments at this meeting.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

Further information also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 2010, 1:30 p.m.

PLACE: Southwest Florida Regional Planning Council, First Floor Conference Room, 1926 Victoria Avenue, Ft. Myers, Florida 33901-3414

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting for the Everglades West Coast Basin Management Action Plan (BMAP) to discuss implementation of Total Maximum Daily Loads (TMDLs) in the Hendry Creek and Imperial River basins. The primary topics for discussion are the detailed allocation procedure and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Beth Alvi, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8559.

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: Ms. Beth Alvi at (850)245-8559. If you are hearing

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

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2010, 1:30 p.m.

PLACE: Southwest Florida Regional Planning Council, First Floor, Conference Room, 1926 Victoria Avenue, Ft. Myers, FL 33901-3414

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the Tidal Caloosahatchee Basin Management Action Plan (BMAP). The primary topics for discussion are the detailed allocation procedure and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Beth Alvi, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8559.

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: Ms. Beth Alvi at (850)245-8559. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, March 2, 2010, 8:30 a.m. – 4:00 p.m.; Wednesday, March 3, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: University of Miami, Rosenstiel School Auditorium, 4600 Rickenbacker Causeway, Virginia Key, FL 33149

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to aid the Department in establishing numeric nutrient criteria for estuaries and coastal waters in the following areas: Florida Bay, Florida Keys, Biscayne Bay, and Southeast Coastal Reef Tract (Key Biscayne to Vero Beach).

The Department is seeking to gather information on individual marine systems that will serve to support statewide criteria development and provide a solid foundation to establish nutrient criteria appropriate for each specific area. The initial effort consists of identifying currently available data and soliciting local area expertise, including members of the Numeric Nutrient Criteria Technical Advisory Committee (Nutrients TAC). The purpose of the meeting is to solicit and discuss information regarding nutrients and documented associations between nutrients and ecological conditions

within the estuaries. While not intended as a meeting of the Nutrients TAC, one or more members of the Nutrients TAC may participate and provide comments at this meeting.

A copy of the agenda may be obtained by contacting: Ken Weaver, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8414 or e-mail: kenneth.weaver@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ken Weaver at (850)245-8414. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 3, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: University of North Florida, Student Union Ballrooms C and D, 1 University of North Florida Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to aid the Department in establishing numeric nutrient criteria for estuaries and coastal waters in the following areas: Halifax River, lower St. Johns River, Guana River/Tolomato River/Matanzas River, and Nassau River/Amelia River/St. Marys River.

The Department is seeking to gather information on individual marine systems that will serve to support statewide criteria development and provide a solid foundation to establish numeric nutrient criteria appropriate for each specific area. The purpose of the meeting is to solicit and discuss information regarding nutrients and documented associations between nutrients and ecological conditions within the estuaries. While not intended as a meeting of the Numeric Nutrient Criteria Technical Advisory Committee (Nutrient TAC), one or more members of the Nutrient TAC may participate and provide comments at this meeting.

A copy of the agenda may be obtained by contacting: Joy Jackson, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8074 or e-mail: joy.jackson@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joy Jackson at (850)245-8074. If you are hearing

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

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 4, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Rookery Bay National Estuarine Research Reserve Auditorium, 300 Tower Road, Naples, FL 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to aid the Department in establishing numeric nutrient criteria for estuaries and coastal waters in the following areas: Rookery Bay and Ten-Thousand Islands.

The Department is seeking to gather information on individual marine systems that will serve to support statewide criteria development and provide a solid foundation to establish numeric nutrient criteria appropriate for each specific area. The initial effort consists of identifying currently available data and soliciting local area expertise, including members of the Numeric Nutrient Criteria Technical Advisory Committee (Nutrients TAC). The purpose of the meeting is to solicit and discuss information regarding nutrients and documented associations between nutrients and ecological conditions within the estuaries. While not intended as a meeting of the Nutrients TAC, one or more members of the Nutrients TAC may participate and provide comments at this meeting.

A copy of the agenda may be obtained by contacting: Garry Payne, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8423 or e-mail: grover.payne@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Garry Payne at (850)245-8423. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 10, 2010, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Numeric Nutrient Criteria Technical Advisory Committee. The meeting will continue discussion of numeric nutrient criteria for Florida's waters and will

specifically discuss the U.S. Environmental Protection Agency's proposed numeric nutrient criteria proposal for Florida's lakes and flowing waters, including canals, that was published on January 26, 2010 in the Federal Register.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

Further information also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Governor's Task Force on Autism Spectrum Disorders** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 18, 2010; February 25, 2010; March 4, 2010; March 11, 2010; March 18, 2010; March 25, 2010; April 1, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9439484#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 09-82.

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: Christine Brenco at (850)487-3763 or by email: Christine_Brenco@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Brenco at (850)487-3763 or by email: Christine_Brenco@apd.state.fl.us.

NOTICE OF CANCELLATION – The Florida **Department of Health, Division of Medical Quality Assurance** announces the CANCELLATION of the State Agency Best Practices Consortium.

DATE AND TIME: Tuesday, February 23, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Capital Center Office Complex (Southwood), 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting was to discuss and share best practices and initiatives with other state agencies. This meeting will be rescheduled at a later date.

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

DATE AND TIME: March 5, 2010, 9:00 a.m. or shortly thereafter

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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 Acupuncture 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.

The **Department of Health, Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, February 27, 2010, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee per Rule 64B8-1.002, F.A.C.

A copy of the agenda may be obtained by contacting: Reginald Colston, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Team, 4052 Bald Cypress Way, Bin #C76, Tallahassee, Florida 32399-3251.

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: Reginald Colston at (850)245-4268, ext. 3546. 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: Reginald Colston at (850)245-4268, ext. 3546.

The Probable Cause Panel of the **Board of Pharmacy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 23, 2010, 9:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5642037#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Billie Jo Owens, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, #C65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Speech-Language Pathology and Audiology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 4, 2010, 9:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454597#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Kaye Howerton, Executive Director, Board of Speech-Language Pathology and Audiology, 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: Christy Robinson 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

Tampa

DATE AND TIME: February 17, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Department of Children and Families Suncoast Regional Office, 9393 North Florida Avenue, Tampa, FL 33612

Tallahassee

DATE AND TIME: March 11, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Big Bend Community Based Care, 1000 West Tharpe Street, Tallahassee, FL 32301

Ft. Myers

DATE AND TIME: March 25, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Department of Children and Families Regional Office, 2295 Victoria Avenue, Room 165 C & D, Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Gabriel Myers Child on Child Sexual Abuse Work Group Meeting.

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 9:00 a.m. – 3:00 p.m.

PLACE: West Palm Beach Marriott Hotel, 1001 Okeechobee Boulevard, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Task Force on Fostering Success.

A copy of the agenda may be obtained by contacting: gail_sinclair@dcf.state.fl.us.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 2010, 2:00 p.m. – 3:30 p.m.

PLACE: Secretary's Large Conference Room, 1317 Winewood Blvd., Building 1, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The co-chairs of the Advisory Committee on Economic Security will continue discussion on the committee recommendations with Secretary George Sheldon. The future direction of the committee will also be discussed.

A copy of the agenda may be obtained by contacting: ACCESS Florida Headquarter's Office at (850)488-3169.

The **Department of Children and Families**, Substance Abuse Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Rooms 2002-2004, 1601 West Gulf Atlantic Highway, Wildwood, FL 34785

GENERAL SUBJECT MATTER TO BE CONSIDERED: The provision of both Substance Abuse and Mental Health services is moving toward a Managing Entity. This meeting is being held to inform any interested parties of this movement and to secure feedback from stakeholders. At this meeting managing entity will be explained. Also at this meeting will be a discussion of how the implementation of a managing entity may cause a change of service benefits and service provision.

A copy of the agenda may be obtained by contacting: Dale Benefield at (352)330-5522.

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: Christina Turner at (352)330-5526. 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 **Family Safety Program Office** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: DCF Suncoast Region, 9393 North Florida Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Redesign of Services to Young Adults Formerly in Foster Care.

A copy of the agenda may be obtained by contacting: Gay Frizzell, DCF Family Safety Program Office, 1317 Winewood Blvd., Tallahassee, FL 32399, (850)921-3005, Gay_Frizzell@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. 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: Gay Frizzell, DCF Family Safety Program Office at (850)921-3005, Gay_Frizzell@dcf.state.fl.us.

The **Local Planning Team** announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2010, 11:00 a.m.

PLACE: JAC Center, 823 W. Central Blvd., Orlando, FL 32805

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to children and families.

A copy of the agenda may be obtained by contacting: Kristi Gray at (407)245-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. 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: Kristi Gray at (407)245-0400.

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

DATE AND TIME: February 12, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Miami-Dade College, Wolfson Campus, 500 N. E. 2nd Avenue, Building 3, Room 3208, Miami, Florida 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: This task force has been active for many years. The participants are representatives of various government agencies, private not-for-profit organizations and mutual assistance associations. The purpose of these meetings is to increase awareness of the refugee populations, share best practices, build collaborations between agencies, spot trends in refugee populations, characteristics or movements, help create good communication among service providers; get informed about upcoming community events, request for proposals, training, workshops, conferences, etc., at the local, state and national level; discuss refugee program service needs and possible solutions to meeting those needs. Meeting participants also receive updates, information and clarification on new federal and state regulations and policy changes pertaining to refugees.

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: Adria Dilme at (305)377-7518 or Lourdes Leconte at (305)376-1947. 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: Adria Dilme at (305)377-7518 or Lourdes Leconte at (305)376-1947.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2010, 3:00 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Rm. 203, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The initial meeting of Department Evaluators as provided for in Section 2.5 and Appendix XI-a of RFP #11K09BS3, published on the Vendor Bid System (VBS) on January 11, 2010. Notice of the foregoing meetings will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes. The VBS can be accessed at: http://vbs.dms.state.fl.us/main_menu.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Rm. 203, Tallahassee, FL 32399-0700 or email: Anna_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Rm. 203, Tallahassee, FL 32399-0700 or email: Anna_Bethea@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010 (immediately following the Board meeting which begins at 8:30 a.m.)

PLACE: Florida Housing Finance Corporation, Seltzer Room, 6th Floor, 227 North Bronough Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public meeting will be held to receive comments and suggestions from interested persons relating to Chapter 67-57, F.A.C., which is to establish procedures for the Homeownership Pool ("HOP") Program by which the Corporation shall administer the application process, determine loan amounts, service loans, and provide purchase assistance to eligible homebuyers under the HOME Investment Partnerships Program (HOME) and/or the Homeownership Assistance Program (HAP) as authorized by Sections 420.5088 and 420.5089, F.S. and HUD regulations, 24 CFR § 92.

A copy of the agenda may be obtained by contacting: Bridget Warring, Homeownership Programs Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (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: Bridget Warring at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Office of the Insurance Consumer Advocate** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 1:30 p.m. – 4:00 p.m.

PLACE: State Building, South Tower, Room 706, 400 W. Robinson Street, Orlando, FL 323801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introductory meeting of the Insurance Consumer Advocate's Workers' Compensation Advisory Group.

A copy of the agenda will be posted on the website at: www.myfloridacfo.com/ICA/.

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: Lauri Goldman at (850)413-5926 or e-mail: lauri.goldman@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 **Department Financial Service, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 2, 2010, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium, 325 John Knox Road, Tallahassee, Florida 32303
Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850)413-1591, (SC) 293-1591. (Cisco VoIP Internal callers may reach the Conference Call by dialing

11591). Once you have dialed the initial number you will be prompted to enter the Conference ID: 782830#. The connection will be available 5 to 10 minutes before 10:00 a.m.
GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board per Rule 69A-3.009, F.A.C.

A copy of the agenda may be obtained by contacting: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3628.

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: Donald Rollins number listed above. 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).

DISABILITY SOLUTIONS FOR INDEPENDENT LIVING, INC.

The **disAbility Solutions for Independent Living, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: 119 S. Palmetto Avenue, Suite 180, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Board of Directors Meeting, that is open to the public. A review of the fiscal and budget reports will be conducted, as well as a discussion of the fundraising efforts and the expansion of the agency's programs.

A copy of the agenda may be obtained by contacting: Kristine@dsil.org or call: (386)255-1812 or TTY (386)252-6222.

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: kristine@dsil.org or call: (386)255-1812 or TTY (386)252-6222. 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: disAbility Solutions' office Monday through Friday, 9:00 a.m. – 5:00 p.m.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Information Systems Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, February 16, 2010, 2:00 p.m.

PLACE: Dial in Number: 1(866)765-5861

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Information Systems Advisory Committee. A copy of the agenda may be obtained by contacting: Corporate website at: <https://www.citizensfla.com> or Stephanie Martin at (850)513-3751.

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: Stephanie Martin at (850)513-3751. 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 **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 17, 2010, 12:30 p.m. (EST)

PLACE: Sanibel Harbour Marriott, 17260 Harbour Point Drive, Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding at 1(800)807-7647, extension 3874.

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: Sara Golding at 1(800)807-7647, extension 3874. 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: Sara Golding at 1(800)807-7647, extension 3874.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority (TRDA)** announces a public meeting to which all persons are invited.

DATE AND TIME: February 19, 2010, 9:00 a.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit Committee – Review and Acceptance of FY 09 Fiscal Audit.

A copy of the agenda may be obtained by contacting: Dave Kershaw, Deputy Director at dkershaw@trda.org or (321)872-1050, ext. 102.

SCRIPPS FLORIDA FUNDING CORPORATION

The Audit Committee of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 2010, 1:00 p.m. (EST)

PLACE: Conference Call: (219)509-8322, Passcode: 888954#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review TSRI audited financial statements and discuss the Audit Committee charter.

A copy of the agenda may be obtained by contacting: jenni.garrison@myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: jenni.garrison@myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Investment Committee of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2010, 12:00 Noon (EST)

PLACE: Conference Call: (219)509-8322, Passcode: 888954#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review the monthly investment statements and discuss proposed changes in investments.

A copy of the agenda may be obtained by contacting: jenni.garrison@myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: jenni.garrison@myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation**, Grant Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 2010, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4888347#, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, Florida 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and recommend funding for grant applications received by the January 10, 2010 deadline.

A copy of the agenda may be obtained by contacting: Larry Pendleton, President/CEO at email: info@flasports.com.

SOUTHWEST FLORIDA PUBLIC SERVICE ACADEMY

The **Southwest Florida Public Service Academy** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2010, 9:30 a.m.

PLACE: SWFPSA

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda: Pledge of Allegiance, Introduction of guests. Approval of minutes of November 17, 2009 meeting – Academy Report from Sarasota Technical Institute, Academy Report from Southwest Florida Public Service Academy, Impending Vacancy on Region-10 Board, Discussion of specialized Classes, Other items of interest, Schedule of next meeting, Adjournment.

A copy of the agenda may be obtained by contacting: Angela Esteves at (239)989-5027.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA**, Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 23, 2010, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include approval of minutes; legislative update; bylaws; and committee reports on 2009 year-end reserves, 2010 rates, return of premium dividend, collection services, server equipment co-location hosting services, investment management services and compliance review of the current investment portfolio.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

FLORIDA HIGHER EDUCATION FACILITIES FINANCING AUTHORITY

The **Florida Higher Education Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 24, 2010, 12:00 Noon – 1:00 p.m.

PLACE: Campus of Rollins College, 1000 Holt Avenue, Winter Park, FL 32789, (407)646-2120. Conference Call: 1(866)578-5716, Conference Code: 6813188#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to consider an application by Rollins College for the issuance of bonds by the Authority in an amount not to exceed \$70 million to fund a loan to Rollins College for the purpose of financing or refinancing certain educational facilities of Rollins College; to consider an initial resolution relating to such bonds; to hold a public hearing with respect to such bonds; and such other matters as shall be addressed by the Authority at such meeting.

Consider application by Saint Leo University for bonds to be issued by the Authority to fund a loan to Saint Leo University to finance or refinance educational facilities of Saint Leo University; consider an initial resolution relating thereto; and such other matters as shall come before the Authority at said meeting.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Ave., Tallahassee, Florida 32301, (850)681-3188.

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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Ave., Tallahassee, Florida 32301, (850)681-3188. 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Ave., Tallahassee, Florida 32301, (850)681-3188.

PRIDE ENTERPRISES

The **PRIDE Enterprises** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2010, 1:00 p.m. (EST)

PLACE: Governor’s Club, 202 S. Adams St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: dkiminki@pride-enterprises.org.

The **PRIDE Enterprises** announces a public meeting to which all persons are invited.

DATE AND TIMES: February 25, 2010, 9:30 a.m. and 11:30 a.m. (EST)

PLACE: Calhoun Correctional Institution Administration Bldg.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors tour of PRIDE N. FL Graphics Industry.

A copy of the agenda may be obtained by contacting: dkiminki@pride-enterprises.org.

SOIL AND WATER CONSERVATION DISTRICTS

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2010, 1:00 p.m.

PLACE: 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Barbara Tillis at (863)674-4160.

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, February 26, 2010, 9:00 a.m. (Eastern Time); March 5, 2010 if needed

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Council business, rule reviews, legislative updates if needed.

A copy of the agenda may be obtained by contacting: Vicky Baker at (850)473-7816 or vicky.baker@floridasbrac.org.

For more information, you may contact: Vicky Baker at (850)473-7816 or vicky.baker@floridasbrac.org.

FLORIDA WORKERS’ COMPENSATION INSURANCE GUARANTY ASSOCIATION

The **Florida Workers’ Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010, 10:30 a.m. (EST)

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Audit proposals received.

Anyone wishing to obtain a copy of the request for proposal should contact: Cathy Irvin at cirvin@agfgroup.org.

A copy of the agenda may be obtained by contacting: Cathy Irvin at cirvin@agfgroup.org or (850)386-9200, ext. 1810.

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: Cathy Irvin at (850)386-9200, ext. 1810. 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 INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 26, 2010, 10:30 a.m. (EST)

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Audit proposals received.

Anyone wishing to obtain a copy of the request for proposal should contact Cathy Irvin at cirvin@agfgroup.org.

A copy of the agenda may be obtained by contacting: Cathy Irvin at cirvin@agfgroup.org or (850)386-9200, ext. 1810.

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: Cathy Irvin at (850)386-9200, ext. 1810. 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).

ADVOCACY CENTER FOR PERSONS WITH DISABILITIES, INC.

The **Advocacy Center for Persons with Disabilities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 12, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301, (850)219-2136.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advocacy Center for Persons with Disabilities, Inc., Florida's Protection & Advocacy Programs Quarterly/Joint Meeting of the Board of Directors/Protection & Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council & Members.

A copy of the agenda may be obtained by contacting: Paige Morgan or Leslie Evans at (850)488-9071, ext. 219 or 231.

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: Advocacy Center for Persons with Disabilities, Inc., 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301, 1(800)342-0823, (TDD) 1(800)346-4127. 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: Paige Morgan at (850)488-9071, ext. 219.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

The Department of Management Services, E911 Board, hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for: Marion County Sheriff, Ed Dean file on September 25, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 40, of the October 9, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on November 18, 2009.

The Board's Order, filed on December 22, 2009, states that the proposed expense is not an allowable expense in accordance with Section 365.172(9), Florida Statutes. According to the proposed system, the emergency text sender would not be dialing 911, the call or text would not be coming through the E911 system, and the current law does not allow the Petitioner to advertise the non-911 text message telephone number as an emergency number.

A copy of the Board's Order may be obtained by contacting: Ryan Butler, Special Services/E911Manager, E911 Board, 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399-3050.

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

NOTICE IS HEREBY GIVEN THAT on December 23, 2009, the Department of Health, Board of Dentistry has received the petition for declaratory statement from Nova Southeastern

University, Inc., 3200 South University Drive, Davie, FL 33328-2018. The petition seeks the agency’s opinion as to the applicability of Sections 466.006 and 466.0065, Florida Statutes, and Rule 64B5-2.013, Florida Administrative Code, as it applies to the petitioner. as it applies to the petitioner.

The petition seeks a Declaratory Statement from the Department of Health, Board of Dentistry, regarding the administration of the Dental Licensure Examination at Nova Southeastern University in March 2010. The Petition seeks the Department’s guidance on the particular location or locations which will administer the clinical portion of the exam.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-1703.

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 AGRICULTURE AND CONSUMER SERVICES

INVITATION TO BID

As a Contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Forestry, hereinafter referred to as Owner, for the construction of building facilities at: Penney Farms Forestry Station, 4980 State Road 16 West, Starke, Florida. The Project Budget is estimated to be: \$450,000.00

The Department is seeking a Contractor for the construction of building facilities for the Penney Farms Forestry Station. The contractor shall provide all materials, labor, equipment and inspection fees necessary for the construction of building facilities in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME AND LOCATION: Penney Farms Forestry Station, 4980 State Road 16 West, Starke, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at: <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number: ITB/DF-09/10-63, or by calling the Purchasing Office at (850)617-7181.

PLANS AND DRAWINGS: Architectural and Civil Drawings, including technical specifications can be viewed at The Crossroads, 200-A South Orange Avenue (US 16W & US 17), Green Cove Springs, FL, (904)529-1940. These documents are available for viewing and/or purchasing copies, and they are listed as follows: Architectural Plans, Architectural Specification Book, Civil Engineering Plans, and Civil Engineering Specification Book.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on February 24, 2010, 11:00 a.m. at Penney Farms Forestry Station, 4980 State Road 16 West, Starke, Florida. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders’ responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may

not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION, DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: Each bid shall be accompanied by a Performance Bond in the amount of one-hundred percent (100%) of the Base Bid Price.

BID BOND: Each bid shall be accompanied by a Bid Bond Guarantee payable to the Department in the amount of five percent (5%) of the Base Bid Price.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: March 31, 2010, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

DEPARTMENT OF EDUCATION

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-135, Jennings West & Annex Electrical Distribution & Fire Alarm, estimated budget: \$230,000, to be opened March 24, 2010, 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes all

materials, labor and equipment described in the contract documents which includes: demolition, penetration firestopping, electrical and fire alarm work. Mandatory pre-bid meeting will be held February 18, 2010, 2:00 p.m., in the 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.

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 of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-136, JHMHC Communicator Replace Precooling Coil for Thus #3-5 & Communicator AHU #6 Replacement, estimated budget: \$750,000, to be opened: March 31, 2010, 2:00 p.m., 101 Elmer Hall, Radio Road, Gainesville, FL. Scope of work: The work includes the replacement of a single precool coil and a single preheat coil currently serving AHUs #3-5 and the complete replacement of AHU #6 per the Contract Documents.

A mandatory pre-bid meeting will be held: February 24, 2010, 10:00 a.m., in the Communicore Building Room C1-9, Gainesville, FL. The contractor prequalification criteria will be discussed at the pre-bid meeting. Questions should be directed to: Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the continuing service contract listed below:

Project and Location: Minor Projects

Florida State University
Tallahassee, Florida

Project Description: The construction manager will be a single point of responsibility for performance of minor project construction contracts, functioning as an independent contractor; publicly bidding trade contracts. The construction manager may be required to perform a project utilizing the Design/Build method of delivery. A minor project is defined as a project with a construction budget estimated to be less than \$2,000,000 or studies for which the fee for professional

services is \$200,000 or less. Accordingly, the selected firm(s) minimum bonding capacity should be \$2,000,000 and be sufficient to contract multiple concurrent projects. The University intends to award multiple contracts for the upcoming fiscal year through June 30, 2011 with an option to renew for two additional one year periods.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping /administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants. Finalists will be provided with a description of the final interview requirements and a copy of FSU's standard construction management agreement for minor projects. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the architect/engineers under contract with the University to provide services on minor projects.

INSTRUCTIONS:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application.

The Florida State University Construction Manager Qualifications Supplement form and the Project Fact Sheet may be obtained on line at: www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Design & Construction, 109 Mendenhall Building A, Florida State University, Tallahassee, FL 32306-4152, (850)644-2843, (850)644-8351 Facsimile.

Five (5) bound copies of the required proposal data shall be submitted. Submittals must be received at the above location by 2:00 p.m. (Local Time), Tuesday, March 16, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

For further information on campus service projects, contact: Bill Lamb at the address and phone number above. The plans and specifications for campus service 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 construction management firm may not submit a proposal for this project if it is on the convicted vendor list for

a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services for minor projects are required in the discipline of civil engineering. Minor projects are specific projects for construction, renovation, alterations or additions that have a basic construction budget estimated to be \$2,000,000 or less; or studies for which the fee for professional services is \$200,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis. The University intends to award multiple contracts for the upcoming fiscal year through June 30, 2011. At the option of the University and the consultant, the contract may be renewed for up to two additional one year periods.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Florida State University "Professional Qualifications Supplement," August, 2003. Applications on any other form, on versions dated prior to August, 2003 or exceeding the 40 page limit 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 in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly 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 that do not comply with the above instructions will not be considered. Application material will not be returned.

Submittals must be received at the above location, by 2:00 p.m. (Local Time), Wednesday, March 17, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained through our website: www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Design & Construction, 109 Mendenhall Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, (850)644-8351 Facsimile.

For further information on campus service projects, contact: Bill Lamb at the address and phone number above.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CALL FOR QUALIFICATIONS

ATHLETIC FACILITIES MASTER PLAN – 09PQS-18ES

The University of West Florida Board of Trustees is soliciting sealed Professional Qualifications submittals for design services for an Athletic Facilities Master Plan. The selected firm will provide professional services to conduct a comprehensive assessment of the current and future needs of the University's athletic program and develop an Athletic Department Facilities Master Plan that will serve as the facilities "road map" for its strategic planning, design, budget and construction into the future.

The UWF Professional Qualifications Solicitation (UWF-PQS) outlines the minimum requirements the firm will submit for this proposed master-planning design service. The solicitation, project fact sheet and related information may be downloaded from <http://uwf.edu/procurement>.

A formal presentation to the evaluation committee will be required from each firm short-listed as a part of the selection process. Short listed applicants will be informed of the final interview date, time, and place and will be provided additional project information, if available.

Sealed submittals will be received until February 25, 2010, 2:00 p.m. (CST), Department of Procurement and Contracts, Bldg. 90, Room 133, University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Solicitation number 09/PQS-18/ES must be marked on outside of sealed submittal. The University will not be responsible for unopened submittals when the package is not properly identified.

All inquiries must be submitted in writing: Elaine Smith at email: etsmith@uwf.edu.

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of BUILDING CODE PLANS REVIEW AND CONSTRUCTION INSPECTION will be required for all projects at FIU.

Project Location: Modesto A. Maidique Campus (MMC), Biscayne Bay Campus (BBC), Engineering Center (EC), and Wolfsonian Museum & Annex.

Project Description: This Continuing Services Contract will support the University's comprehensive program for compliance with the Florida Building Code (FBC), as required by Chapter 553, Florida Statutes, and the current edition of the FBC. These services will be required for the University's construction program for new, remodeled, renovated and altered buildings. Specific services will include plans review for code compliance and inspection of construction activities per each discipline of the FBC.

Instructions:

Professional Qualifications: Employees of consultants or sub-consultants who are providing these services must have the appropriate State of Florida license to perform building code plans review, and/or building inspections as per the license categories and requirements of Chapter 468, Florida Statutes.

Term of Contract: Any contract resulting from the selection of a professional consultant (or consultants) to provide these services shall require the consultant to be available on an as-needed basis for the Fiscal Year, July 1 – June 30. Two (2) contracts will be awarded to two (2) different firms. This will be a multiple award contract for an initial period of one-year with Owner's option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years.

Firms desiring to provide professional services shall apply by letter specifying their area(s) of specialty and their intent to provide services for those specialties. Proximity of location will be a prime factor in the selection of the firm. Design ability will not be considered for this selection. Blanket professional liability insurance will be required per the following State University System requirements. This professional liability insurance shall be provided as a part of Basic Services:

Projects < \$1,000,000	no coverage required
\$1,000,000 to \$4,999,999	\$250,000 required
\$5,000,000 to \$9,999,999	\$500,000 required
Projects \$10,000,000 and up	\$1,000,000 required
Projects > \$15,000,000 and special risk projects,	limits set individually

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Florida International University Professional Qualifications Supplement (FIUPQS)." FORMER BOARD OF REGENTS PQS FORMS ARE NO LONGER ACCEPTED. The official FIUPQS forms must be downloaded from the project web site at <http://facilities.fiu.edu/projects/CodeConsultant.htm>. 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 properly chartered by the Florida Department of State to operate in Florida.

Submit Seven (7) bound copies of the required proposal data and one CD copy in Adobe Acrobat PDF format of the requested qualifications to: Selection Committee, Florida International University, Real Estate Development and Planning, Campus Support Complex, 11555 S. W. 17th St., Room CSC142, Modesto A. Maidique Campus, Miami, Florida 33199.

Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent.

Any plans and specifications prepared by the consultant are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Project Fact Sheet, describes the selection process schedule for this Project and additional information regarding the Project scope, and may be obtained from the project web site <http://facilities.fiu.edu/projects/CodeConsultant.htm>.

In order to minimize the possibility of unethical pressures or influences on the recommendations of the Selection Committee, direct contact with the committee members is not permitted. Requests for meetings by individual firms will not be granted. Committee members and selection schedule milestone dates can be found in the Project Fact Sheet.

Any question or explanation desired by an applicant regarding the project or any part of the process must be requested in writing to griffith@fiu.edu or via Fax: (305)348-0579. Responses to questions and requests for information will be posted on the project web site. An effort will be made to respond to all applicant questions; however, the University is not obligated to and may choose not to answer every question. The last day questions or inquiries will be considered for this project is Wednesday, March 10, 2010, 12:00 Noon.

Should a change in schedule become necessary, updated information will be posted on the project web site: <http://facilities.fiu.edu/projects/CodeConsultant.htm>.

All future notices will be posted on the web site. Applicants should check the web site daily.

Submittals must be received between 8:30 a.m. – 12:30 p.m. or 1:30 p.m. – 4:00 p.m. (Local Time), Tuesday, March 16, 2010. Submittals will not be accepted before or after the times and date stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The State Board of Administration is soliciting competitive responses from firms or individuals offering exposure examination and consulting services to the Florida Hurricane Catastrophe Fund (FHCF). The request for quote information will be available by February 10, 2010, on the FHCF web site: www.sbafla.com/fhcf (under "Announcements"). The deadline for submitting a complete response with compensation requirements is 2:00 p.m. (EST), February 23, 2010.

WATER MANAGEMENT DISTRICTS

Request for Proposals 09/10-018 LM

NON-NATIVE, INVASIVE WEED CONTROL

The Suwannee River Water Management District (District) is seeking proposals for treatment of terrestrial non-native, invasive weeds that are classified by the Florida Exotic Pest Plant Council as Categories I and II on District-owned lands. Proposals should be based on hourly rates. Treatment for the widely scattered and relatively small infestations will require either chemical or mechanical methods and shall follow recommendations outlined in Florida's Invasive Species Management Plan (<http://weedext.ifas.ufl.edu/>). Most treatments will not require a full day to complete.

The initial contract shall be for a period of one year with the potential for two subsequent one-year renewals based upon the mutual agreement of the District and the Contractor and no changes to the billing rates. Proposals are due at District Headquarters in Live Oak prior to 11:00 a.m., March 2, 2010. Proposals must be hard copy. Fax transmittals will not be accepted.

Additional information is available and RFP packages may be downloaded from the District website: www.mysuwannee.com. Questions should be addressed to: Project Manager, Beau Willsey at (386)362-1001 or bjw@srwmd.org.

Request for Proposals 09/10-019 LM

Development of R. O. Ranch Business Plan

R. O. Ranch, Inc., is issuing a Request for Proposals (RFP) for development of a Business Plan for an equestrian-based camping facility at the R. O. Ranch (Ranch).

In order for the Ranch to achieve its full potential, staff must be employed, facilities maintained and user fees collected, and the Ranch will need to be operated like a business. For the Ranch to be viable, user fees collected must exceed the cost of operation on an annual basis. The selected consultant shall develop a business plan for the Ranch that will accomplish this goal.

Consultants interested in submitting a Proposal will be given an opportunity to inspect the facilities and supporting engineering plans, construction documents, and other pertinent information as a part of the MANDATORY pre-proposal conference scheduled for 10:00 a.m., Thursday, February 18, 2010. Proposals should evaluate the site conditions, capital improvements, operating cost assumptions and revenue assumptions in order to determine the feasibility of the Ranch being operated as viable business entity.

Proposals are due at District headquarters by 2:00 p.m., March 11, 2010. Proposals received after this time, for any reason, will be rejected.

Additional information is available and RFP packages may be downloaded from the District website: www.mysuwannee.river.com.

Questions should be addressed to: Pennie Flickinger, Business Resource Specialist at (386)362-1001 or pff@srwmd.org.

EXPRESSWAY AUTHORITIES

NOTICE TO CONTRACTORS

REQUEST FOR PROPOSALS TO PERFORM ROADWAY AND BRIDGE MAINTENANCE CONTRACT NO.: 000689

The Orlando-Orange County Expressway Authority (Authority) requires the services of a Highway Maintenance Contractor to provide all labor, materials, equipment and incidentals necessary to perform routine maintenance of, and administration and management services related to, the roadways and bridges along S.R. 429 (Daniel Webster Western Beltway) and S.R. 414 (John Land Apopka Expressway) in Orange County, Florida. Proposal documents are available for download at the Authority's website: www.expresswayauthority.com/Corporate/administration/Contracting/Default.aspx. Proposer registration is required to access and download documents. Instructions for registration are provided on the website.

DESCRIPTION: The selected contractor shall perform routine maintenance of the Authority's roadways and bridges necessary to meet performance criteria established by the Authority. Maintenance work shall include, but is not necessarily limited to: roadside and slope mowing; guardrail

and fence repair; roadway lighting repair; slope and shoulder repair; traffic control devices; pavement marking and signing; emergency response; attenuator repair; graffiti and stain removal; mechanical roadway sweeping; concrete joint repairs; asphalt-in-place repair. The selected contractor shall provide sufficient staff to support activities and program areas including, but not limited to roadway and bridge maintenance.

SUBMITTAL REQUIREMENTS: Proposer shall have a minimum of 5 years of extensive experience in a full range of highway maintenance activities. The experience shall be in maintenance of facilities constructed to AASHTO standards in the class of facilities operated and maintained by state departments of transportation. Proposer shall be familiar with and have a working knowledge of the Florida Department of Transportation's Maintenance Rating Program.

Proposers that are corporations must be registered to do business in Florida, prior to the submittal of the Proposal. The Authority will evaluate and determine the relative ability of each Proposer to perform the required services based upon the information provided by the Proposer in response to the RFP.

SCOPE OF SERVICES MEETING: The Authority will convene a Scope of Services meeting for interested firms on February 23, 2010. The meeting will begin at 10:00 a.m. (Orlando Local Time), Authority's Headquarters, 4974 ORL Tower Road, Orlando, Florida 32807. The purpose of the meeting will be to discuss requirements of the project in an open forum. Although not mandatory, attendance at the meeting is highly recommended.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority. The Authority will establish an M/WBE participation objective for this project.

CODE OF ETHICS: All firms selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which is available on the Authority's web site: www.oocsa.com.

PROPOSAL DUE DATE: Proposals will be received by the Authority until 1:30 p.m. (Orlando Local Time), March 18, 2010. Proposals delivered or received after that time and date will be disqualified.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

NON-SOLICITATION PROVISION: From the first date of publication of this Notice, no person may contact any Authority Member, Officer, Employee, or any evaluation committee member, with respect to this Notice or the services to be provided, except as related to the submittal requirements detailed in the RFP. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

\ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
 \Claude Miller
 Director of Procurement

DEPARTMENT OF MANAGEMENT SERVICES

BIDS FOR GENERAL/ELECTRICAL CONTRACTORS
 PROJECT NUMBER: DEM-25070330
 PROJECT NAME: Special Needs Shelter (SpNS) Generator Renovations, John A. Ferguson Senior High School
 PROJECT LOCATION: 15900 S. W. 56th Street, Miami Florida 33185
 ESTIMATED BASE BID CONSTRUCTION BUDGET: \$800,000.00
 PREQUALIFIED BIDDERS: Refer to DMS Website (below) for further details.

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. Please visit the Department’s Website http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu and click on “Search Advertisements – Division of Real Estate Development and Management” Look for “Opportunities for Design and Construction Firms” and click on link.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID
 BID NO.: BDC 77-09/10

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified Underground Utility or certified General Contractors (registered Underground Utility or General Contractors are only eligible to bid if such registration is in Monroe County) for the project listed below:

PROJECT NAME: John Pennekamp Coral Reef State Park – Sanitary Sewer Connections – Key Largo Wastewater Treatment Dist. (KLWTD)

SCOPE OF WORK: The Contractor shall furnish all labor, material, equipment and supervision to demolish the existing Park Wastewater Treatment Facility, properly dispose of debris, permit and abandon two (2) effluent injection wells, construct approximately 200 LF 2-1/2" force main and connect Lift Station #1 to KLWTD Pump State #2D CUP, refurbish Lift Station #1, re-plumb reuse water lines in Park restrooms and sewage service laterals at residences; furnish and install two pre-engineered grinder pump stations at Park Manager and Ranger Residences; construct approximately 2,200 LF of 2" HDPE force main and connect to KLWTD buffer tank at Shaw Road and US. 1.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S., the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$150,000.00
 LOCATION: MM102.5 Overseas Highway, Monroe County, Florida

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, F.S., for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on February 12, 2010 at: John Pennekamp Administration, John Pennekamp Coral Reef State Park, P. O. Box 487, Key Largo, FL 33037, Attention: Pat Wells, Park Manager, (305)451-1202, Fax: (305)853-3555.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the

attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PROJECT MANAGER: Randall Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax: (850)488-1141.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, March 9, 2010 to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, March 16, 2010 unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), F.S., shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, F.S. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

CANAVERAL PORT AUTHORITY

The Canaveral Port Authority (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing planning and engineering Design Services for **NORTHSIDE LAND IMPROVEMENTS** for Port Canaveral and to provide technical support to staff at Port Canaveral – located in Brevard County, Florida. These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Section 287.055, F.S. The A & E consulting firm will be required to display a recurring knowledge of cargo, container yards, and bulk handling facilities and marine terminal design. The Consultant will be asked to provide master planning of the entire North Cargo Area in addition to planning, design, and permitting of roads, stormwater, utilities,

fire protection, and lighting for a 56-acre + parcel. The intended use of this parcel is a combination of General Cargo, Bulk Cargo and an expansion to an existing container facility. The project is to be phased and constructed as development progresses.

MINIMUM CRITERIA

As a minimum, the firms proposing shall have at least ten (10) years experience in work of a similar nature with airports/seaports and military installations. Consultant must provide references of at least 5 prior successful projects of a similar nature.

It is recommended that the firm have an office within reasonable proximity to the Canaveral Port Authority and/or demonstrate that they would be able to provide services in a timely manner.

PROPOSAL CONTENT

Each responding consulting firm shall provide six (6) copies and one (1) CD (containing complete proposal in pdf format) of their proposal, giving detailed information on the following: Firm history, location, capabilities, etc.

GSA Standard Form 330 or equivalent

Five (5) examples of previous experience with providing similar services in the recent past. Include a brief description of the work and individuals to be contacted with telephone numbers.

A list of services which would not be performed in-house and a list of consultants, which would provide these services for the firm.

A schedule of current commitments and the degree of completion of each.

An organization chart and other information which will be useful in evaluating the proposal service.

Outline of methodology for implementation of the proposed scope of work.

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.

Evidence of coverage with at least one million dollars of professional liability insurance.

Provide evidence that firm is licensed to do business in the State of Florida.

SUBMITTAL SCHEDULE

Firms desiring to provide such professional services to the CPA must furnish six (6) copies and one (1) CD (containing complete proposal in pdf format) of their expression of interest to:

Canaveral Port Authority

Attn.: Peggy Gooch, Sr. 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., on Tuesday, March 2, 2010. The selected firm will be required to perform all contract services under a standard CPA service contract, a sample of which may be requested by contacting: Peggy Gooch, Senior Administrative Assistant, Engineering, Canaveral Port Authority by email: pgooch@portcanaveral.com or via phone at (321)783-7831, ext. 218. All notices will be posted on our website: <http://www.portcanaveral.com/general/bids/php>.

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., March 17, 2010, at which time selections will be established.

SARASOTA MEMORIAL HOSPITAL

REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES

The Sarasota County Public Hospital Board, in Sarasota, Florida, hereby invites statements of qualifications from engineering consulting firms, under the provisions of Section 287.055, F.S., for Threshold Inspection and Materials Testing for Sarasota Memorial Hospital's Replacement Bed Tower per plans dated December 22, 2009 and Vertical Expansion Project per plans dated September 15, 2009.

Replacement Bed Tower is (9) stories, 280,000 square feet. Vertical Expansion is (2) stories, 50,000 square feet with a pedestrian bridge to parking garage.

Interested firms shall submit five bound submittals of at least the following documentation:

1. A copy of Florida professional licenses and corporate registration certificates.
2. Proof of general and professional liability insurance coverage.
3. A statement of qualifications, capabilities, adequacy of personnel, past record, and experience.
4. Statement as to whether the firm is a certified Small/or Minority Business Enterprise as defined by the Florida Small Business Assistance Act of 1985.
5. Resumes of key personnel that would be used on these projects.
6. A list of AHCA reviewed and / or inspected projects.
7. Location of firm's main office.

All Interested firms are further informed as follows:
Pricing and compensation – related information shall NOT be included in the submittal.

Interested persons should contact: Ron Schofield at (941)917-1899 with any project related questions.

Electronic project related information packets are available for pick up: 1515 South Osprey Ave., Building A, Sarasota, Florida, March 1, 2010, between 8:00 a.m. – 4:00 p.m., upon proof of professional licensure.

No attempts shall be made to contact administrators, board members or any SMH staff other than the contact name listed, under the potential penalty of disqualification from the process. Submittals shall be delivered in an opaque package bearing the outer label of "Replacement Bed Tower/Vertical Expansion Engineering Services Submittal," no later than 3:00 p.m., Monday, March 15, 2010, at:

Sarasota Memorial Hospital
Architecture / Construction Office
1515 South Osprey Avenue, Building A
Sarasota, Florida 34239-3555
Attention: Mr. Ron Schofield

No information packs delivered via email.

No submittals accepted via email.

Submittals received after the stated date and time will not be considered and will be available for pick up.

Ranking of firms for later contract negotiations will occur on March 24, 2010, 9:00 a.m., Waldemere Medical Plaza, Magnolia Room, 2nd Floor, 1921 Waldemere Street, Sarasota, FL 34239. Interested parties are invited to attend.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

Request for Proposal

Business Innovation Center Management Services

The Technological Research and Development Authority (TRDA) is requesting proposals from qualified firms to manage and operate all aspects of its business incubation program in Melbourne, Florida. The result will be a renewable management services agreement with a single firm. Request for proposal information and instructions can be found at http://www.trda.org/contact_us/rfps.asp. TRDA reserves the right to reject any or all proposals.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Italica Motors, Inc., intends to allow the establishment of Cartrust National Distributor Corp., as a

dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. (ZHNG) at 3130 Southwest 8th Street, Miami (Dade County), Florida 33135, on or after March 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Cartrust National Distributor Corp. are dealer operator(s): Ramon A. Rodriguez, 3130 Southwest 8th Street, Miami, Florida 33135; principal investor(s): Ramon A. Rodriguez, 3130 Southwest 8th Street, Miami, Florida 33135.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Adriana De Lima, Italica Motors, Inc., 5001 Southwest 135 Avenue, Miramar, Florida 33027.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KYMCO USA, Inc., intends to allow the relocation of H Long Investments Corp., d/b/a Tropical Scooters of Vero as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd. (KYOO) from its present location at 4901 North US Highway 1, Suite J, Vero Beach, (Indian River County), Florida, 32967, to a proposed location at 1081 US Highway 1, Vero Beach (Indian River County), Florida 32967, on or after March 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of H Long Investments Corp., d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi S. Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958-4927, principal investor(s): Heidi S. Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958-4927.

The notice indicates intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Lazoff, KYMCO USA, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:

Permit No.: 36-03133-P (Application No.: 081217-1) Florida Department of Transportation, 801 N. Broadway Avenue, Bartow, FL 33831-1249 and Babcock Property Holdings LLC, 17837 Murdock Circle, Port Charlotte, FL 33948, for an Environmental Resource Permit for construction and operation of a surface water management system serving 254.60 acres of roadway known as State Road 31, with discharge into Owl Creek via proposed conveyance swale. The project is located in Lee County, Sections 6, 7, Township 43 South, Range 26 East, and Charlotte County, Sections 19, 30, 31, Township 42 South, Range 26 East.

Permit No.: 36-06983-P (Application No.: 070306-9) Freedom Boat Company (Freedom Subdivision) 1813 Sea Fan Circle, North Fort Myers, FL 33903, for an Environmental Resource Permit for construction and operation of a surface water management system serving a 9.66 acre residential subdivision

with discharge to the existing roadside swale. The project is located in Lee County, Section 3, Township 46 South, Range 24 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: (561)682-6911, by e-mail: permits@sfwmd.gov, or by accessing the Staff Report directly from the District's website (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, Florida Statutes, 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**NOTICE OF AVAILABILITY
ORANGE COUNTY, FLORIDA**

The Department of Environmental Protection has determined that Orange County's proposed sanitary sewer system rehabilitation project will not have a significant adverse impact on the environment. The total construction cost is estimated at \$1,500,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On February 1, 2010, 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 Kaderah Bryant, C.N.A. License #CNA 119276. 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.

On February 1, 2010, 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 Belouse Clerizier, C.N.A., License #CNA 44024. 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.

On February 1, 2010, 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 Tara Jean Fritsch, L.P.N., License #PN 5153667. 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.

DEPARTMENT OF FINANCIAL SERVICES

**LIST OF APPROVED SPARKLERS ADDED TO
FEBRUARY 1, 2010 TO JANUARY 31, 2011**

The Department of Financial Services, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2010 to January 31, 2011. The products are listed by ITEM (the name of the product, and any major words or numbers on the product); BRAND (means by the name or logo of the manufacturer); and DESCRIPTION (a specific physical description of the product, size should be accurate to within one (1) inch). ALL ASSORTMENT PACKAGES OR CONTAINERS MUST CONTAIN APPROVED SPARKLERS.

PLEASE NOTE: This list contains only the sparklers which were provided to the Department on or after January 31, 2009 through September 1, 2009 and approved for use from February 1, 2010 through January 31, 2011.

A complete list of all approved sparklers which are approved for use from February 1, 2010 through January 31, 2011 are available at www.myfloridacfo.com or to obtain a printed copy, please write or fax your request: Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)410-2467 or email www.myfloridacfo.com.

PRODUCT NAME	3D FOUNTAIN
BRAND	TNT
PHYSICAL DESCRIPTION	10" LONG X 2" WIDE X 2" TALL RECTANGLE WITH 3 "SMOKESTACKS"
PRODUCT NAME	AMMO CLIP SIX SHOOTER
BRAND	BLACK CAT
PHYSICAL DESCRIPTION	4 1/8" HIGH X 1 3/8" CYLINDER
PRODUCT NAME	AUDIOLOGY
BRAND	TNT
PHYSICAL DESCRIPTION	8" HIGH X 3 1/4" WIDE TRIANGULAR COLUMN
PRODUCT NAME	BLUE LASER
BRAND	TNT
PHYSICAL DESCRIPTION	6 1/8" HIGH X 4 1/2" WIDE THREE-PRONGED SHAPE
PRODUCT NAME	BOILING POINT
BRAND	BLACK CAT
PHYSICAL DESCRIPTION	3 3/8" WIDE X 3 3/8" HIGH SILVER TEAPOT
PRODUCT NAME	BUBBLING LAVA
BRAND	TNT
PHYSICAL DESCRIPTION	3" WIDE X 8" HIGH CYLINDER
PRODUCT NAME	CASH
BRAND	TNT
PHYSICAL DESCRIPTION	9" HIGH X 3" WIDE CYLINDER
PRODUCT NAME	COLOR BARRAGE
BRAND	TNT
PHYSICAL DESCRIPTION	3 1/2" WIDE X 7 3/4" HIGH HEXAGONAL COLUMN
PRODUCT NAME	COMBUSTION CHAMBER
BRAND	TNT
PHYSICAL DESCRIPTION	4 3/4" X 2 1/2" X 8" HIGH RECTANGULAR COLUMN
PRODUCT NAME	CRACKLING GLORY
BRAND	TNT
PHYSICAL DESCRIPTION	2 3/4" WIDE X 7" HIGH CYLINDER
PRODUCT NAME	CUCKOO'S NEST
BRAND	TNT

PHYSICAL DESCRIPTION	4" X 2 1/2" X 6 1/2" HIGH RECTANGULAR COLUMN	PRODUCT NAME	GLOBAL LIGHTS
PRODUCT NAME	CYBERTRON	BRAND	TNT
PHYSICAL DESCRIPTION	5" HIGH X 3" WIDE "BOX" WITH ROBOT FACES UNDER PLASTIC COVER	PHYSICAL DESCRIPTION	3" WIDE X 9" HIGH CYLINDER
PRODUCT NAME	DANCING SOMBREROS	PRODUCT NAME	LAVA DOME
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	3 3/8" WIDE X 8" HIGH CYLINDER	PHYSICAL DESCRIPTION	2 1/2" WIDE X 1 1/2" x 4" HIGH RECTANGULAR COLUMN
PRODUCT NAME	DEEP CYCLE	PRODUCT NAME	MISSISSIPPI QUEEN M-038
BRAND	TNT	BRAND	PHANTOM FIREWORKS
PHYSICAL DESCRIPTION	3 3/4" WIDE X 9" HIGH CYLINDER	PHYSICAL DESCRIPTION	7 5/8" X 3 1/8" X 2 3/8" PKG.; 7 1/2" LONG X 3" HIGH BOAT W/ NO WHEELS
PRODUCT NAME	DIGITAL DELIGHT	PRODUCT NAME	MISSISSIPPI QUEEN M-039
BRAND	TNT	BRAND	PHANTOM FIREWORKS
PHYSICAL DESCRIPTION	2 5/8" WIDE X 5" HIGH REVERSE CONE	PHYSICAL DESCRIPTION	7 5/8" X 2 1/8" X 2 3/8" PKG.; 7 1/2" LONG X 3" HIGH BOAT W/ WHEELS
PRODUCT NAME	ELECTRO STARS	PRODUCT NAME	MONSTER TRUCK
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	4 1/2" WIDE X 4 3/8" HIGH CIRCLE AND DIAMOND	PHYSICAL DESCRIPTION	3 1/8" X 3 1/4" X 5" BOX WITH 4 1/2" LONG X 2 3/4" TRUCK WITH WHEELS INSIDE
PRODUCT NAME	EYE CANDY	PRODUCT NAME	OPTIMUM VISUAL
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	6" HIGH X 4" WIDE TRIANGULAR COLUMN	PHYSICAL DESCRIPTION	4" WIDE (AT WIDEST POINT) X 6" TALL HEXAGONAL COLUMN
PRODUCT NAME	FINAL FRONTIER	PRODUCT NAME	ORANGE FIRE
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	4" WIDE X 8" HIGH HEXAGONAL COLUMN	PHYSICAL DESCRIPTION	3 1/8" HIGH X 3 1/8" WIDE HEXAGONAL COLUMN
PRODUCT NAME	FIRE AT WILL	PRODUCT NAME	OUTBOX
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	2 1/2" WIDE X 4" HIGH CYLINDER	PHYSICAL DESCRIPTION	3 1/2" X 2 3/4" X 8" HIGH RECTANGULAR COLUMN
PRODUCT NAME	FIRE DESTROYERS	PRODUCT NAME	OXYGEN ON FIRE
BRAND	TNT	BRAND	TNT
PHYSICAL DESCRIPTION	5" X 3" X 7 3/4" HIGH RECTANGULAR COLUMN	PHYSICAL DESCRIPTION	3 1/4" WIDE X 4 1/2" HIGH SQUARE COLUMN
PRODUCT NAME	FIRE HUNTERS	PRODUCT NAME	PHANTOM DRAGON SLAYER FOUNTAIN
BRAND	TNT	BRAND	PHANTOM FIREWORKS
PHYSICAL DESCRIPTION	3 1/2" WIDE X 5 3/4" HIGH RECTANGULAR COLUMN	PHYSICAL DESCRIPTION	3 1/4" X 5" CYLINDER
PRODUCT NAME	FOUNTASTIC!	PRODUCT NAME	PINATA BUSTER
BRAND	BLACK CAT		
PHYSICAL DESCRIPTION	5" HIGH X 3" WIDE CYLINDER		

BRAND TNT
 PHYSICAL DESCRIPTION 3" WIDE X 8" HIGH CYLINDER
 PRODUCT NAME POLAR SKY
 BRAND TNT
 PHYSICAL DESCRIPTION 10" LONG X 2" WIDE X 2 1/4" TALL RECTANGLE WITH 3 "SMOKESTACKS"
 PRODUCT NAME PYRO FAN
 BRAND TNT
 PHYSICAL DESCRIPTION 3" X 2" X 5" HIGH RECTANGULAR COLUMN
 PRODUCT NAME PYRO HEROES – FLASH
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO HEROES – POP
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO HEROES – FLARE
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO HEROES - GLOW
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO HEROES – SPARK
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO HEROES – SHINE
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 2 7/8" X 3 1/4" TRIANGLE
 PRODUCT NAME PYRO MIXER
 BRAND TNT
 PHYSICAL DESCRIPTION 2 1/2" X 1 3/4" X 4 1/2" HIGH RECTANGULAR COLUMN
 PRODUCT NAME PYRO PROGRAM
 BRAND TNT
 PHYSICAL DESCRIPTION 3" WIDE X 2 3/8" X 7" HIGH RECTANGULAR COLUMN
 PRODUCT NAME PYROFIRE
 BRAND TNT
 PHYSICAL DESCRIPTION 3" WIDE X 9" HIGH CYLINDER
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (BLUE)
 BRAND CANNON

PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (GREEN)
 BRAND CANNON
 PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (ORANGE)
 BRAND CANNON
 PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (PURPLE)
 BRAND CANNON
 PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (RED)
 BRAND CANNON
 PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW FOUNTAIN Y22-091 (YELLOW)
 BRAND CANNON
 PHYSICAL DESCRIPTION 3" X 3" X 3" SQUARE BOX
 PRODUCT NAME RAINBOW TROUT
 BRAND TNT
 PHYSICAL DESCRIPTION 1 3/4" WIDE X 4" HIGH CYLINDER
 PRODUCT NAME SHELL SHOCK
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 4 3/4" HIGH SILVER SPHERE ON CYLINDER; 3 3/4" SPHERE DIAMETER
 PRODUCT NAME SILVER SNOW
 BRAND TNT
 PHYSICAL DESCRIPTION 2 1/2" WIDE X 5" HIGH SQUARE COLUMN
 PRODUCT NAME SOLAR STORM
 BRAND SHOWTIME
 PHYSICAL DESCRIPTION 9 1/2" X 8 3/4" CYLINDER
 PRODUCT NAME SPARKLING GLORY
 BRAND TNT
 PHYSICAL DESCRIPTION 2 3/4" WIDE X 7" HIGH CYLINDER
 PRODUCT NAME SPIDER MANIA
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 5" HIGH X 5 1/2" WIDE CYLINDER
 PRODUCT NAME STAR MASTER

BRAND TNT
 PHYSICAL DESCRIPTION 3" WIDE X 8 3/4" HIGH CYLINDER
 PRODUCT NAME SUMMER STORM-CYCLONE
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 9" HIGH X 3" WIDE HEXAGONAL COLUMN
 PRODUCT NAME SUMMER STORM-LIGHTNING STORM
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 3" WIDE X 9" HIGH SQUARE COLUMN
 PRODUCT NAME SUMMER STORM- MICRO BURST
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 9" HIGH X 3" WIDE HEXAGONAL COLUMN
 PRODUCT NAME SUMMER STORM-THUNDER STORM
 BRAND ASIA PYROTECHNICS
 PHYSICAL DESCRIPTION 3" WIDE X 9" HIGH SQUARE COLUMN
 PRODUCT NAME THREE OF A KIND FOUNTAIN (BLUE)
 BRAND PHANTOM FIREWORKS
 PHYSICAL DESCRIPTION 2 7/8" X 9" X 3" RECTANGLE
 PRODUCT NAME THREE OF A KIND FOUNTAIN (RED)
 BRAND PHANTOM FIREWORKS
 PHYSICAL DESCRIPTION 2 7/8" X 9" X 3" RECTANGLE
 PRODUCT NAME THREE OF A KIND FOUNTAIN (YELLOW)
 BRAND PHANTOM FIREWORKS
 PHYSICAL DESCRIPTION 2 7/8" X 9" X 3" RECTANGLE
 PRODUCT NAME VISUAL EFFECTS

BRAND TNT
 PHYSICAL DESCRIPTION 9" HIGH X 3" WIDE CYLINDER
 PRODUCT NAME WEASEL
 BRAND TNT
 PHYSICAL DESCRIPTION 2" WIDE X 3 1/4" HIGH CYLINDER

IN RE: THE RECEIVERSHIP OF FLORIDA SELECT INSURANCE COMPANY – NOTICE REGARDING APPROVAL OF REHABILITATION PLAN AND DEADLINE FOR FILING CLAIMS

IN THE Circuit Court of Leon County, Florida (“Receivership Court”), Case No.: 2006-1669, Receivership of Florida Select Insurance Company (“Florida Select”). Notice to all persons having business with Florida Select. By Order of the Receivership Court entered October 13, 2009 (“Order”), you are hereby notified of approval of the Receiver’s Status Report and Motion for Approval of Rehabilitation Plan (“Motion”); and deadline to file claims in the receivership. All persons having claims against Florida Select shall present them to the receivership by April 12, 2010, or such claims shall be forever barred. Claims are to be presented to: Florida Select Insurance Company in Receivership c/o Claims Department, P. O. Box 110, Tallahassee, FL 32302-0110. Copies of the Motion, Order, and a Proof of Claim form may be obtained at: www.floridainsurancereceiver.org. You may also obtain a Proof of Claim Form by calling 1(800)882-3054.

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: 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., March 5, 2010):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Palm Bancorp, Inc.
(The Palm Bank), Tampa, Florida
Proposed Applicant Group: Marty E. Adams, Kevin T. Thompson, and John S. Loeber
Received: January 27, 2010

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following applications:

APPLICATION WITHDRAWN

Application To Acquire Control
Financial Institution to be Acquired: Bonifay Holding Company, Inc. (The Bank of Bonifay) Bonifay, Florida
Proposed Purchaser: Kirk Mathew Dorskocil
Received: December 28, 2009
Withdrawn: January 29, 2010

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN January 25, 2010
 and January 29, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-91.007	1/28/10	2/17/10	35/33	35/51
14-107.0011	1/28/10	2/17/10	35/50	

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

18-24.001	1/27/10	**	35/44	35/51
18-24.002	1/27/10	**	35/44	35/51
18-24.0021	1/27/10	**	35/44	
18-24.0022	1/27/10	**	35/44	35/51
18-24.003	1/27/10	**	35/44	35/51
18-24.004	1/27/10	**	35/44	35/51
18-24.005	1/27/10	**	35/44	35/51
18-24.006	1/27/10	**	35/44	35/51
18-24.007	1/27/10	**	35/44	35/51
18-24.008	1/27/10	**	35/44	35/51

**The above rules will become effective upon approval by the Legislature

WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

40C-1.603	1/27/10	2/16/10	35/46	
40C-4.091	1/27/10	2/16/10	35/46	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-341.494	1/29/10	2/18/10	34/53	35/13
62-709.201	1/26/10	2/15/10	35/44	35/49
62-709.300	1/26/10	2/15/10	35/44	35/49
62-709.305	1/26/10	2/15/10	35/44	35/49

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-709.320	1/26/10	2/15/10	35/44	35/49
62-709.330	1/26/10	2/15/10	35/44	
62-709.350	1/26/10	2/15/10	35/44	35/49
62-709.460	1/26/10	2/15/10	35/44	35/49
62-709.530	1/26/10	2/15/10	35/44	35/49
62-709.550	1/26/10	2/15/10	35/44	
62-709.901	1/26/10	2/15/10	35/44	

DEPARTMENT OF HEALTH
Board of Medicine

64B8-42.001	1/26/10	2/15/10	35/47	
64B8-50.003	1/26/10	2/15/10	35/46	

Board of Psychology

64B19-12.002	1/29/10	2/18/10	35/52	
64B19-12.003	1/29/10	2/18/10	35/52	
64B19-17.002	1/29/10	2/18/10	35/52	

Board of Respiratory Care

64B32-6.004	1/29/10	2/18/10	35/50	
64B32-6.005	1/29/10	2/18/10	35/50	

Division of Environmental Health

64E-3.003	1/29/10	2/18/10	35/45	
64E-3.006	1/29/10	2/18/10	35/45	

Division of Emergency Medical Operations

64J-1.001	1/27/10	2/16/10	35/26	35/49
64J-1.006	1/27/10	2/16/10	35/26	35/49

DEPARTMENT OF FINANCIAL SERVICES
Funeral and Cemetery Services

69K-13.005	1/26/10	2/15/10	35/50	
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