

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.:	RULE TITLES:
5I-6.003	Presumption of Compliance
5I-6.004	Notice of Intent to Implement

PURPOSE AND EFFECT: The purpose of this rule amendment is to amend by request from JAPC existing language in subsection 5I-6.003(4), F.A.C., by striking “non-regulatory and incentive-based” from line (4); and to incorporate by reference Best Management Practices for Silviculture Notice of Intent to Implement Rule 5I-6.004, F.A.C., DACS Form No. 11305, Revised 02/2010.

SUBJECT AREA TO BE ADDRESSED: To respond to a language maintenance request from JAPC by amending existing language in subsection 5I-6.003(4), F.A.C., and to incorporate by reference Best Management Practices for Silviculture Notice of Intent to Implement Rule 5I-6.004, F.A.C., DACS Form No. 11305, Revised 02/2010.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(23) FS.

LAW IMPLEMENTED: 403.067(7)(c)2., 589.04(1)(a) 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 7 days before the workshop/meeting by contacting: Jeffery L. Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)414-9969, Fax (850)488-0863. If you are 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: Jeffery L. Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)414-9969, Fax (850)488-0863

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.0960	Florida Tax Credit Scholarship Program

PURPOSE AND EFFECT: The purpose of the rule development is to establish provisions for private school on-site inspections in conjunction with a formal complaint and to allow the Department to refer an inquiry to the Office of Inspector General at any point. In addition, the title of the program will be amended to reflect statutory changes. The effect will be a rule that will further strengthen the Department’s administration and implementation of the program.

SUBJECT AREA TO BE ADDRESSED: Administration and implementation of the Florida Tax Credit Scholarship Program.

RULEMAKING AUTHORITY: 220.187 FS.

LAW IMPLEMENTED: 220.187 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: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, FL 32399; mike.kooi@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.0960 ~~Florida Corporate~~ Tax Credit Scholarship Program.

The ~~Florida Corporate~~ Tax Credit Scholarship Program will be implemented as required by Section 220.187, F.S., to allow nonprofit scholarship-funding organizations to provide scholarships from eligible contributions to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school.

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

(e) No later than March 15 of each year, the Department shall submit to the Florida Department of Revenue a list of organizations that it has determined to be eligible to be listed as a nonprofit scholarship-funding organization for participation in the ~~Florida Corporate~~ Tax Credit Scholarship Program.

(f) through (h) No change.

(2) through (3) No change.

(5) Private school participation. To participate in the ~~Florida Corporate~~ Tax Credit Scholarship Program, a school must meet the definition of an “eligible private school” as defined in Section 220.187(2)(e)~~(d)~~, F.S., and:

(a) through (d) No change.

(6) No change.

(a) Pursuant to Section 220.187(9)(i), F.S., relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer a nationally norm-referenced test that has been approved by the Department and listed on the Department’s website to students receiving ~~Florida Corporate~~ Income Tax Credit Scholarships. The list may be accessed at http://www.floridaschoolchoice.org/information/CTC/norm_referenced_assessment.asp.

(b) 1. through 4. No change.

(7) Commissioner’s duties. The Commissioner may deny, suspend, or revoke a private school’s participation in the scholarship program pursuant to Section 220.187(11)~~(10)~~, F.S.

(a) through (c) No change.

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

(f) The Department shall notify the complainant of the final result of all legally sufficient formal complaints.

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

2. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner’s authority established pursuant to Section 220.187(11)~~(10)~~, F.S., and this rule.

3. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, the student, or private school as appropriate ~~a formal notice will be sent from the Commissioner to the district’s Superintendent stating that failure to respond within five (5) working days shall be deemed to be an admission of the stated violation or allegation.~~

(c) The Department shall review the response to the letter of inquiry and:

1. If satisfied that no violation of laws or rules related to scholarship program participation occurred, notify the parent, private school, or school district and complainant that the inquiry will be closed.

2. If more information is needed, request additional information related to the inquiry from the complainant, parent, private school, or school district or conduct a site audit/inspection as appropriate.

3. If a violation of laws or rules related to scholarship program participation has been committed by:

a. A parent, then the Department shall notify the appropriate nonprofit scholarship-funding organization of the violation which it may use to reconsider its determination of student eligibility.

b. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner’s authority established pursuant to Section 220.187(11)~~(10)~~, F.S., and this rule.

c. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, student, or private school as appropriate.

(d) The Department may at any point in the process set forth in this rule refer an inquiry to the Department’s Office of Inspector General or another appropriate agency for investigation.

(e) Notwithstanding any other provisions of this rule, the Commissioner may at any point during the inquiry process exercise the authority given under Section 220.187(11)~~(10)~~, F.S., and this rule ~~to immediately suspend payments to a private school if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of students or suspected fraudulent activity on the part of the private school.~~

~~Rulemaking Specific~~ Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History–New 2-5-07, Amended 11-26-08, _____.

**DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development**

RULE NO.: 9B-70.002
RULE TITLE: Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: This rule is amended to correct a reference from paragraph (4)(f) to (3)(f); clarify language in paragraph (3)(f) relating to accreditation of updated courses; to add new paragraph (3)(g) to allow administrative approval (without accreditation) of a course under identified circumstances and subject to identified conditions; and add new paragraph (3)(h) to specify that a change in course delivery format requires accreditation.

SUBJECT AREA TO BE ADDRESSED: Forms relating to Building Code Education.

RULEMAKING AUTHORITY: 553.841(8) FS.

LAW IMPLEMENTED: 553.841(8) FS.

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

DATE AND TIME: April 7, 2010, 8:30 a.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Hilton University, 1714 S.W. 34th Street, Gainesville, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-203.101 Canteen Operations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove language regarding the time frames inmates may possess consumable items from the institutional canteen, as this language is being moved to Rule 33-602.201, F.A.C., via Chapter 120, F.S.

SUBJECT AREA TO BE ADDRESSED: Canteen Operations.
 RULEMAKING AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.101 Canteen Operations.

(1) through (3) No change.

(4) Items Authorized for Sale in Canteens.

(a) through (c) No change.

~~(d) In keeping with good sanitary practices, food in dormitories or cells is restricted to nonperishable items or food that is to be consumed immediately. Storage of perishable food is prohibited.~~

(5) through (8) No change.

Rulemaking Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215, 946.002 FS. History—New 1-20-86, Formerly 33-3.035, Amended 11-21-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended 11-18-02, 12-2-03, 12-14-04, 6-16-05, 11-29-06, 11-9-08, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-602.101 Care of Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that inmates are permitted to wear authorized athletic shoes, such as canteen-purchased athletic shoes, as part of the Class A uniform except for the purposes of visitation.

SUBJECT AREA TO BE ADDRESSED: Care of Inmates.

RULEMAKING AUTHORITY: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.09, 945.215 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

(1) Each institution shall provide a canteen to be operated within the institution for the convenience of the inmates in obtaining items which are not furnished ~~them~~ by the Department of Corrections, but which are allowable within the institution through canteen purchase. Proceeds from the operation of the canteen shall be deposited in the general revenue fund as provided by law. These profits shall be used as provided in Rule 33-203.101, F.A.C. Such canteen operation shall be subject to audit, as other institutional operations are audited. Institutions with a cashless canteen shall restrict canteen purchases to those inmates with proper identification. Alternate purchase procedures shall be established for those

inmates with temporary ID cards. These alternate procedures shall ensure at least a weekly opportunity to make canteen purchases.

(2) Inmates shall at all times wear the regulation clothing and identification card in accordance with Department rules, procedures, and institution policy.

(a) Class Uniforms will be as follows:

1. The male Class A uniform shall require the following:

a. through g. No change.

h. Footwear (including authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear). Authorized athletic shoes may not, however, be worn for visitation.

2. The female Class A uniform shall require the following:

a. through d. No change.

e. Footwear (including authorized athletic shoes, state issued canvas shoes, work boots, or approved medically necessary footwear). Authorized athletic shoes may not, however, be worn for visitation.

3. through 5. No change.

(b) General Clothing Regulations: The following general clothing regulations will not supersede the clothing or uniform requirements or allowances for inmates in Maximum Management, Close Management, Disciplinary Confinement, Administrative Confinement, Work Release or Community Release inmates contained in other rules. Work release inmates shall wear civilian clothing as required by Rule 33-601.602, F.A.C.

1. through 5. No change.

6. Inmates shall wear either shorts ~~or~~ pants, ~~(or females may wear a dress or pajamas with a robe fully buttoned)~~ any time inmates are not in their beds, except that females may wear a dress or pajamas with a robe fully buttoned. Pants shall be completely buttoned before exiting the dormitory. The waist of pants and shorts shall be worn above the buttocks, around the natural waist.

7. through 8. No change.

9. No hats shall be worn inside, except as stated for religious reasons, and shall be removed from the head when passing through any gate area. Skull caps of any kind are prohibited.

10. No change.

(c) through (h) No change.

(i) Institutional clothing is the property of the State of Florida and must be returned to the Department ~~department~~ upon an inmate's release from incarceration. Institutional clothing shall not be worn by an inmate being released from incarceration.

(j) through (k) No change.

(3) The warden or Officer-in-Charge shall give each inmate a receipt for any personal clothing in his possession other than that allowed by the Department of Corrections. In

addition, inmates shall be permitted to send such clothing to their families, residences or other persons approved by the warden or Officer-in-Charge at no expense to the Department of Corrections. Enclosed with such clothing sent from the institution shall be an itemized list thereof, a signed copy of the inmate's written request that it be sent to the addressee to whom the clothing is forwarded. A copy of such list and a signed copy of such written request shall be placed in the inmate's record jacket, along with a notation showing the date of mailing. If the inmate does not send his clothing out of the institution or gives it to the institution within 30 days after his arrival at the institution, it shall be considered forfeited and may be placed in a "clothes closet" for later use by inmates, donated to charity, or disposed of by the institution. Notice of such forfeiture shall be given to the inmate in writing by the warden or designee and a copy of such notice shall be filed in the inmate's property file. (Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(4) through (10) No change.

(11) Inmate health and comfort items shall be provided in accordance with the guidelines in the Inmate Health and Comfort Items – Issuance, Form NI1-071. Form NI1-071, Inmate Health and Comfort Items – Issuance, is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, ~~Research, Planning and Support Services~~, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 10-23-06.

Rulemaking Specific Authority 944.09, 945.215 FS. Law Implemented 944.09, 945.215 FS. History--New 10-8-76, Amended 4-19-79, 4-24-80, 10-14-84, 1-9-85, Formerly 33-3.02, Amended 11-3-87, 10-6-88, 7-23-89, 8-27-91, 3-30-94, 11-13-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, 10-23-06, 1-18-07, 5-13-08, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add a bowl to the list of permissible items and clarify the circumstances and time frames under which consumable canteen purchased may be kept.

SUBJECT AREA TO BE ADDRESSED: Inmate Property.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.201 Inmate Property.

(1) through (3) No change.

(4) Authorized Property.

(a) through (d) No change.

(e) Inmates shall be required to maintain receipts for items purchased from the canteen for as long as they possess the items. In instances where items purchased from the canteen are added to Form DC6-224, Inmate Personal Property List, by the property officer, the inmate will not be required to maintain the original canteen receipt. Perishable food ~~Food~~ and beverage items purchased from the canteen are intended for immediate consumption and may not be stored in an inmate's housing area, and inmates may not retain such items longer than 30 days, as evidenced by the canteen receipt. Perishable food and beverage items are those that are unsealed or that require refrigeration. Nonperishable A food or beverage items item may not be kept longer than 30 days, as evidenced by the canteen receipt, and shall be considered contraband if found in the possession of an inmate more than 30 days after its purchase.

(f) No change.

(5) through (17) No change.

APPENDIX ONE
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions", property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to Department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private

facilities may differ from those sold in Department canteens, items purchased in canteens at private facilities will not always be admissible in Department facilities.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. Items found in the possession of an inmate that are in excess of the established "quantity" shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a "value" indicated, the authorized item shall not exceed that value. The terms "canteen" and "state issue" refer to the sources from which property can be obtained after January 1, 1996. All items with the "canteen" designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between institutions. "State issue" means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or canteen – female only)
1	each		Coat (state issue)
3	each		Dresses (state issue – female only)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (canteen)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or canteen) Light blue or white – female only
			Light blue – male
7	each		Panties (state issue or canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or canteen)
1	each		Robe (state issue – female only)

3	each	Shirt, outer (state issue)
4	each	Shirt, T-Shirt (state issue or canteen order – gray for female, white for male) *inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair	Shoes, Athletic (canteen)
1	pair	Shoes, Work (state issue)
2	each	Shorts, athletic (navy blue) (canteen)
1	each	Shower cap, clear only (female only) (canteen)
1	pair	Shower slides (canteen)
3	each	Slips (state issue – female only)
6	pair	Socks (state issue or canteen)
1	each	Supporter, athletic (male only) (canteen)
2	each	Sweatshirts (gray only) (canteen order)
4	each	Undershorts (male only) (state issue or canteen)
2	each	Underwear, thermal (state issue or canteen)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
Number in use			Batteries (canteen)
25	each		Roller clips – plastic only (females only), (canteen)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
<u>1</u>	<u>each</u>		<u>Bowl – plastic (canteen)</u>
1	package		Breath tablets (canteen)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – * limited by approved storage space;
1	set		Checkers (light wood or plastic, standard checkers only) (canteen order)
1	set		Chess (light wood or plastic, 2 inches max. height) (canteen order)
1	each		Coffee mug – plastic (canteen)
1	each		Comb-pocket type, no handles (non-metal) (state issue or canteen)
*			Correspondence – * limited by storage space limitations
1	pack		Cotton swabs (plastic or paper stems only) (canteen)
2	each		Crème rinse and conditioner (canteen)
1	each		Cup, drinking – plastic (canteen)
1	package		Dental floss, (floss loops only), unwaxed (canteen)
1	each		Denture adhesive (state issue or canteen)
1	each		Denture cup (canteen order)
2	each		Deodorant and antiperspirant (no aerosols) (canteen)
1	set		Domino (light wood or plastic, standard size) (canteen order)
1	pair		Earphone pads (replacement) (canteen order)
1	pair		Ear rings, post type (female only) (canteen order)
*			Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack		Emery board – cardboard (canteen)
25	each		Envelopes – legal (#10 size) (canteen)
5	each		Envelopes – oversized (10" x 13") (canteen)
*			Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
2	each		Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated
1	each		Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot

1	box		cover-up, lip coloring (female only) (canteen)
*			Feminine hygiene products (internal and external)
20			(female only) (state issue or canteen)
1	each		File folders (*limited by storage space)
2	each		Greeting cards and accompanying envelopes
1	each		Hairbrush – nonmetal, handles for females only (canteen)
2	each		Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (canteen)
1	each		Hair net (female only) (canteen)
25	each		Hair rollers (female only) (canteen)
2	each		Handballs or racketballs (canteen)
1	each		Headphones for use with radio (canteen)
1	each		Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (canteen – as approved by health services)
2	each		Hearing aid (state issue or personal)
*			Hobby craft – at locations where program exists and subject to storage space limitations
1	each		Insect repellent (canteen)
1	each		Jigsaw puzzle (canteen order)
1	each		Laundry bag (state issue or canteen)
1	each		Lighter, disposable (approved type) (canteen)
1	each		Lip balm (canteen)
1	each		Locks, combination (V68 series) (canteen)
1	each		Make-up bag, clear only (female only) (canteen)
1	each		Mirror – plastic, nonbreakable, 5" x 7" max. (canteen)
1	each		Moisturizer – no mineral oils, no vaseline (canteen)
1	each		Mouthwash (canteen)
1	each		Nail clippers, not to exceed 2 1/2" (canteen)
2	pack		Notebook paper (canteen)
4	each		Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (canteen)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, "Walkman" type, maximum 4" x 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
2	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
2	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)

1	each		Soap, laundry (female only) (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (canteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (nylon and Velcro only) (canteen)
2	each		Washcloths (state issue or canteen)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-7.220 Policy

PURPOSE AND EFFECT: To create procurement rules to educate the public regarding the District’s procurement processes.

SUBJECT AREA TO BE ADDRESSED: Chapter 40E-7, Part II, F.A.C., regarding procurement of goods and services for the South Florida Water Management District.

RULEMAKING AUTHORITY: 120.536(1), 120.54, 287.055, 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.083 FS.

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

DATE AND TIME: April 6, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Location: B-1 auditorium

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

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Boulevard, Ft. Myers, FL 33901, Location: Fort Myers 1st Floor Large Conference Room

DATE AND TIME: April 20, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, St Cloud Field Station, 3800 Old Canoe Creek Road, St. Cloud, FL 34769, Location: Kissimmee Field Station Conference Room

DATE AND TIME: April 26, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N.W. 58th Street, Miami, FL 33178, Location: Miami Field Station Conference Room

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

PLACE: South Florida Water Management District, Ft. Lauderdale Field Station, 2535 Davie Road, Davie, FL 33317, Location: Joe Lopez, Jr. Conference Room

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Meier, Lead Contract Compliance Specialist, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 6611, West Palm Beach, FL 33416 4680, telephone 1(800)432-2045, extension 6384 or (561)682-6384 (internet:mmeier@sfwmd.gov)

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

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NO.: RULE TITLE:

60FF-5.004 Requirements for Fee Remittance Submitted by or on Behalf of Wireless and Non-wireless Service Providers

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to set forth the procedural requirements for submitting and reporting the 911 fees required by Section 365.172, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The new rule will set forth the procedural requirements for submitting and reporting the 911 fees required by Section 365.172, Florida Statutes.

RULEMAKING AUTHORITY: 365.172(6)(a)11., 365.172(8) FS.

LAW IMPLEMENTED: 365.172(8) 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: John C. Ford, Board Chair, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.:	RULE TITLE:
61G18-15.0025	Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals

PURPOSE AND EFFECT: The Board proposes to the rule amendment to add a requirement concerning the presence of controlled substances in the unit.

SUBJECT AREA TO BE ADDRESSED: Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals.

RULEMAKING AUTHORITY: 474.206, 474.215(6) FS.

LAW IMPLEMENTED: 474.215(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Law Enforcement

RULE NOS.:	RULE TITLES:
62N-16.012	Discharge Cleanup Organization; Approval
62N-16.027	Form: Request for Reimbursement for Damage
62N-16.033	Terminal Facility Discharge Contingency Plan

PURPOSE AND EFFECT: The purpose of this amendment is to make the appropriate changes to Chapter 62N-16, F.A.C. Pursuant to Section 120.55(1)(a)4., F.S., the Form: Application for Approval as a Discharge Cleanup Organization will be incorporated into subsection 62N-16.012(1), F.A.C., and the reference to Rule 62N-16.026, F.A.C., will be removed since this rule number has been repealed. Also the reference to Section 376.06, F.S., in Rule 62N-16.012, F.A.C., will be removed since this statute number no longer exists. Furthermore Rule 62N-16.027, F.A.C., which is labeled the Form: Request for Reimbursement for Damage, will be repealed since Rule 62N-16.020, F.A.C., the rule number to which the form applies to no longer exists. Finally, subsection 62N-16.033(4), F.A.C., will be repealed. This is due to the fact that Rule 62N-16.036, F.A.C., Vessel Spill Contingency Plan, which is the contingency plan referenced in subsection 62N-16.033(4), F.A.C., no longer exists.

SUBJECT AREA TO BE ADDRESSED: The rule amendments will do the following: incorporate the appropriate form into the rule, remove references that are no longer exist and repeal certain rule numbers that are no longer valid.

RULEMAKING AUTHORITY: 376.07 FS.

LAW IMPLEMENTED: 376.065, 376.07, 376.09 FS.

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

Pursuant to the provisions of 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: Phil Wiczynski, Division of Law Enforcement, Bureau of Emergency Response, 3900 Commonwealth Blvd., MS 600, Tallahassee, FL 32399-3000, (850)245-2010, e-mail: Phil.Wiczynski@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Wiczynski at the address/phone above.

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

DEPARTMENT OF JUVENILE JUSTICE

Program Accountability

RULE NOS.:	RULE TITLES:
63L-2.001	Purpose and Scope
63L-2.002	Definitions
63L-2.003	Frequency of Reviews
63L-2.004	Program Notification and Review Preparation
63L-2.005	Conducting Reviews
63L-2.006	Indicators, Standards and Ratings
63L-2.007	Certified Reviewers
63L-2.008	Challenges to Program Reports
63L-2.009	Failed Standards
63L-2.010	Internal Review Board
63L-2.011	Deemed Status

PURPOSE AND EFFECT: The rule chapter governs the administration of the department’s statewide quality assurance system, which ensures the quality of programs operated by or on behalf of the department to serve youth and families.

SUBJECT AREA TO BE ADDRESSED: The rule chapter governs the quality assurance system, including the review and reporting of program performance.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.632 FS.

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

DATE AND TIME: Tuesday, April 13, 2010, 2:00 p.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 Psychology

RULE NO.:	RULE TITLE:
64B19-11.012	Application Forms

PURPOSE AND EFFECT: The Board proposes the rule review to delete unnecessary language and to add new language to clarify the application forms.

SUBJECT AREA TO BE ADDRESSED: Application forms.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005. 490.006(1)(b) 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: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-1.012	Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement

PURPOSE AND EFFECT: Provide a reference for the Application for Monthly Report of Fertilizer Sold in the State of Florida, (DACS-13239, Rev. 02/10) and Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08), not previously referenced in rule language. Update the rule tonnage reporting requirements to agree with the Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08). To provide fertilizer companies the means to submit the Application for Monthly Report Of Fertilizer Sold In The State of Florida, (DACS-13239, Rev. 02/10) and Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08).

SUMMARY: Rule 5E-1.012, F.A.C., references the forms to be utilized for reporting monthly fertilizer tonnage sales and reporting statistical tonnage data.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will have an impact on small business. The SERC prepared by the agency states that the proposed rule will update and amend existing rules already in effect and specified in Rule 5E-1.012, F.A.C., affecting the 522 estimated fertilizer licensees. There are no anticipated costs of implementation or maintenance of this proposed rule to the Florida Department of Agriculture and Consumer Services or any other government agencies. There are no anticipated additional costs to be incurred by individuals and entities required to comply with

this proposed rule. This proposed rule should have a negligible to null impact on any small business and is not expected to have a disproportionate impact on small business, small counties or small cities.

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: 570.07(23), 576.181 FS.

LAW IMPLEMENTED: 576.041, 576.045 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: Mr. Bruce Nicely, Chief of Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399; (850)487-8731

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.012 Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement.

(1) Licensees must make a monthly report of fertilizer sold in the State of Florida and pay a monthly inspection fee. Each Licensee shall report the amount of all fertilizers sold each month, using DACS 13239, Monthly Report of Fertilizer Sold in the State of Florida, Rev. 02/10 (Form AB-7110) on or before the 15th day of the following month, accompanied by inspection fee payment, as provided by law. A negative report shall be made for any month in which there were no sales.

(2) Statistical report of fertilizer tonnage. This report covers all fertilizer movements other than wholesale. Each Licensee shipping or delivering fertilizers in other than wholesale movements in lots of one or more tons shall notify the department thereof. Notification shall consist of:

(a) A monthly summary to be submitted on or before the 15th of the month following the reporting period. A negative report shall be made for any month in which there were no sales.

(b) The monthly summary shall be submitted using DACS 13238, Monthly Fertilizer Tonnage Reporting, Rev. 05/08, Form No. IN-142 Rev. 9/94 indicating the following information:

1. Date, Licensee Name, Licensee Number, Licensee Address, Reporting Month and Year, or month and year, as appropriate;

2. Destination County Code using the five digit (state + county) United States Environmental Protection Agency (EPA) County Federal Information Processing Standard (FIPS) code. The EPA County FIPS Code Listing for the State of Florida, Updated April 10, 2009 is hereby adopted and incorporated by

reference and can be obtained at the following website: www.epa.gov/enviro/html/codes/fl.html. Point of destination, including name or code number of county;

3. Quantity (net weight in tons);

4. Material Code (materials only; not for mixed fertilizer). The material codes can be found in Appendix C of the Uniform Fertilizer Tonnage Reporting System Instruction Manual, Edition 2 (08/25/2006) which is hereby adopted and incorporated by reference and can be obtained at the following website: www.aapfco.org/uftrsvXP/UFTRXPDoc.pdf. Brand and grade (analysis);

5. Mixed Grades Guaranteed Analysis N-P-K. Product code (Florida license and/or registration number);

6. Form (bulk, bagged, or liquid);

7. Use (Farm, Non-Farm Residential Lawn/Turf, Non-Farm Golf/Athletic Field, Non-Farm Garden/Landscape, Non-Farm Potting/Planting Soil, Non-Farm Nursery/Greenhouse farm or non-farm).

~~(3) All invoices shall show the inspection fee on bulk fertilizers.~~

~~(3)(4) Each applicant for a fertilizer license shall post a continuous Surety Bond in the amount of \$1,000 using Fertilizer Dealer's Bond DACS 13229, Fertilizer Dealer's Bond, Rev. 10/09 (Fertilizer Form No. IN-140, Rev. 2/93) or a continuous Certificate of Deposit in the amount of \$1,000 made jointly in the names of the applicant and the Department with dividends payable to the applicant, or a continuous Certificate of Deposit in the amount of \$1,000 accompanied by an Assignment of Certificate of Deposit DACS 13201, Assignment of Certificate of Deposit, Rev. 11/09 using (Fertilizer Form IN-204, Rev. 2/93).~~

~~(4)(5) Any Licensee who fails to report the amount of all fertilizers sold each month, using DACS 13239, Monthly Report of Fertilizer Sold in The State of Florida, Rev. 02/10, Form AB-7110 on or before the 15th day of the following month and accompanied by the inspection fee payment shall be required to secure with the Department a Surety Bond or Certificate of Deposit as outlined in the schedule below:~~

Highest Amount of Fees Paid During a Single Month of Last Year	Amount of Bond Deposit Required
0 - \$1,000	\$1,000
1,001 - 3,000	3,000
3,001 - 5,000	5,000
5,001 - 7,000	7,000
7,001 - 9,000	9,000
9,001 - 11,000	11,000
Over 11,000	15,000

~~(6) This schedule shall be implemented following the effective date of this rule.~~

(5)(7) FORMS. The ~~Department following~~ forms contained in this rule are hereby adopted and incorporated by reference ~~and~~. These forms may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650, (850)487-2085 or by visiting the Department's website at www.doacs.state.fl.us/onestop/index.html.

- (a) ~~Form No. IN-140, Rev. 2/93.~~
- (b) ~~Form No. IN-142, Rev. 9/91.~~
- (c) ~~Form No. IN-204.~~
- (d) ~~Form AB-7110, Rev. 6/92.~~

Rulemaking Specific Authority 570.07(23), 576.181 FS. Law Implemented 576.041, 576.045 FS. History—Revised 1-23-67, 6-24-69, 2-26-71, 3-1-73, 1-1-77, Formerly 5E-1.12, Amended 8-3-93, 10-25-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson Rackley, Director, Division of Agriculture Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Charles H. Bronson, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 4, 2009

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-2.031
 RULE TITLE: Pesticide Registration; Exemptions from Registration; Experimental Use Permits

PURPOSE AND EFFECT: To provide a reference for the form Application For New Or Amended Pesticide Product Brand Registration (DACS-13342, Rev. 12/09) and the Application For Reregistration Pesticide Product Brand(s) (DACS-13501, Rev. 12/09), not previously referenced in rule language and to describe documents that must be submitted with new or amended pesticide product brand registration.

SUMMARY: The rule will update the revision dates on forms DACS-13342, Rev. 12/09 and DACS-13501, Rev. 12/09 and describe documents that must be submitted with new or amended pesticide product brand registration.

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. The rule provides a reference for the Application for New or Amended Pesticide Product Brand Registration DACS-13342, Rev. 12/09 and Application for

Reregistration Pesticide Product Brand(s) DACS-13501, Rev. 12/09. It also lists the documents for registration that were previously included in the Application for New or Amended Pesticide Product Brand Registration DACS-13342, Rev. 06/08.

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: 487.041 FS.

LAW IMPLEMENTED: 487.041 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: Dr. Dennis F. Howard, Chief of Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399; (850)487-0532

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-2.031 Pesticide Registration; Exemptions from Registration; Experimental Use Permits.

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

(b) When it is determined by the Pesticide Review Council that it is necessary that the applicant or registrant conduct Florida field testing of a restricted-use pesticide, that applicant or registrant shall apply to the department for an Experimental Use Permit ~~pursuant to subsection (11) of this rule~~. During the period of experimentation, the department may deny, revoke, suspend or conditionally accept the registration.

(5) through (10) No change.

~~(11) The department's "Procedural Guidelines and Standards for the Review of State Pesticide Registrations, Emergency Exemptions and Experimental Use Permits" (September 1991) are hereby adopted by reference. A copy of the guidelines may be obtained from the Pesticide Registration Section, 3125 Conner Boulevard, MD-2, Tallahassee, Florida 32399-1650.~~

(11)(a) Applicants for new or amended pesticide brand registration shall submit a completed form DACS-13342, Application for New or Amended Pesticide Product Brand Registration, Rev. 12/09 together with the following documents: 1. One final printed label (that which appears on the product container); 2. One EPA stamped accepted label including a copy of any EPA comment, notification and amendment letter(s) issued in connection with acceptance of the label; 3. One Material Safety Data Sheet (MSDS), which includes a statement of emergency treatment; 4. For sub-registrations, the information required in item 2 above must be obtained from or submitted by the manufacturer along with the EPA Notice of Supplemental Distribution of a Registered Pesticide Product (EPA Form 8570-5) which is

hereby adopted and incorporated by reference and may be obtained at the website <http://www.epa.gov/opprd001/forms/8570-5.pdf>.

(b) Applicants for pesticide brand product re-registration shall submit a completed form DACS-13501, Application for Reregistration Pesticide Product Brand(s), Rev. 12/09.

(12) All forms, filing specifications and materials contained in this rule are hereby adopted and incorporated by reference and unless indicated otherwise herein may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, MS L6, Tallahassee, Florida 32399-1650; (850)487-2130 or by visiting the Department's website at <http://www.doacs.state.fl.us>.

Rulemaking Specific Authority 487.041, 487.051(2), 570.07(23) FS. Law Implemented 487.041, 487.042, 487.051(2), 487.0615 FS. History—New 2-20-85, Formerly 5E-2.31, Amended 8-2-89, 7-18-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Anderson H. Rackley, Director of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Charles H. Bronson, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2010

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NOS.:	RULE TITLES:
9J-11.004	Submittal Requirements for Proposed Local Government Comprehensive Plans
9J-11.006	Submittal Requirements for Proposed Local Government Comprehensive Plan Amendments
9J-11.009	Action Upon Receipt of Proposed Local Government Comprehensive Plan Amendment
9J-11.011	Local Government Adoption of the Comprehensive Plan or Plan Amendment and Submittal for the Compliance Review
9J-11.012	Compliance Review and Notice of Intent
9J-11.015	Submittal Requirements for Adopted Amendments that Are Exempt from State and Regional Review

9J-11.019	Action to Require Local Government to Submit Land Development Regulations for Review
9J-11.021	Action if Local Government Has Failed to Adopt the Required Land Development Regulations

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

SUMMARY: The revisions of Chapter 9J-11, F.A.C., pertaining to local government comprehensive plans, including submittal requirements, action upon receipt, review requirements and notices of intent. The revisions of Chapter 9J-11, F.A.C., pertaining to comprehensive plan amendments exempt from the twice per calendar year limitation on the adoption of comprehensive plan amendments. The revision of Chapter 9J-11, F.A.C., pertaining to the submittal requirements for amendments that are exempt from State and regional review. The revision of Chapter 9J-11, F.A.C., pertaining to the submittal requirements for evaluation and appraisal reports and appraisal report-based amendments.

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

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

DATE AND TIME: April 12, 2010, 9:00 a.m.

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

Pursuant to the provisions of 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: Ray Eubanks, Plan Review Administrator, Division of Community Planning, Plan Review and Processing Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1767. If you are 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: Ray Eubanks, Plan Review Administrator, Division of Community Planning, Plan Review and Processing Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)922-1767

THE FULL TEXT OF THE PROPOSED RULES IS:

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

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

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

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

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

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

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

(a) through 7.g. No change.

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

i. through p. No change.

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

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

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

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

~~u.x.~~ No change.

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

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

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

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

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

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

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

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

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

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

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

8. through 10. No change.

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

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

a. through 5. No change.

(c) through (3) No change.

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

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

(1) through (5) No change.

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

(a) through (7) No change.

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

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

(b) No change.

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

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

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

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

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

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

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

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

6. through (b)1. No change.

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

3. through 5. No change.

~~6. Copies of the comprehensive plan pages that contain the newly adopted comprehensive plan amendments replacing the existing comprehensive plan pages in a manner that will update the plan and incorporate all plan amendments. To avoid reprinting all pages in the plan, it is permissible to number pages that contain additions or deletions to be inserted in the plan with the appropriate page number followed by decimals or some other equivalent sub-numbering system. These pages shall include the amendment ordinance number and adoption dates.~~

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

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

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

(9) through (10) No change.

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

9J-11.012 Compliance Review and Notice of Intent.

(1) through (a) No change.

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

(2) through (5) No change.

(6) If a Notice of Intent is issued to find the adopted plan or amendment not in compliance, the Department will forward a copy of the Notice of Intent to the Division of Administrative Hearings, Department of Management Services, requesting a hearing. During the review period provided in subsection 9J-11.012(1), F.A.C., the Department shall issue a written Statement of Intent describing how each portion of a comprehensive plan or plan amendment alleged to be not in compliance is not consistent with one or more provisions of Section 163.3177, F.S., ~~when local government adopts an educational facilities element~~, Sections 163.3178, 163.3180, 163.3191, and 163.3245, F.S., the state comprehensive plan, the appropriate strategic regional policy plan, or Chapter 9J-5, F.A.C., and a statement of remedial actions that the local government may complete in order to bring the plan into compliance. A copy of the Statement of Intent shall be mailed to the local government and to persons who requested a copy of the Notice of Intent. The Department shall file a petition requesting an administrative hearing and relief with the Division of Administrative Hearings. The petition shall incorporate the issues contained in the Statement of Intent, and the Statement of Intent and the Notice of Intent shall be filed with the petition. The administrative law judge shall submit the recommended order to the Administration Commission for final agency action.

(7) through (g) No change.

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

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

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

(b) The adopted amendment package shall include:

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

2. through 4. No change.

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

(2) No change.

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

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

(1) No change.

(2) The Department shall consider that reasonable grounds exist only if the ~~Chief, Bureau of Local Planning~~, Department of Community Affairs, Division of Community Planning, has received a letter stating facts which show that the local government has completely failed to adopt one or more of the regulations required by Section 163.3202(2), F.S., within one year after submission of its revised comprehensive plan for review pursuant to Section 163.3167(2), F.S., or if the Department has received a letter stating facts which show that the local government has totally failed to adopt one or more of the regulations required by Section 163.3202, F.S. The letter shall include the name, address, telephone number and signature of the sender and shall provide any relevant background documentation and specific reasons for the assertion that the required regulations have not been adopted.

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

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

(5) No change.

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

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

(1) through (2) No change.

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

(4) through (6) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Eubanks, Plan Review Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas G. Pelham, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 8, 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 NO.:
59G-13.051

RULE TITLE:
Assisted Living for the Elderly
Waiver Services Procedure Codes
and Fee Schedule

PURPOSE AND EFFECT: The purpose of proposed Rule 59G-13.051, F.A.C., is to incorporate by reference the Assisted Living for the Elderly Waiver Services Procedure Codes and Fee Schedule, July 2009. The proposed rule will create a stand-alone rule regarding the procedure codes and fee schedule.

SUMMARY: The fee schedule provides fees for case management and assisted living services under the waiver and provides information to providers on the Medicaid fee schedule for the program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A SERC has been prepared by the Agency and it has been determined there is no regulatory cost. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.909, 409.912 FS.

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

DATE AND TIME: Tuesday, April 13, 2010, 9:00 a.m. – 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Carol Schultz at the Bureau of Medicaid Services, (850)412-4256. If you are 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: Carol Schultz, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: schultzc@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.051 Assisted Living for the Elderly Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all Assisted Living for the Elderly waiver services providers enrolled in the Medicaid program.

(2) All Assisted Living for the Elderly waiver services providers enrolled in the Medicaid program must be in compliance with the Assisted Living for the Elderly Waiver Services Procedure Codes and Fee Schedule, July 2009, which is incorporated by reference. The Procedure Codes and Fee Schedule is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Carol Schultz

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2010

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0092
 RULE TITLE: Approval of Physician Office Accrediting Organizations

PURPOSE AND EFFECT: The proposed rule amendment is intended to add the Institute of Medical Quality (IMQ) to the Board's rule as an accrediting organization for office surgery.

SUMMARY: The proposed rule amendment adds the Institute of Medical Quality (IMQ) to the Board's rule as an accrediting organization for office surgery for a period of one year beginning July 15, 2010.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has determined that the proposed rule amendment will not have an impact on small business.

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: 458.309(3) FS.

LAW IMPLEMENTED: 458.309(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0092 Approval of Physician Office Accrediting Organizations.

(1) through (6) No change.

(7) Board approved accrediting organizations include the Institute of Medical Quality (IMQ), approved February 6, 2010. IMQ is approved, effective July 15, 2010, through July 14, 2011.

(7) through (9) renumbered (7) through (10) No change.

Rulemaking Specific Authority 458.309(3) FS. Law Implemented 458.309(3) FS. History--New 3-9-00, Amended 3-25-02, 12-28-04, 1-30-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 2010

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.015
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth additional disciplinary guidelines for specific violations.

SUMMARY: The proposed rule amendments set forth additional guidelines and penalties for various violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. Essentially, the Statement estimates that physician assistants who are required to pay additional fines, attend courses and perform other duties as a result of violating laws and rules will be impacted by the rule. In addition, in instances where a license is revoked, the impact may negatively affect small business due to the loss of the licensee performing services. A positive impact in the community will result in instances where a physician assistant is required to perform community service at no charge to the public. Those entities providing continuing medical education will be positively impacted by the increased revenues derived from licensees who are required to complete designated CME as a result of certain violations of laws and rules.

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: 456.079, 458.309, 458.331(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.347(4)(e)1., (7)(g) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.015 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 456.072, F.S., the Boards provide within this rule disciplinary guidelines which shall be imposed upon physician assistant applicants or licensees whom it regulates under Chapters 458 and 459, F.S. The purpose of this rule is to notify such applicants and licensees of the ranges of penalties which will routinely be imposed unless the Boards find it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the violated provisions or a combination of the violations the Boards shall consider a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between, including continuing medical education (CME). The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon physician assistant applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATIONS

(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board.

(Section 458.331(1)(a), F.S.)

(Section 456.072(1)(h), F.S.)

- 1. Attempting to obtain an initial license by bribery or fraud.
- 2. Attempting to renew a license by bribery or fraud.

3. Obtaining or renewing a license by bribery or fraud.

RECOMMENDED PENALTIES

First Offense

~~(a) From suspension of license to revocation with ability to reapply, or denial of licensure.~~

- 1. Denial of application and a \$10,000.00 fine.
- 2. Revocation of the license and payment of a \$5,000.00 fine to revocation and a \$10,000 fine.
- 3. Revocation of the license and payment of a \$5,000.00 fine to revocation and a \$10,000 fine.

Subsequent Offenses

~~(a) From denial of license to revocation of license with ability to reapply in not less than three years and a fine up to \$5,000.00 to denial of license without ability to reapply.~~

- 2. Revocation and a \$10,000.00 fine.
- 3. Revocation and a \$10,000.00 fine.

4. Obtaining or renewing a license through error of the Department of the Board.

(b) No change.

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(c) Guilty of crime directly relating to practice or ability to practice.

(Section 458.331(1)(c), F.S.)

(Section 456.072(1)(c), F.S.)

1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.

(d) False, deceptive, or misleading advertising.

(Section 458.331(1)(d), F.S.)

(e) Failure to report another licensee in violation.

(Section 458.331(1)(e), F.S.)

(Section 456.072(1)(i), F.S.)

(f) Aiding unlicensed practice.

(Section 458.331(1)(f), F.S.)

(Section 456.072(1)(j), F.S.)

4. Revocation.

1. ~~Revocation~~ ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 100 hours of community service, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(c) From reprimand to revocation or denial of license, ~~and~~ an administrative fine of \$1,000.00 to \$5,000.00, and 50 to 100 hours of community service.

1. ~~Revocation~~ ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from ~~\$5,000.00 to \$10,000.00~~ \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 100 hours of community service, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, and 50 to 100 hours of community service.

(e) From a letter of concern to probation ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, 25 to 50 hours of community service, or denial of licensure.

(f) From reprimand to suspension, followed by probation, or denial of licensure, 25 to 50 hours of community service, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

4. Revocation.

1. From ~~permanent~~ revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 200 hours of community service, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(c) From probation to revocation or denial of the license, ~~and~~ an administrative fine ranging from \$2,500.00 to \$5,000.00, and from 100 to 200 hours of community service.

1. ~~From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.~~

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 200 hours of community service, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, and 100 to 200 hours of community service.

(e) From reprimand to suspension or denial of licensure, ~~and~~ an administrative fine from \$2,500.00 to \$5,000.00, and 50 to 100 hours of community service.

(f) From probation to revocation or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(g) Failure to perform legal obligation.
(Section 458.331(1)(g), F.S.)
(Section 456.072(1)(k), F.S.)

1. through 2. No change.
3. Failing to disclose financial interest to patient.
(Section 456.052, F.S.)

(h) No change.
1. Involving healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.

(i) Kickbacks or split fee arrangements.
(Section 458.331(1)(i), F.S.)

(j) Sexual Misconduct.
(Section 458.331(1)(j), F.S.)
(Section 458.329, F.S.)
(Section 456.072(1)(u), F.S.)

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine.
(Section 458.331(1)(k), F.S.)
(Section 456.072(1)(a), (m), F.S.)

1. No change.
2. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial of licensure, 50 hours of community service and an administrative fine from \$1,000.00 to \$5,000.00.

3. A refund of fees paid by or on behalf of the patient and from an administrative fine of \$1,000.00, 50 hours of community service to a reprimand, 100 hours of community service and an administrative fine of \$2,500.00.

1. ~~Revocation~~ ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 50 to 100 hours of community service and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient, 25 to 50 hours of community service and from a reprimand and an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00, or denial of licensure.

(j) From probation to revocation, or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(k) From a letter of concern, and 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 50 to 100 hours of community service, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial, from 50 to 100 hours of community service and an administrative fine from \$2,500.00 to \$5,000.00.

3. A refund of fees paid by or on behalf of the patient and from a reprimand, 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand, 200 hours of community service and an administrative fine of \$5,000.00.

1. ~~From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.~~

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 100 to 200 hours of community service and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(i) A refund of fees paid by or on behalf of the patient, 50 to 100 hours of community service, and from suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(j) From suspension, to be followed by a period of probation to revocation, 100 to 200 hours of community service or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(k) From probation or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00 to revocation.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, 100 to 200 hours of community service, or in case of application for licensure, denial of licensure.

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|---|---|---|
| <p>(l) Improper solicitation of patients.
(Section 458.331(1)(l), F.S.)</p> | <p>(l) From an administrative fine ranging from \$1,000.00 to \$5,000.00, <u>25 to 50 hours of community service</u> and a reprimand to probation, or denial of licensure.</p> | <p>(l) From suspension, <u>to be followed by a period of probation, 50 to 100 hours of community service</u>, to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.</p> |
| <p>(m) Failure to keep legible written medical records.
(Section 458.331(1)(m), F.S.)</p> | <p>(m) From letter of concern, <u>25 to 50 hours of community service</u> to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.000.</p> | <p>(m) From a reprimand to suspension followed by probation, <u>50 to 100 hours of community service</u>, and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.</p> |
| <p>1. No change.
2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.</p> | <p>2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand, <u>50 to 100 hours of community service to through</u> suspension of the license, or in the case of application for licensure, denial of licensure.</p> | <p>2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation, <u>100 to 200 hours of community service</u> to revocation, or in case of application for licensure, denial of licensure.</p> |
| <p>(n) Exercising influence on patient for financial gain.
(Section 458.331(1)(n), F.S.)
(Section 456.072(1)(n), F.S.)</p> | <p>(n) Payment of fees paid by or on behalf of the patient and from a reprimand, <u>25 to 50 hours of community service</u> to probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</p> | <p>(n) Payment of fees paid by or on behalf of the patient and from probation, <u>50 to 100 hours of community service</u>, to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</p> |
| <p>(o) Improper advertising of pharmacy.
(Section 458.331(1)(o), F.S.)</p> | <p>(o) From a letter of concern to probation, or a denial of licensure, <u>25 to 50 hours of community service</u>, and an administrative fine ranging from \$250.00 to \$2,500.00.</p> | <p>(o) From a reprimand, <u>50 to 100 hours of community service</u> and an administrative fine of \$2,500.00 to probation, and an administrative fine from \$2,500.00 to \$5,000.00, or denial of licensure.</p> |
| <p>(p) Performing professional services not authorized by patient.
(Section 458.331(1)(p), F.S.)</p> | <p>(p) From a letter of concern, <u>25 to 50 hours of community service</u> to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.</p> | <p>(p) From a reprimand, <u>50 to 100 hours of community service</u> to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</p> |
| <p>(q) Inappropriate or excessive prescribing.
(Section 458.331(1)(q), F.S.)</p> | <p>(q) From reprimand to probation, <u>25 to 50 hours of community service</u> and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.</p> | <p>(q) From probation, <u>50 to 100 hours of community service</u> to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.</p> |
| <p>(r) Prescribing or dispensing of a scheduled drug by the physician assistant to himself or herself.
(Section 458.331(1)(r), F.S.)</p> | <p>(r) From probation to suspension or denial of licensure, <u>25 to 50 hours of community service</u> and an administrative fine ranging from \$1,000.00 to \$2,500.00.</p> | <p>(r) From suspension to revocation or denial of licensure, <u>50 to 100 hours of community service</u> and an administrative fine ranging from \$2,500.00 to \$5,000.00.</p> |
| <p>(s) Inability to practice medicine with skill and safety.
(Section 458.331(1)(s), F.S.)</p> | <p>(s) From reprimand to suspension, which may be stayed to allow a period of probation with supervision, and a demonstration by the licensee of the ability to practice with reasonable skill and safety, or denial of licensure, <u>25 to 50 hours of community service</u> and an administrative fine ranging from \$1,000.00 to \$2,500.00.</p> | <p>(s) From probation to revocation, until the licensee is able to demonstrate ability to practice with reasonable skill and safety, followed by probation, or denial of licensure, <u>50 to 100 hours of community service</u> and an administrative fine from \$2,500.00 to \$5,000.00.</p> |

- (t)1. Malpractice: practicing below acceptable standard of care.
(Section 458.331(1)(t), F.S.)
2. Gross Malpractice.
3. No change.
- (u) Performing of experimental treatment without informed consent.
(Section 458.331(1)(u), F.S.)
- (v) No change.
- (w) Delegation of professional responsibilities to unqualified person.
(Section 458.331(1)(w), F.S.)
(Section 456.072(1)(p), F.S.)
- (x)1. Violation of law, rule, or failure to comply with subpoena.
(Section 458.331(1)(x), F.S.);
(Section 456.072(1)(b), (q), F.S.)
2. Violation of an order of the Board.
- (y) Conspiring to restrict another from lawfully advertising services.
(Section 458.331(1)(y), F.S.)
- (z) Aiding an unlawful abortion.
(Section 458.331(1)(z), F.S.)
- (aa) Presigning prescription forms.
(Section 458.331(1)(aa), F.S.)
- (bb) Failure to adequately supervise assisting personnel.
(Section 458.331(1)(dd), F.S.)
- (t)1. From a letter of concern, 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.
2. From probation, 25 to 50 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.
- (u) From a letter of concern to suspension, to be followed by a period of probation, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.
- (w) From reprimand to suspension, followed by probation, 25 to 50 hours of community service or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.
- (x)1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation, or denial of licensure, 25 to 100 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.
2. From a ~~reprimand, 25 to 50 hours of community service letter of concern~~ and an administrative fine of \$1,000.00 to a ~~reprimand letter of concern~~ and an administrative fine of \$5,000.00.
- (y) From a letter of concern to a reprimand, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00
- (z) From probation, 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.
- (aa) From a letter of concern to a reprimand and an administrative fine of \$1,000.00 to a letter of concern and an administrative fine of \$2,500.00.
- (bb) From a reprimand to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.
- (t)1. From reprimand, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
2. From suspension followed by probation to revocation or denial, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.
- (u) From suspension to be followed by a period of probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
- (w) From probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
- (x)1. From probation, 50 to 150 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
2. From a reprimand, 50 to 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.
- (y) From a reprimand, 50 to 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00.
- (z) From suspension, to be followed by a period of probation, 50 to 100 hours of community service, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
- (aa) From a reprimand to probation, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
- (bb) From probation to suspension followed by probation, or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(cc) Improper use of substances for muscle building or enhancement of athletic performance.

(Section 458.331(1)(ee), F.S.)

(dd) Use of amygdaline (laetrile).

(Section 458.331(1)(ff), F.S.)

(ee) Misrepresenting or concealing a material fact.

(Section 458.331(1)(gg), F.S.)

(ff) Improperly interfering with an investigation or a disciplinary proceeding.

(Section 458.331(1)(hh), F.S.)

(Section 456.072(1)(r), F.S.)

(gg) Failing to report any M.D., D.O. or PA, who is in violation of law.

(Section 458.331(1)(ii), F.S.);

(Section 456.072(1)(i), F.S.)

(hh) No change.

(ii) Violating Chapters 458, 456, F.S., or any rules adopted pursuant thereto.

(458.331(1)(nn), F.S.)

~~(jj)(ii)~~ Theft or reproduction of an examination.

(Section 456.018, F.S.)

(kk) Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.

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

(ll) Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures.

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

(cc) From a reprimand to suspension, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(dd) From a reprimand to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(ee) From a reprimand to probation, and an administrative fine ranging from \$500.00 to \$2,500.00, 25 to 50 hours of community service or the denial of licensure with the ability to reapply, upon payment of a \$500.00 fine.

(ff) From a reprimand to probation, 25 to 50 hours of community service or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

(gg) From a letter of concern to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00

(ii) From a reprimand, 25 to 100 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$5,000.00.

~~(jj)(ii) Revocation Suspension to revocation, or denial of licensure without an ability to reapply.~~

(kk) From a \$1,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and one (1) hour lecture on wrong-site surgery in the State of Florida to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, 50 to 100 hours of community service, undergo a risk management assessment, a one (1) hour lecture on wrong-site surgery, and suspension to be followed by a term of probation.

(ll) From a \$1,000.00 to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, 50 to 100 hours of community service, and a one hour lecture to the staff of a Florida licensed healthcare facility on retained foreign body objects to revocation.

(cc) From suspension to be followed by a period of probation, to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(dd) From suspension to be followed by a period of probation to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(ee) From probation, 50 to 100 hours of community service to revocation or denial of licensure without the ability to reapply, and an administrative fine ranging from \$500.00 to \$5,000.00.

(ff) From probation, 50 to 100 hours of community service to revocation or denial of licensure without ability to re-apply, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(gg) From probation to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(ii) From probation, 100 to 200 hours of community service; to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

~~(jj) Revocation or denial of licensure without ability to reapply.~~

(kk) From a \$7,500.00 fine, a reprimand, 100 to 200 hours of community service, and probation or denial to a \$10,000.00 fine and revocation.

(ll) From a \$7,500.00 fine, a reprimand and probation, 100 to 200 hours of community service, or denial to revocation.

(mm) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients.

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

(nn) Being terminated from a treatment program for impaired practitioners, for failure to comply with the terms of the monitoring or treatment contract or for not successfully completing any drug-treatment or alcohol-treatment program.

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

(oo) Being convicted of, or entering a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program.

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

(pp) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement.

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

(qq) Being terminated from the state Medicaid program, or any other state Medicaid program, or the federal Medicare program.

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

(rr) Being convicted of, or entering into a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, which relates to health care fraud.

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

(3) through (4) No change.

Rulemaking Specific Authority 456.079, 458.309, 458.331(4) FS. Law Implemented 456.072, 456.079, 458.331(4), 458.347(4)(e)1., (7)(g) FS. History—New 3-13-89, Formerly 21M-17.015, 61F6-17.015, 59R-30.015, Amended 6-7-98, 4-9-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2010

(mm) From reprimand to probation, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.

(nn) From suspension until licensee demonstrates compliance with all terms of the monitoring or treatment contract, and is able to demonstrate to the Board the ability to practice with reasonable skill and safety to be followed by a term of probation; and a fine of \$1,000 to \$2,500, to revocation.

(oo) Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(pp) From a letter of concern to probation, and a fine of \$500 to \$5,000.

(qq) From a letter of concern to suspension, and a fine of \$1,000 to \$5,000.

(rr) Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(mm) From probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(nn) From suspension until licensee demonstrates compliance with all terms of the monitoring or treatment contract and is able to demonstrate to the Board the ability to practice with reasonable skill and safety to be followed by a term of probation; and a fine of \$2,500 to \$5,000, to revocation.

(pp) From a reprimand to revocation, and a fine of \$2,500 to \$5,000.

(qq) From a reprimand to revocation, and a fine of \$5,000 to \$10,000.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:
64B9-8.005

RULE TITLE:
Disciplinary Proceedings

PURPOSE AND EFFECT: The proposed rule is to establish professional guidelines for the administration of conscious sedation and to update the instances of unprofessional conduct.

SUMMARY: The proposed rule is to establish guidelines for the administration of conscious sedation and to update the instances of unprofessional conduct in the nursing occupation.

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: 464.006, 464.018(1)(h) FS.

LAW IMPLEMENTED: 464.018(1)(h) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B9-8.005, F.A.C. See Florida Administrative Code for present text.)

64B9-8.005 Disciplinary Proceedings Unprofessional Conduct.

Unprofessional conduct shall include: Practicing beyond the scope of the licensee's license, educational preparation or nursing experience, including but not limited to: administration or monitoring the administration of any medication intended to create an altered level of consciousness that is a deeper level than moderate sedation for a surgical, diagnostic or therapeutic procedure by a registered nurse or licensed practical nurse; provided:

(1) A registered nurse may, pursuant to physician order, administer or monitor the administration of medications to achieve deep sedation to a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway, or to a patient for end of life care, including hospice patients. Examples of medications used for deep sedation in this situation include, but are not limited to, propofol, pentothal and dexmedetomidine. Due to the potential for rapid, profound changes in sedative/anesthetic depth and the lack of antagonist medications, even if moderate sedation is intended, patients receiving propofol should receive care consistent with that required for deep sedation. Therefore the administration of propofol should only be performed by a practitioner experienced in general anesthesia and not by a registered nurse, with the exception of a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway.

(2) A registered nurse may administer prescribed pharmacologic agents to non-mechanically ventilated patients for the purpose of moderate sedation in anticipation of anxiety and or discomfort during a time-limited surgical, diagnostic or therapeutic procedure. The registered nurse must continuously monitor the patient throughout the procedure and have no other responsibilities that would require leaving the patient unattended or would compromise continuous monitoring during the procedure. The registered nurse must document the patient's level of consciousness at least every five minutes during the procedure. In the event a deeper level of sedation (such as deep sedation or general anesthesia) results from the administration of prescribed pharmacologic agents, the procedure must be stopped and the level of sedation returned to moderate sedation with the assistance of the prescribing physician.

(3) A registered nurse or licensed practical nurse may administer prescribed pharmacologic agents to patients for the relief of existing pain and anxiety, but not for the purpose of deep sedation for a surgical, diagnostic or therapeutic procedure.

(4) In order to administer or monitor any pharmacologic agents in accordance with subsection (1) or (2) above, a registered nurse must:

(a) Prior to any administration or monitoring of any pharmacologic agents, successfully complete a program of study which reflects the extent of privileges requested and which will include a criteria-based competency evaluation. At a minimum, course content will include: pharmacology and physiology, physical assessment and monitoring techniques, airway anatomy, airway management techniques and an opportunity for skill development. The evaluative criteria will cover knowledge and psychomotor skills in assessment and monitoring, principles of pharmacodynamics and pharmacokinetics (onset, duration, distribution, metabolism, elimination, intended and adverse effects, interactions, dosages and contraindications), basic and difficult airway management, mechanical ventilation, and cardiopulmonary resuscitation. The registered nurse must also be certified in advanced cardiac life support;

(b) Complete a patient assessment and ensure that the practice setting requires that the physician prescribing the pharmacologic agent has evaluated the patient based on established criteria;

(c) Ensure that the practice setting requires that the prescribing physician is immediately available throughout the procedure and recovery period;

(d) Ensure that written policies and procedures for managing patients who receive moderate sedation are reviewed periodically and are readily available within the practice setting;

(e) Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and

(f) Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.

(5) The following definitions apply for purposes of this rule:

(a) Deep sedation means a medication-induced depression of consciousness that allows patients to respond purposefully only after repeated or painful stimulation. The patient cannot be aroused easily, and the ability to maintain a patent airway independently may be impaired with spontaneous ventilation possibly inadequate. Cardiovascular function usually is adequate and maintained.

(b) General anesthesia means the patient cannot be aroused, even by painful stimulation, during this medication-induced loss of consciousness. Patients usually require assistance in airway maintenance and often require positive pressure ventilation due to depressed spontaneous ventilation or depression of neuromuscular function. Cardiovascular function may also be impaired.

(c) Moderate sedation means a minimally depressed level of consciousness that allows a surgical patient to retain the ability to maintain a patent airway independently and continuously and respond appropriately to verbal commands and physical stimulation.

(d) Immediately available means having a health care provider trained in advanced cardiac life support and resuscitation skills available to assist with patient care within five minutes.

(6) Pharmacologic agents that may be administered by a registered nurse or licensed practical nurse pursuant to subsections (2) and (3) shall not include medications that are intended to result in loss of consciousness such as propofol, penthotal, dexmedetomidine, or any medication which the manufacturer's package insert states should be administered only by individuals trained in the administration of general anesthesia.

Rulemaking Specific Authority 464.006, 464.018(1)(h) FS. Law Implemented 464.018(1)(h) FS. History—New 11-28-79, Amended 3-16-81, 10-8-81, 9-11-83, Formerly 21O-10.05, Amended 4-21-86, 2-5-87, 8-2-90, 3-12-91, 9-16-91, 4-8-92, 9-29-92, Formerly 21O-10.005, Amended 9-7-93, Formerly 61F7-8.005, Amended 11-6-94, 5-1-95, 11-16-95, Formerly 59S-8.005, Amended 2-18-98, 3-23-00, 2-17-02, 7-5-06, 12-11-06, 4-28-09.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 1, 2009

**DEPARTMENT OF HEALTH
Board of Nursing Home Administrators**

RULE NO.: 64B10-14.002
RULE TITLE: Probable Cause Determination
PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify members of the probable cause panel and who can appoint the probable cause panel.

SUMMARY: The rule amendment will add new language to clarify members of the probable cause panel and who can appoint the probable cause panel.

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

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

RULEMAKING AUTHORITY: 456.073(1), 468.1685 FS.

LAW IMPLEMENTED: 456.073 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-14.002 Probable Cause Determination.

(1) No change.

(2) The probable cause panel shall be composed of at least two (2) but not more than three (3) members, one of whom is authorized to be a past Board member. The probable cause panel shall be appointed by the Board Chair.

Rulemaking Specific Authority 456.073(1), 468.1685 FS. Law Implemented 456.073 FS. History—New 12-26-79, Amended 12-11-80, Formerly 21Z-14.02, 21Z-14.002, 61G12-14.002, Amended 8-1-95, 7-21-97, Formerly 59T-14.002.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2010

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-14.004
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify disciplinary guidelines and penalties relating.

SUMMARY: The rule amendment will add new language to clarify disciplinary guidelines and penalties relating.

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

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

RULEMAKING AUTHORITY: 456.073(3), 456.079, 468.1685(1) FS.

LAW IMPLEMENTED: 456.072, 456.073(3), 456.079, 468.1685(4), (5), (6), 468.1755(1)(a), (j), (q) 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-14.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

(1) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

Minimum	Maximum
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(a) though (qq) No change.

(rr) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035.

s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program. (Section 456.072(1)(ii), F.S.)

<u>First Offense:</u>	<u>Revocation and a fine of \$10,000.</u>	<u>or in the case of application for licensure, denial of license.</u>
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(ss) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgement, or settlement. (Section 456.072(1)(j), F.S.)

<u>First Offense</u>	<u>letter of concern</u>	<u>probation, and a fine of \$500 to \$1,000.</u>
<u>Second Offense</u>	<u>reprimand</u>	<u>revocation, and a fine of \$1,000.</u>

(tt) Being terminated from the state Medicaid program, Or any other state Medicaid program or the federal Medicare program. (Section 456.072(1)(kk), F.S.)

<u>First Offense:</u>	<u>letter of concern</u>	<u>suspension, and a fine of \$500 to \$1,000. Second</u>
<u>Offense:</u>	<u>reprimand</u>	<u>revocation, and a fine of \$1,000.</u>

(uu) Being convicted of, or entering into a plea Of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, which relates to health care fraud. (Section 456.072(1)(ll), F.S.)

<u>First Offense:</u>	<u>revocation and a fine of \$10, 000 or,</u>	<u>in the case of application for licensure, denial of license.</u>
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(3) No change.

Rulemaking Specific Authority 456.073(3), 456.079, 468.1685(1) FS. Law Implemented 456.072, 456.073(3), 456.079, 468.1685(4), (5), (6), 468.1755(1)(a), (j), (q) FS. History--New 11-23-86, Amended 4-22-87, Formerly 21Z-14.004, 61G12-14.004, 59T-14.004, Amended 10-12-97, 10-16-00, 2-13-01, 2-10-03, 5-1-03, 7-27-06, 8-10-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2010

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.005
 RULE TITLE: Designation of Administrative Violations; Major; Minor

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate new statutory violations into the guidelines.

SUMMARY: The rule will incorporate new statutory violations into the guidelines.

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: 456.079 FS.

LAW IMPLEMENTED: 456.079 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:

64B13-15.005 Designation of Administrative Violations; Major; Minor.

(1) No change.

(2) Violations of the following statutory and rule provisions are considered to be Major Administrative Violations:

(a) Paragraphs 456.072(1)(a), (b), (c), (e), (f), (g), (h), (i), (k), (m), (q), (r), (s), (w), (x), (cc), (gg), (ii), (jj), (kk), (ll), F.S., entitled "Grounds for Discipline; Penalties; Enforcement."

(b) through (m) No change.

(3) No change.

Rulemaking Specific Authority 456.079 FS. Law Implemented 456.079 FS. History--New 2-24-87, Formerly 21Q-15.005, 61F8-15.005, Amended 8-18-96, Formerly 59V-15.005, Amended 5-1-02,_____.

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: February 12, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2010

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.011
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth additional disciplinary guidelines for specific violations.

SUMMARY: The proposed rule amendments set forth additional guidelines and penalties for various violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. Essentially, the Statement estimates that physician assistants who are required to pay additional fines, attend courses and perform other duties as a result of violating laws and rules will be impacted by the rule. In addition, in instances where a license is revoked, the impact may negatively affect small business due to the loss of the licensee performing services. A positive impact in the community will result in instances where a physician assistant is required to perform community service at no charge to the public. Those entities providing continuing medical education will be positively impacted by the increased revenues derived from licensees who are required to complete designated CME as a result of certain violations of laws and rules.

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: 456.079, 459.0015, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.022(4)(e)1., (7)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.011 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 456.072, F.S., the Boards provide within this rule disciplinary guidelines which shall be imposed upon physician assistant applicants or licensees whom it regulates under Chapters 458 and 459, F.S. The purpose of this rule is to notify such applicants and licensees of the ranges of penalties which will routinely be imposed unless the Boards

find it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the violated provisions or a combination of the violations the Boards shall consider a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between, including continuing medical education (CME). The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon physician assistant applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATIONS

RECOMMENDED PENALTIES

(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board.

First Offense
~~(a) From suspension of license to revocation, with ability to reapply, or denial of licensure.~~

Subsequent Offenses
~~(a) From denial of license to revocation of license with ability to reapply in not less than three years and a fine up to \$5,000.00 to denial of license without ability to reapply.~~

(Section 459.015(1)(a), F.S.);
 (Section 456.072(1)(h), F.S.)

1. Attempting to obtain an initial license by bribery or fraud.

1. Denial of application and a \$10,000.00 fine.

2. Attempting to renew a license by bribery or fraud.

2. Revocation of the license and payment of a \$5,000.00 fine to revocation and a \$10,000 fine.

2. Revocation and a \$10,000.00 fine.

3. Obtaining or renewing a license by bribery or fraud.

3. Revocation of the license and payment of a \$5,000.00 fine to revocation and a \$10,000 fine.

3. Revocation and a \$10,000.00 fine.

4. Obtaining or renewing a license through error of the Department of the Board.

4. Revocation.

4. Revocation.

(b) No change.

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

1. Revocation ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

1. From ~~permanent~~ revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 100 hours of community service, and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 200 hours of community service and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

(c) Guilt of crime directly relating to practice or ability to practice.

(c) From reprimand to revocation or denial of license, ~~and~~ an administrative fine of \$1,000.00 to \$5,000.00, and 50 to 100 hours of community service.

(c) From probation to revocation or denial of the license, ~~and~~ an administrative fine ranging from \$2,500.00 to \$5,000.00, and from 100 to 200 hours of community service.

1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.

2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.

(d) False, deceptive, or misleading advertising.
(Section 459.015(1)(d), F.S.)

(e) Failure to report another licensee in violation.
(Section 459.015(1)(e), F.S.);
(Section 456.072(1)(i), F.S.)

(f) Aiding unlicensed practice.
(Section 459.015(1)(f), F.S.);
(Section 456.072(1)(j), F.S.)

(g) Failure to perform legal obligation.
(Section 459.015(1)(g), F.S.);
(Section 456.072(1)(k), F.S.)

1. through 2. No change.
3. Failing to disclose financial interest to patient.
(Section 456.052, F.S.)

~~(h) Giving false testimony in a legal or administrative proceeding.
(Section 459.015(1)(h), F.S.)~~
(h)(i) No change.

1. Relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

1. ~~Revocation~~ ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from ~~\$5,000.00 to \$10,000.00~~ ~~\$1,000.00 to \$5,000.00,~~ or in the case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 100 hours of community service, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand, or denial of licensure, ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, and 50 to 100 hours of community service.

(e) From a letter of concern to probation, ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, 25 to 50 hours of community service, or denial of licensure.

(f) From reprimand to suspension, followed by probation, or denial of licensure, 25 to 50 hours of community service, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial of licensure, 50 hours of community service and an administrative fine from \$1,000.00 to \$5,000.00.

3. A refund of fees paid by or on behalf of the patient and from an administrative fine of \$1,000.00, 50 hours of community service to a reprimand, 100 hours of community service and an administrative fine of \$2,500.00.

~~(h) From a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.~~

1. ~~Revocation~~ ~~From revocation with leave to reapply in three (3) years,~~ and an administrative fine ranging from \$1,000.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.

~~1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.~~

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 200 hours of community service, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

(d) From a letter of concern to reprimand or denial of licensure, ~~and~~ an administrative fine ranging from \$1,000.00 to \$2,500.00, and 100 to 200 hours of community service.

(e) From reprimand to suspension or denial of licensure, ~~and~~ an administrative fine from \$2,500.00 to \$5,000.00 and 50 to 100 hours of community service.

(f) From probation to revocation or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(g) For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation or denial, from 50 to 100 hours of community service and an administrative fine from \$2,500.00 to \$5,000.00.

3. A refund of fees paid by or on behalf of the patient and from a reprimand, 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand, 200 hours of community service and an administrative fine of \$5,000.00.

~~(h) From probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.~~

~~1. From permanent revocation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or in the case of application for licensure, denial of licensure.~~

2. Relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

~~(i)(f)~~ Kickbacks or split fee arrangements.
(Section 459.015(1)(j), F.S.)

~~(k)~~ Improper refusal to provide healthcare.
(Section 459.015(1)(k), F.S.)

~~(j)(4)~~ Sexual Misconduct.
(Section 459.015(1)(l), F.S.);
(Section 456.072(1)(u), F.S.)

~~(k)(m)~~ Deceptive, untrue, or fraudulent representations in the practice of osteopathic medicine.
(Section 459.015(1)(m), F.S.);
(Sections 456.072(1)(a), (m), F.S.)

1. No change.
2. Deceptive, untrue, or fraudulent representations in the practice of osteopathic medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

~~(l)(n)~~ Improper solicitation of patients.
(Section 459.015(1)(n), F.S.)

~~(m)(o)~~ Failure to keep legible written medical records.
(Section 459.015(1)(o), F.S.)

1. No change.
2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 50 to 100 hours of community service, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

~~(i)(f)~~ A refund of fees paid by or on behalf of the patient from a reprimand and an administrative fine of \$1,000.00 25 to 50 hours of community service to a reprimand and an administrative fine of \$5,000.00, or denial of licensure.

~~(k)~~ From a letter of concern, and an administrative fine of \$1,000.00 to a letter of concern and an administrative fine of \$2,500.00, or denial of licensure.

~~(j)(4)~~ From probation to revocation, or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(k)(m)~~ From a letter of concern, and 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, 50 to 100 hours of community service, and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

~~(l)(n)~~ From an administrative fine ranging from \$1,000.00 to \$5,000.00, 100 to 200 hours of community service, and a reprimand to probation, or denial of licensure.

~~(m)(o)~~ From letter of concern, 25 to 50 hours of community service to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

2. From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand, 50 to 100 hours of community service to through suspension of the license, or in case of application for licensure, denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, 100 to 200 hours of community service, and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

~~(i)(f)~~ A refund of fees paid by or on behalf of the patient, 50 to 100 hours of community service, from suspension to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(k)~~ From a reprimand to probation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(j)(4)~~ From suspension, to be followed by a period of probation to revocation, 100 to 200 hours of community service or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(k)(m)~~ From probation or denial of licensure, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00 to revocation.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation to revocation, 100 to 200 hours of community service, or in case of application for licensure, denial of licensure.

~~(l)(n)~~ From suspension, to be followed by a period of probation, 50 to 100 hours of community service, to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.

~~(m)(o)~~ From a reprimand to suspension followed by probation, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.

2. From an administrative fine ranging from \$2,500.00 to \$5,000.00, and suspension of the license, followed by a period of probation, 100 to 200 hours of community service, to revocation, or in case of application for licensure, denial of licensure.

~~(p)~~ Fraudulent alteration or destruction of patient records.
(Section 459.015(1)(p), F.S.)

~~(n)~~~~(q)~~ Exercising influence on patient for financial gain.
(Section 459.015(1)(q), F.S.);
(Section 456.072(1)(n), F.S.)

~~(o)~~~~(r)~~ Improper advertising of pharmacy.
(Section 459.015(1)(r), F.S.)

~~(p)~~~~(s)~~ Performing professional services not authorized by patient.
(Section 459.015(1)(s), F.S.)

~~(q)~~~~(t)~~ Inappropriate or excessive prescribing.
(Section 459.015(1)(t), F.S.)

~~(r)~~~~(u)~~ Prescribing, dispensing, administering of a scheduled drug by the physician assistant to himself or herself.
(Section 459.015(1)(u), F.S.)

~~(s)~~~~(v)~~ Use of amygdalin (laetrile).
(Section 459.015(1)(v), F.S.)

~~(t)~~~~(w)~~ Inability to practice osteopathic medicine with skill and safety.
(Section 459.015(1)(w), F.S.)

~~(u)~~~~(x)~~1. Malpractice: practicing below acceptable standard of care.
(Section 459.015(1)(x), F.S.)

2. Gross Malpractice

~~(p)~~ From a reprimand to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(n)~~~~(q)~~ Payment of fees paid by or on behalf of the patient and from a reprimand, 25 to 50 hours of community service to probation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(o)~~~~(r)~~ From a letter of concern to probation, or a denial of licensure, 25 to 50 hours of community service, and an administrative fine ranging from \$250.00 to \$2,500.00.

~~(p)~~~~(s)~~ From a letter of concern, 25 to 50 hours of community service, to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(q)~~~~(t)~~ From reprimand to probation, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.

~~(r)~~~~(u)~~ From probation to suspension or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(s)~~~~(v)~~ From a reprimand to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(t)~~~~(w)~~ From reprimand to suspension, which may be stayed to allow a period of probation with supervision, and a demonstration by the licensee of the ability to practice with reasonable skill and safety, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(u)~~~~(x)~~1. From a letter of concern, 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

2. From a probation, 25 to 50 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(p)~~ From probation to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(n)~~~~(q)~~ Payment of fees paid by or on behalf of the patient and from probation, 50 to 100 hours of community service, to suspension, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(o)~~~~(r)~~ From a reprimand, 50 to 100 hours of community service and an administrative fine of \$2,500.00 to probation, and an administrative fine from \$2,500.00 to \$5,000.00, or denial of licensure.

~~(p)~~~~(s)~~ From a reprimand, 50 to 100 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(q)~~~~(t)~~ From probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(r)~~~~(u)~~ From suspension, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(s)~~~~(v)~~ From suspension to be followed by a period of probation to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(t)~~~~(w)~~ From probation to revocation, until the licensee is able to demonstrate ability to practice with reasonable skill and safety, followed by probation, or denial of licensure, 50 to 100 hours of community service and an administrative fine from \$2,500.00 to \$5,000.00.

~~(u)~~~~(x)~~1. From reprimand, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

2. From suspension followed by probation to revocation or denial, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

3. No change.

~~(v)(y)~~ Performing of experimental treatment without informed consent. (Section 459.015(1)(y), F.S.)

~~(w)(z)~~ No change.

~~(x)(aa)~~ Delegation of professional responsibilities to unqualified person. (Section 459.015(1)(aa), F.S.); (Section 456.072(1)(p), F.S.)

~~(y)(bb)~~1. Violation of law, rule, or failure to comply with subpoena. (Section 459.015(1)(bb), F.S.); (Sections 456.072(1)(b), (q), F.S.)

2. Violation of an order of the Board.

~~(z)(ee)~~ Conspiring to restrict another from lawfully advertising services. (Section 459.015(1)(cc), F.S.)

~~(aa)(dd)~~ Aiding an unlawful abortion. (Section 459.015(1)(dd), F.S.)

~~(bb)(ee)~~ Presigning prescription forms. (Section 459.015(1)(ee), F.S.)

~~(cc)(ff)~~ Improperly interfering with an investigation or a disciplinary procedure. (Section 459.015(1)(kk), F.S.); (Section 456.072(1)(r), F.S.)

~~(dd)(gg)~~ Failing to report any M.D., D.O., or PA, who is in violation of law. (Section 459.015(1)(ll), F.S.); (Section 456.072(1)(i), F.S.)

~~(v)(y)~~ From a letter of concern to suspension, to be followed by a period of probation, 25 to 50 hours of community service or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00

~~(x)(aa)~~ From reprimand to suspension, followed by probation, 25 to 50 hours of community service or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(y)(bb)~~1. For any offense not specifically listed herein, based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation, or denial of licensure, 25 to 100 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.

2. From a reprimand, 25 to 50 hours of community service ~~letter of concern~~ and an administrative fine of \$1,000.00 to a reprimand ~~letter of concern~~ and an administrative fine of \$5,000.00.

~~(z)(ee)~~ From a letter of concern to a reprimand, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(aa)(dd)~~ From probation, 25 to 50 hours of community service to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(bb)(ee)~~ From a letter of concern to a reprimand and an administrative fine of \$1,000.00 to a letter of concern and an administrative fine of \$2,500.00.

~~(cc)(ff)~~ From a reprimand to probation, 25 to 50 hours of community service or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(dd)(gg)~~ From a letter of concern to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(v)(y)~~ From suspension to be followed by a period of probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(x)(aa)~~ From probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(y)(bb)~~1. From probation, 50 to 150 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

2. From a reprimand, 50 to 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.

~~(z)(ee)~~ From a reprimand, 50 to 100 hours of community service and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00.

~~(aa)(dd)~~ From suspension, to be followed by a period of probation, 50 to 100 hours of community service, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(bb)(ee)~~ From a reprimand to probation, 50 to 100 hours of community service, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(cc)(ff)~~ From probation, 50 to 100 hours of community service to revocation or denial of licensure without ability to re-apply, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(dd)(gg)~~ From probation to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(ee)(hh)~~ Failure to adequately supervise assisting personnel.
(Section 459.015(1)(hh), F.S.)

~~(ff)(ii)~~ Improper use of substances for muscle building or enhancement of performance.
(Section 459.015(1)(ii), F.S.)

~~(gg)(jj)~~ Misrepresenting or concealing a material fact during disciplinary or licensure procedure.
(Section 459.015(1)(jj), F.S.)

~~(hh)(kk)~~ Providing medical opinion on claim without reasonable investigation.
(Section 459.015(1)(mm), F.S.)

~~(ii)~~ Violating Chapters 459, 456, F.S., or any rules adopted pursuant thereto.
(459.331(1)(pp), F.S.)

~~(jj)(H)~~ Theft or reproduction of an examination.
(Section 456.018, F.S.)

~~(kk)~~ Performing or attempting to perform health care services on the wrong patient, a wrong site procedure, a wrong procedure, or an unauthorized procedure or a procedure that is medically unnecessary or otherwise unrelated to the patient's diagnosis or medical condition.
(Section 456.072(1)(bb), F.S.)

~~(ll)~~ Leaving a foreign body in a patient, such as a sponge, clamp, forceps, surgical needle, or other paraphernalia commonly used in surgical, examination, or other diagnostic procedures.
(Section 456.072(1)(bb), F.S.)

~~(mm)~~ Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients.
(Section 456.072(1)(gg), F.S.)

~~(ee)(hh)~~ From a reprimand to probation, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(ff)(ii)~~ From a reprimand to suspension, or denial of licensure, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(gg)(jj)~~ From a reprimand to probation, and an administrative fine ranging from \$500.00 to \$2,500.00, 25 to 50 hours of community service or the denial of licensure with the ability to reapply, upon payment of a \$500.00 fine.

~~(hh)(kk)~~ From a letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.

~~(ii)~~ From a reprimand, 25 to 100 hours of community service, to revocation or denial and an administrative fine from \$1,000.00 to \$5,000.00.

~~(jj)(H)~~ Revocation ~~Suspension~~ to ~~revocation~~, or denial of licensure ~~without an ability to reapply.~~

~~(kk)~~ From a \$1,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and one (1) hour lecture on wrong-site surgery in the State of Florida to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, 50 to 100 hours of community service, undergo a risk management assessment, a one (1) hour lecture on wrong-site surgery, and suspension to be followed by a term of probation.

~~(ll)~~ From a \$1,000.00 to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, 50 to 100 hours of community service, and a one hour lecture to the staff of a Florida licensed healthcare facility on retained foreign body objects to revocation.

~~(mm)~~ From reprimand to probation, 25 to 50 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.

~~(ee)(hh)~~ From probation to suspension followed by probation, or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$2,500.00 to \$5,000.00.

~~(ff)(ii)~~ From suspension to be followed by a period of probation, to revocation or denial of licensure, 50 to 100 hours of community service and an administrative fine ranging from \$1,000.00 to \$5,000.00.

~~(gg)(jj)~~ From probation, 50 to 100 hours of community service to revocation or denial of licensure without the ability to reapply, and an administrative fine ranging from \$500.00 to \$5,000.00.

~~(hh)(kk)~~ From probation to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.

~~(ii)~~ From probation, 100 to 200 hours of community service; to revocation or denial and an administrative fine from \$5,000.00 to \$10,000.00.

~~(H)~~ ~~Revocation or denial of licensure without ability to reapply.~~

~~(kk)~~ From a \$7,500.00 fine, a reprimand, 100 to 200 hours of community service, and probation or denial to a \$10,000.00 fine and revocation.

~~(ll)~~ From a \$7,500.00 fine, a reprimand and probation, 100 to 200 hours of community service, or denial to revocation.

~~(mm)~~ From probation, 50 to 100 hours of community service to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

(nn) Being terminated from a treatment program for impaired practitioners, for failure to comply with the terms of the monitoring or treatment contract or for not successfully completing any drug-treatment or alcohol-treatment program.

(Section 456.072(1)(hh), F.S.)

(oo) Being convicted of, or entering a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program.

(Section 456.072(1)(ii), F.S.)

(pp) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement.

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

(qq) Being terminated from the state Medicaid program, or any other state Medicaid program, or the federal Medicare program.

(Section 456.072(1)(kk), F.S.)

(rr) Being convicted of, or entering into a plea of guilty or nolo contendere to any misdemeanor or felony, regardless of adjudication, which relates to health care fraud.

(Section 456.072(1)(ll), F.S.)

(3) through (4) No change.

Rulemaking Specific Authority 456.079, 459.0015, 459.015(5) FS. Law Implemented 456.072, 456.079, 459.015(5), 459.022(4)(e)1., (7)(f) FS. History—New 4-18-89, Formerly 21R-6.011, Amended 11-4-93, Formerly 61F9-6.011, 59W-6.011, Amended 6-7-98, 4-9-01, 7-13-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

(nn) From suspension until licensee demonstrates compliance with all terms of the monitoring or treatment contract, and is able to demonstrate to the Board the ability to practice with reasonable skill and safety to be followed by a term of probation; and a fine of \$1,000 to \$2,500, to revocation.

(oo) Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(pp) From a letter of concern to probation, and a fine of \$500 to \$5,000.

(qq) From a letter of concern to suspension, and a fine of \$1,000 to \$5,000.

(rr) Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(nn) From suspension until licensee demonstrates compliance with all terms of the monitoring or treatment contract and is able to demonstrate to the Board the ability to practice with reasonable skill and safety to be followed by a term of probation; and a fine of \$2,500 to \$5,000, to revocation.

(pp) From a reprimand to revocation, and a fine of \$2,500 to \$5,000.

(qq) From a reprimand to revocation, and a fine of \$5,000 to \$10,000.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.:
64B17-3.001

RULE TITLE:
Licensure as a Physical Therapist by Examination

PURPOSE AND EFFECT: To delete outdated English requirement, to make the rule consistent with Section 486.031(3)(b), F.S., and to update the licensure application.

SUMMARY: The changes delete outdated language, make the rule consistent with statutory licensure requirements, and update the application to accommodate statutory changes to licensure requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: (a) Over a 5-year period, approximately 4,245 physical therapist and physical therapist assistant applications could be received. It is unknown how

many applicants would be affected by the new law. (b) The only costs to be incurred are rulemaking costs. (c) through (f) N/A.

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: 486.025(1), 486.031(3) FS.

LAW IMPLEMENTED: 456.017, 486.031, 486.051 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: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.001 Licensure as a Physical Therapist by Examination.

Every physical therapist who applies for licensure by examination shall file DOH Form #DH-MQA 1142 Application for Licensure, Revised 02/10 ~~08/09~~, incorporated by reference, which is available through www.doh.state.fl.us/mqa, and demonstrate to the Board that the applicant:

(1) through (2) No change.

(3) Education.

(a) Has received a degree in physical therapy from an institution that has been approved for the training of physical therapists by the Commission on Accreditation for Physical Therapy Education (CAPTE), at the time of graduation; or

(b) Has graduated from a school giving a course in physical therapy in a foreign country and:

1.(4) For foreign graduates, Hhas received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States. Educational credentials equivalent to those required for the education and preparation of physical therapists in this country shall be determined by the Foreign Credentialing Commission on Physical Therapy (FCCPT) or any other Board approved credentialing agency that meets at least the following criteria:

(a) through (i) renumbered a. through i. No change.

~~(j) Effective January 1, 2007, evidence of successful completion of a Board approved English proficiency examination if English was not the language of instruction as evidenced by a minimum total score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension.~~

2.(k) No change.

~~a.1.~~ No change.

~~b.2.~~ No change.

~~c.3.~~ No change.

~~d.4.~~ No change.

3. Effective January 1, 2007, evidence of successful completion of a Board approved English proficiency examination if English was not the language of instruction as evidenced by a minimum total score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension.

Rulemaking Authority 486.025(1), 486.031(3) FS. Law Implemented 456.017, 486.031, 486.051 FS. History--New 8-6-84, Amended 6-2-85, Formerly 21M-7.20, Amended 5-18-86, Formerly 21M-7.020, 21MM-3.001, Amended 3-1-94, Formerly 61F11-3.001, Amended 12-22-94, 4-10-96, Formerly 59Y-3.001, Amended 12-30-98, 1-23-03, 4-9-06, 9-19-06, 3-13-07, 5-11-08, 5-21-09, 8-10-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2009

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-215.080

RULE TITLE: Immigration Bonds

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the type of license required to transact immigration bond business.

SUMMARY: Proposed Rule 69B-215.080, F.A.C., provides that a general lines agent license (2-20) is required to transact surety bond business, including immigration bonds, and that a general lines agent license does not qualify the licensee to transact bail bond business.

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: 624.308(1), 648.26(1) FS.

LAW IMPLEMENTED: 626.015(5), 626.112, 626.311, 648.24, 648.30 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: April 13, 2010, 2:00 p.m.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Richard Brinkley (850)413-5654 or Richard.Brinkley@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: Richard Brinkley, Bureau of Investigations, Division of Insurance Agents and Agency Services, Room 412, Larson Building, Tallahassee, Florida 32399, (850)413-5654

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-215.080 Immigration Bonds.

A general lines (2-20) agent license is required in order to transact surety bond business, including immigration bonds, in the State of Florida. A general lines agent license does not qualify the licensee to transact bail bond business. The general lines agent licensee must also be properly appointed by the surety as required by the Florida Insurance Code.

Rulemaking Authority 624.308(1), 648.26(1) FS. Law Implemented 626.015(5), 626.112, 626.311, 648.24, 648.30 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Brinkley, Bureau of Investigations, Division of Insurance Agents and Agency Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 29, 2010.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-221.006 RULE TITLE: Immigration Bonds Exclusion

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the type of license required to transact immigration bond business.

SUMMARY: Proposed Rule 69B-221.006, F.A.C., provides that a limited surety (bail bond) (2-34) agent licensee may not transact immigration bond business unless the licensee also has a general lines agent license.

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: 624.308(1), 648.26(1) FS.

LAW IMPLEMENTED: 648.24, 648.25(5), 648.279, 648.30 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: April 13, 2010, 2:00 p.m.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Richard Brinkley (850)413-5654 or Richard.Brinkley@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: Richard Brinkley, Bureau of Investigations, Division of Insurance Agents and Agency Services, Room 412, Larson Building, Tallahassee, Florida 32399, (850)413-5654

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-221.006 Immigration Bonds Exclusion.

The term “limited surety agent” does not include an individual authorized to transact immigration bond business. A limited surety (bail bond) (2-34) agent license is required to transact bail bond business in the State of Florida, but it does not qualify the licensee to transact business involving other types of surety bonds, including immigration bonds.

Rulemaking Authority 624.308(1), 648.26(1) FS. Law Implemented 648.24, 648.25(5), 648.279, 648.30 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Brinkley, Bureau of Investigations, Division of Insurance Agents and Agency Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 29, 2010

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO. RULE TITLE:
 1S-2.037 Provisional Ballots

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. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

The changes are made in response to public comment and are as follows:

Subsection (1) is revised to read:

(1) ~~Notice of Rights to Provisional Ballot Voters. A written notice, entitled "Notice of Rights for Provisional Ballot Voters" must be provided to each person who casts a provisional ballot, and shall be entitled "Notice of Rights to Provisional Ballot Voters." The notice must include the following: instructions shall contain.~~

(a) ~~Contact information for the Supervisor of Elections including phone number, facsimile number, e-mail address, mailing address and office address. Information on how to access the respective county supervisor of election's free access system and the information the voter will need to provide to obtain information on whether his or her provisional ballot was counted, and if not, the reason it was not counted.~~

(b) ~~The following statements: statement~~

1. ~~"If this is a primary election, you should contact the supervisor of elections' office immediately to confirm that you are registered and can vote in the general election."~~

~~(e)1. Applicable before January 1, 2008. The statement "You may provide written evidence supporting your eligibility to vote to the Supervisor of Elections at (provide address of the Supervisor) by no later than 5:00 p.m. of the third day following the election.~~

2. ~~Applicable on or after January 1, 2008. The statement "You have the right to may provide written evidence supporting your eligibility to vote to the Supervisor of Elections at (provide address of the Supervisor) by no later than 5:00 p.m. of the second day following the election."~~

3. "ATTENTION: If you voted this ballot because we could not verify your Florida driver's license number, Florida state identification card number or the last four digits of your social security card number, bring your card in person or provide a copy via mail, fax or email to the Supervisor by the deadline.

~~(d) The statement "If you voted this a provisional ballot solely because you did not have the proper photo and signature identification, you do not have to provide any further evidence. Your ballot will be counted if your signature on the provisional ballot Voter's Certificate and Affirmation matches the signature on your registration record and if you voted in the proper precinct. You will not need to provide further written evidence to the Supervisor of Elections.~~

4. "You have the right to find out if your ballot was counted, and if not, the reason why. [Insert instructions on how voter can access that information]."

Subsection (3) is also revised to remove reference to the activator card which is no longer used as a functioning part of the provisional ballot process for the Sequoia Touchscreen Voting System.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
 5E-1.023 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs)

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.

5E-1.023 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs).

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

(b) Citrus. The document titled Nitrogen Best Management Practices (BMPs) for Florida Ridge Citrus dated 7-23-2002, and the associated recordkeeping requirements dated 7-23-02 are hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Department of Agriculture and Consumer Services, Office of Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301. "Ridge Citrus" Growers must submit a Notice of Intent to Implement the Best Management Practices for Florida Ridge Citrus, DACS-01328, Rev. 02/10, hereby adopted and incorporated by reference, for the "waiver

of liability” from the recovery of costs or damages associated with nitrate contamination of groundwater, Section 576.045 (4), F.S., and the “presumption of compliance” with state nitrate groundwater quality standards, Section 576.045 (5), F.S. Copies of the form may be obtained from the Department of Agriculture and Consumer Services, Office of Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301, or from the website <http://www.doacs.state.fl.us/onestop/forms/01328.pdf>.

(5) No change.

Rulemaking Specific Authority 403.067(7)(c)2., 576.045(6) FS. Law Implemented 403.067, 576.045 FS. History—New 10-16-96, Amended 5-1-01, 10-17-02, 2-4-03, 11-21-07,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.0081	Charter Schools Financial Conditions.
6A-1.0421	Temporary Inability of Superintendent of Schools to Perform the Duties of Office
6A-1.0691	Procedures for Appealing a District School Board Decision

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 3, January 22, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.0391	Grading System for State-Approved Supplemental Educational Services Providers
6A-1.0451	Florida Education Finance Program Student Membership Surveys
6A-1.045111	Hourly Equivalent to 180-Day School Year
6A-1.0943	Statewide Assessment for Students with Disabilities
6A-1.09430	Florida Alternate Assessment Requirements
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

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.09412	Course Requirements – Grades K-12 Basic and Adult Secondary Programs
6A-1.099811	Differentiated Accountability State System of School Improvement

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 7, February 19, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.09514	Excused Absences for Religious Instruction or Holiday
6A-1.0956	Suspension on the Basis of Felony Charges

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 2, January 15, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLES:
6A-4.02451	Performance Standards, Skills, and Competencies for the Endorsement in English for Speakers of Other Languages

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-5.071	Master Inservice Plan Requirements

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03012	Special Programs for Students Who Are Speech and Language Impaired
6A-6.0571	Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks
6A-6.0785	Charter School Applicant Training Standards

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

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

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to May 18, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.030121	Exceptional Education Eligibility for Students with Language Impairments.

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 8, February 26, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-10.0312	Minimum Standards of College-Level Communication and Computation Skills
6A-10.0314	Applications of College-Level Communication and Computation Skills in State Universities and Community Colleges
6A-10.0317	Participation in the College-Level Communication and Computation Skills Testing Program by Nonpublic Postsecondary Institutions

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 3, January 22, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to March 26, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

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

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 6, February 12, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to May 18, 2010.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-14.064	Dual Enrollment/Early College Programs

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 3, January 22, 2010 Florida Administrative Weekly has been continued from March 16, 2010 to May 18, 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."

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-210.101	Routine Mail

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. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

33-210.101 Routine Mail.

(1) through (9) No change.

(9) Inmates shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods, or services. For the purposes of this rule this includes advertising for pen-pals; inmates are not prohibited from corresponding with pen pals, but shall not place ads soliciting pen pals. Inmates who post ads or have ads posted with the assistance of another person shall be subject to disciplinary action. If an inmate alleges that an ad was posted without his assistance or permission or that the ad was placed before the

restriction on soliciting pen-pals became effective, it is the responsibility of the inmate to request that the ad be removed by submitting a written request to the owner, operator, or administrator of the forum in which the ad is located if it is reasonably possible for the Department to identify the physical address of such entity. No inmate shall be subject to discipline if the ad is not removed subsequent to submission of the written request. If it is not reasonably possible for the Department to identify the physical address of the owner, operator, or administrator of the forum in which the ad is located, the inmate must submit Form DC6-236, Inmate Request, to the warden indicating that the ad was placed without the inmate’s knowledge or consent or that it was placed prior to the restriction on solicitation of pen-pals. The inmate shall be subject to disciplinary action only if it is discovered that the inmate solicited the ad and ~~or~~ that it was placed subsequent to the restriction on solicitation of pen-pals.

(10) through (22) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History–New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-35.065 License Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly has been withdrawn.

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-1.015 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) Construction
 Program
60H-1.021 Department Prior Approval
60H-1.022 Department Final Approval
60H-1.023 Lease Modifications
60H-1.024 Lease Extensions
60H-1.025 Disclosure Statements

60H-1.0261 Change of Ownership
60H-1.028 Information and 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. 36, No. 6, February 12, 2010 issue of the Florida Administrative Weekly.

60H-1.001 Definitions.

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

~~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,_____.

60H-1.002 Department Approval of Space Need.

(2) The requesting Agency shall:

(a) Submit Department Form 4105 “Request for Space Need” effective May 2010 incorporated by reference in this rule, 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” effective May 2010 incorporated by reference in this rule, 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.

60H-1.003 Use of Approved Forms.

(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 ~~B~~est ~~I~~nterests of the ~~S~~tate. The request shall also contain the following:

(a) Verification from the agency that the ~~B~~est ~~I~~nterests of the ~~S~~tate 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.

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

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

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

(o) If ownership is considered foreign to the State of Florida a certificate of authority pursuant to Section 6067.1501, 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~~ its 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.

Rulemaking Specific Authority 255.249(4) FS. Law Implemented 255.249(2)(b), (4), 255.21, 255.25(3), (5), (7), 255.254, 255.257(4) 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” effective May 2010 incorporated by reference in this rule, summarizing the quotes received and submit to the Department for review.

Rulemaking Specific Authority 255.249(4) FS. Law Implemented 255.249(2), (4), 255.25(2)(b),(8), 255.257(4) FS. History–New _____.

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) The Department has been notified, in writing, of the Agency’s intent to seek a Turnkey Lease as defined in Rule 60H-1.1001, Florida Administrative Code.

(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 dDeveloper 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 a specified time and date as specified by the Agency ~~(Time)~~, ~~(Date)~~, to the ~~(Department)~~, ~~(Location or Street Address)~~, ~~(City)~~, ~~(State)~~.

~~(b) The Developer’s requirements as required by the Agency and the department:~~ The Agency will set the response period depending upon the complexity of the needed facility.

~~(5) The Developer’s requirements as requested by the Agency and the Department:~~ The Agency shall require the following from the Developer:

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

~~(b)2-~~ Intent to furnish 100% Performance Bond if response is accepted.

~~(c)3-~~ Complete and satisfactory evidence of ownership;

~~(d)4-~~ Local tax assessor’s appraisal of the site;

~~(e)5-~~ A site survey; and

~~(f)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.

~~(g)3.~~ Completion date (the date that the building will be offered to the sState for acceptance), contingent upon ~~dDeveloper's aAuthorization to P~~ proceed.

~~(h)4.~~ ~~Developers shall indicate T~~he specific period of time that a response will remain open; such period shall be a minimum of sixty 60 days.

~~(i)5.~~ Site improvement information ~~including shall include~~ the following:

- ~~1.a.~~ Grading outside buildings;
- ~~2.b.~~ Sanitary and storm sewers;
- ~~3.e.~~ Landscaping;
- ~~4.d.~~ Paving and retaining walls;
- ~~5.e.~~ Water;
- ~~6.f.~~ Gas and electric distribution systems; and
- ~~7.g.~~ Extraordinary excavation and/or foundations.

~~(j)6.~~ Life ~~c~~ycle ~~c~~ost ~~a~~nalysis pursuant to subsection 255.255, Florida Statutes. See Rule 60H-4.004, Florida Administrative Code for requirements.

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

- ~~1.a.~~ Floor plans showing proposed utility core, office space, public space, corridors and parking areas (scale 1" equals 8').
- ~~2.b.~~ Elevations and cross sections of buildings indicating exterior material and colors (scale 1" equals 8').

~~(l)8.~~ ~~A The response submitted by a Developer shall be signed by the dDeveloper 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 dDeveloper'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.~~

(6) 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.

~~(7)9.~~ The project review package shall contain:

~~(a)a.~~ A letter of transmittal setting forth:

~~(1)4.~~ The fact that "this is a lease-build response," and

~~(2)4ii.~~ Statement by the Agency head that there is no suitable existing facility available.

~~(b)b.~~ Proof of A~~a~~dvertisement.

~~(c)c.~~ A list of the responses to the advertisements.

~~(d)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-~~

~~(e)4.~~ The Agency's recommendation with justification-;

~~(8)~~ 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" effective May 2010 incorporated by reference in this rule; and

(d) A completed Department Form 4137A "Quote Synopsis" effective May 2010 incorporated by reference in this rule.

(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” effective May 2010 incorporated by reference in this rule; 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 lease action, as described in the required submissions, is as stipulated in this subsection, are in the Best Interests of the State.

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

60H-1.022 Department Final Approval.

(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” effective May 2010 incorporated by reference in this rule.

(3) The Department shall grant Final Approval when the lease action, as described in the required submissions, is as stipulated in this subsection, are the Best Interests 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.

(2) Any lease not procured through a competitive solicitation may not be modified to exceed a total square footage of 4,999 within the first 12 months of the lease.

~~(3)~~(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.

~~(4)~~(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.

(3) The Department will approve extensions of an existing Lease if such extensions are determined by the Department to be in the Best Interests 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 by the Agency head that of justification the lease extension is in the Best Interests of the State.

60H-1.025 Disclosure Statements.

(1) Pursuant to subsections 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” effective May 2010 incorporated by reference in this rule, 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” effective May 2010 incorporated by reference in this rule, 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.

~~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-1.0261 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” effective May 2010 incorporated by reference in this rule.

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

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 Real Estate Development
and Facilities Management
 Bureau of Property Management
 4050 Esplanade Way, Suite 315
Building 4030, Suite 380
 Tallahassee, Florida 32399-0950

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NOS.: RULE TITLES:
 60H-2.0022 Agency Space Allocation Plans
 60H-2.003 Department Standard Method of
 Space Measurement

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. 36, No. 6, February 12, 2010 issue of the Florida Administrative Weekly.

60H-2.0022 Agency Space Allocation Plans.

Rulemaking Specific Authority 255.249(4)(d), 255.503(11), 272.04 FS. Law Implemented 255.249(1), (4)(d), 255.503(2) FS. History--New 4-27-04, Repealed _____.

60H-2.003 Department Standard Method of Space Measurement.

(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 within the agencies exclusive use and control; 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:
 61G5-18.005 Examination Review Procedure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly has been withdrawn.

The above notice of proposed rulemaking was published incorrectly with the wrong rule text.

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 Acupuncture

RULE NO.: RULE TITLE:
 64B1-6.005 Standards for Approval of
 Continuing Education Credit

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. 21, May 29, 2009 issue of the Florida Administrative Weekly.

The change is in response to stated comments from the public at the rule hearing on February 11, 2010.

Subsection 64B1-6.005(6) shall read as:

(6) Continuing education programs related to biomedical sciences laboratory test or imaging findings shall be designed to provide course content on the clinical relevance of such programs while advancing, extending or enhancing laboratory and diagnostic tests and procedures as well as biomedical physical examination findings and to advance, extend or enhance the licensee's skills and knowledge in biomedical sciences related to the safe and beneficial use of laboratory test and imaging findings.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32314-3256

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
 64B8-4.009 Applications

NOTICE OF PUBLIC HEARING

The Board of Medicine announces a hearing regarding the above rule, as noticed in Vol. 36, No. 3, January 22, 2010 Florida Administrative Weekly.

DATE AND TIME: Saturday, April 10, 2010, 8:00 a.m.

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: public hearing on Rule 64B8-4.009, F.A.C.

Pursuant to the provisions of 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: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee,

Florida 32399-3253. If you are 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

Board of Nursing

RULE NO.: RULE TITLE:
64B9-8.005 Unprofessional Conduct
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 26, July 2, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-11.010 Limited Licensure
 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. 50, December 18, 2009 issue of the Florida Administrative Weekly.

The change is in response to comments stated by the Joint Administrative Procedures Committee in a letter dated January 13, 2010.

The change is as follows:

64B19-11.010 Limited Licensure.

Law Implemented: Reference to Section 490.009(1)(p), Florida Statutes, is deleted.

Reference to "Title 42 USCS §666(a)(13)" has been corrected to read as "Title 42 USCA §666(a)(13)."

Section 1, Part II on page two of the Application refers to the the "Fee Waiver Affidavit" has been corrected to read as "Fee Waiver Form."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
64B19-11.012 Application Forms
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 9, March 5, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: RULE TITLE:
64B32-2.001 License by Endorsement

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. 50, December 18, 2009 issue of the Florida Administrative Weekly.

The change is in response to concerns stated by the Joint Administrative Procedures Committee in a letter dated January 22, 2010 and language voted on by the Board at its meeting on January 8, 2010. The change is as follows:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST shall read as: A Statement of Estimated Regulatory Cost was prepared and voted upon. The Board determined that although it estimates receipt of approximately 2,523 licensure application over the next five years, small businesses would not be affected by this rule. However, a SERC was prepared for review.

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

64B32-2.001 (1) shall read as:

(1) Applicants for licensure as a Registered Respiratory Therapist or Certified Respiratory Therapist in the state of Florida shall apply on Form DH-MQA 1145, Application by Endorsement, Revised 10/09, incorporated herein as this Board's application form and available on the web at <http://www.doh.state.fl.us/mqa/respiratory/index.html>. ~~A properly completed application must be submitted with the appropriate fee as set forth in Rule 64B32-2.003, F.A.C.~~

The revision date of form DH-MQA 1145 has been corrected from 5/25/09 to 10/09.

The typographical error on page one of the Application has been corrected from "Title 42 USCS §666 (a)(13)" to "Title 42 USCA §666 (a)(13)."

Questions required by Section 456.0635, Florida Statutes, have been added to page four of the Application.

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

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE NOS.: RULE TITLES:
64I-1.001 Definitions
64I-1.004 Transitional Living Facility (TLF) Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

64I-1.001 Definitions.

(1) Definitions for terms used in §§ 381.739-.79, F.S., and 64I-1.001-1.0034, consistent with § 381.745, F.S.

(a) Appropriate Level of Functioning in the Community: Maintaining oneself in a Community of one's informed choosing by performing activities of daily living, independently, or with support, but without the need for Services. A particular level of functioning in the Community is not an Appropriate Level of Functioning in the Community if the underlying activities of daily living:

(i) Cannot be safely performed in a manner that is consistent with the Eligible Individual's limitations; or

(ii) Are not financially supportable for the foreseeable future.

(b) External Trauma: A trauma from a source external to the body that causes the injury solely by the force of the trauma, not through an intervening biological process such as blood clot, blood loss, or lack of oxygen.

(c) Legal Resident: An individual who currently lives in Florida, has the present intent to remain in Florida indefinitely, and has lawful permanent presence in the United States of America.

(d) Medically Stable: The Applicant's mental and physical health are sufficiently stable so that BSCIP can make a determination as to whether the Applicant is otherwise eligible for the General Program.

(e) Moderate to Severe Brain Injury: Glasgow 12 and below or Rancho 8 and below.

(f) Reintegration into the Community: Maintaining oneself in a Community by performing activities of daily living, independently, or with support, but without the need for Services.

~~(g) Unable to Provide Services for all Eligible Individuals: The General Program is unable to purchase Services within three months of the scheduled time for each such Service for each Eligible Individual due to budget shortfall.~~

(2) Additional definitions for terms used in 64I-1.001-1.0034, consistent with § 381.745, F.S.

(a) Applicant: An individual requesting determination of eligibility for the General Program.

(b) Community: A location no more restrictive than an assisted living facility licensed under Ch. 42900, Pt. III, F.S.

(c) Eligible Individual: An individual determined eligible for the General Program.

(d) Equipment: For purposes of §381.79(1)(b), F.S., means personal property not required to be titled under state law and does not include fixtures to real property except as modifications to a residence.

(e) General Program: The program for which eligibility is determined under § 381.76, F.S.

(f) Glasgow Coma Scale Score (Glasgow): The neurological assessment developed by G. Teasdale and B.

Jennett in "Assessment of Coma and Impaired Consciousness: A Practical Scale," Lancet 1974; 22: 81-84. A copy of the Glasgow may be obtained from the Department of Health, Brain and Spinal Cord Injury Program, 4052 Bald Cypress Way, Bin C-25, Tallahassee, Florida 32399-1744 and which is incorporated herein by reference.

(g) Rancho Los Amigos Scale, revised (Rancho): A cognitive functioning scale to determine the level or severity of a brain injury based on observations of the patient's response to external stimuli. Original Scale co-authored by Chris Hagen, Ph.D., Danese Malkmus, M.A., Patricia Durham, M.A., Communication Disorders Service, Rancho Los Amigos Hospital, 1972. Revised 11/15/74 by Danese Malkmus, M.A., and Kathryn Stenderup, O.T.R. Revised scale 1997 by Chris Hagen. A copy of the Rancho may be obtained from the Department of Health, Brain and Spinal Cord Injury Program, 4052 Bald Cypress Way, Bin C-25, Tallahassee, Florida 32399-1744 and which is incorporated herein by reference.

(h) Services: Services provided by the General Program.

~~Rulemaking Specific~~ Authority 381.0011 FS. Law Implemented 381.76 FS. History--New 5-9-05, Amended 10-31-05, _____.

64I-1.0045 Transitional Living Facility (TLF) Services.

(1) Services:

(a) No entity can deliver TLF services without complying with this rule and before receiving a TLF license from the Agency for Health Care Administration under §400.805, Chapter 59A-17, F.A.C.;

(b) TLF services are solely for persons who have sustained brain or spinal cord injury as defined in §381.745, F.S.;

(c) TLF services do not include services as an appropriate discharge site;

(d) No entity can deliver services as a TLF before requesting and satisfactorily undergoing a Brain and Spinal Cord Injury Program survey using the Transitional Living Facility Survey Report – Brain Injury Plan and Transitional Living Facility Survey Report – Spinal Cord Injury Plan Standards and Criteria for Transitional Living Facilities, respectively, DH Forms DH-BSC 1008, 7/09 and 1009, 7/09. These forms are incorporated by reference and copies are available from the Department. Copies of these forms and requests for Brain and Spinal Cord Injury Program survey may be made by contacting the Brain and Spinal Cord Injury Program via: mail at 4052 Bald Cypress Way, Bin C-25, Tallahassee, FL 32399-1744 or telephone (850)245-4045 or toll-free (866)875-5660. Copies of the form may also be obtained at <http://www.doh.state.fl.us/demo/BrainSC/Facilities/ReviewInstruments.htm>.

(e) No entity can deliver services as a TLF except upon obtaining and maintaining Commission on Accreditation of Rehabilitation Facilities (CARF) accreditation for actions

taken or intended to be taken under a TLF license. CARF may be reached via: the internet www.carf.org; telephone, (202)587-5001 or toll-free (866)888-1122 voice; fax, (202)587-5009; and by mail CARF-CCAC, 1730 Rhode Island Avenue NW, Suite 209, Washington, DC 20036, USA.

PROPOSED EFFECTIVE DATE: December 1, 2010

Rulemaking Authority 381.0011 FS. Law Implemented 381.75, 400.805 FS. History--New_____.

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE NO.: RULE TITLE:

64I-1.004 Scope of Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NOS. RULE TITLES:

64J-2.011 Trauma Center Requirements

64J-2.012 Process for the Approval of Trauma Centers

64J-2.013 Extension of Application Period

64J-2.014 Certificate of Approval

64J-2.015 Process for Renewal of Trauma Centers

64J-2.016 Site Visits and Approval

64J-2.017 Application by Hospital Denied Approval

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 2, January 15, 2010 issue of the Florida Administrative Weekly.

The date of the Notice of Rule Development published in the Florida Administrative Weekly was changed from November 12, 2009 to November 13, 2009. Also, the name of the DH Pamphlet, "Trauma Center Standards" was added as well as the January 2010 date of the Pamphlet and forms incorporated by reference in these rules.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.: RULE TITLES:

65G-4.001 Definitions for Behavior Analysis Certification and Services Rules

65G-4.0011

Recognized Certification Organizations for Behavior Analysts and Assistant Behavior Analysts

65G-4.003

Certification as a Behavior Analyst

65G-4.004

Certification as an Associate Behavior Analyst

65G-4.005

Renewal of Behavior Analysis Certification

65G-4.006

Approved Continuing Education

65G-4.007

Behavior Analysis Certification Fees

65G-4.008

Behavior Analysis Services

65G-4.009

Oversight System Organization Design, Implementation and

Monitoring of Behavior Analysis Services

65G-4.010

Behavior Analysis Services

Approval

65G-4.012

Determination of Mental

Retardation: Intelligence Tests to Be Administered

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 44, November 6, 2009 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-15.064 Specific Regulations for Wildlife Management Areas – South Region

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. 36, No. 2, January 15, 2010 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68A-15.064 has been changed to include the following modified paragraphs:

(1) J. W. Corbett Wildlife Management Area.

(b) Legal to take: All legal game, fish, furbearers and frogs. Deer daily bag one, annual bag two; wild hog daily bag one, annual bag two. The take of wild hog with a shoulder height of less than 20 inches is prohibited. The take of wild hog is prohibited during small game season. Turkeys may not be taken during the archery season.

(2) Holey Land Wildlife Management Area.

(b) Legal to take: All legal game (except wild turkey), fish, frogs and furbearers. Take of antlerless deer is prohibited during the archery season. The bag limit for wild hog shall be one per day; ~~annual bag possession limit~~ two. The take of wild hog with a shoulder height of less than 15 inches is prohibited.

The take of wild hog is prohibited during small game season. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The bag limit for antlered deer shall be one during archery season, one during muzzleloading gun season, one during general gun-walk season and one per tag during the general gun-vehicle season.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(b) Legal to take: All legal game (except turkeys), fish, frogs and furbearers. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. Take of antlerless deer is prohibited during archery season. The bag limit for wild hog shall be one per day and two annually, possession limit two. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. The bag limit for antlered deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

(4) Rotenberger Wildlife Management Area.

(b) Legal to take: All legal game (except turkeys), furbearers, fish and frogs. Take of antlerless deer is prohibited during archery season. Wild hog daily bag limit one; ~~possession limit two~~ annually. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. The bag limit for antlered deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

No other changes were made to the rule amendments as proposed.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-2.024
 RULE TITLE: Construction Materials Mining Activities

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.

69A-2.024 Construction Materials Mining Activities.

(8) Local Government Notice.

(a) Each person permitted to engage in construction materials mining activity shall submit written notification to the county and or municipality in which construction materials mining activity is to be conducted. The initial and subsequent notices required by this rule shall advise that a permit has been issued or renewed. The initial notice shall be provided after the issuance of the permit and give at least 20 days notice prior to the initial blast.

(b) Subsequent notices shall be provided following the annual permit renewal date and give at least five days notice prior to the first blast following annual permit renewal date. Notice is required to be given no more than once per year.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-20.041
 RULE TITLE: Unclaimed Property Reporting Instructions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

The correction adds the following summary of the statement of the estimated regulatory costs:

The number of individuals and entities likely to be required to comply with the rule and a general description of the types of individuals likely to be affected by the rule: There are an estimated 1,539,207 business firms are in Florida. The Small Business Administration estimates that there are 1.9 million businesses in Florida alone. In addition to private business entities, as a general rule, state agencies and local governments are also subject to Florida’s unclaimed property law. Cost to the Department of implementing the proposed rule and any anticipated effect on state revenue: The Department intends to implement the proposed rule within its current workload, with existing staff. For fiscal year 2008/2009, the Department estimates the cost for this reporting staff to be approximately \$1,448,000. For fiscal Year 2008/2009, the Department estimates that the amount of unclaimed property received from holders throughout the United States is \$298,135,491. Good faith estimate of the transactional costs likely to be incurred: The Department has completed unclaimed property audits of holders which took an average of approximately 47 hours to complete. The Department estimates that the median cost of a bookkeeper is \$17.90 per hour. The amount of \$17.90 per hour multiplied by 47 hours is an estimated amount of \$841.30 to complete an unclaimed property report. Analysis of the impact on small businesses and an analysis of the impact on small counties and small cities: Generally, all businesses and state and local government entities in the United States are required to comply with unclaimed property laws and are, therefore, impacted. Any additional information that the agency

determines may be useful: In order to help businesses and local governments reduce the cost of complying with Florida's unclaimed property law, the Bureau of Unclaimed Property periodically conducts educational workshops and seminars throughout the State of Florida. The Department has also provided individualized assistance at the holder's place of business.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-20.041
 RULE TITLE: Unclaimed Property Reporting Instructions.

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. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

Changes to Form DFS-A4-1992, Florida Unclaimed Property Reporting Instructions Manual, incorporated by reference to the proposed rule are as follows:

Section 1.7, page 9, has been amended to delete the phrase referring to the reasonable time period.

Section 1.8, page 9, first subsection, has been rewritten.

Section 1.9, page 10, has been amended to strike "FEIN" and replace it with "taxpayer identification number".

Section 2.2.1.1, immediately after paragraph F, page 15, has been amended to strike "FEIN" and replace it with "taxpayer identification number".

Section 2.3.2.3, page 37, has been amended to strike "FEIN" and replace it with "taxpayer identification number".

Page 14 has been amended to correct the title of the document.

Page 17 has been amended to correct the title of the document.

Section 2.2.3.2 A, page 20, has been amended to strike the word "notarized".

Page 23 has been amended to add a reference to Rule 69I-20.035, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE OR TO OBTAIN COPIES OF THE AMENDED PAGES IS: Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 E. Gaines St., Tallahassee, Florida 32399-4247, (850)413-3010

The remainder of the rule reads as previously published.

FINANCIAL SERVICES COMMISSION

OFR – Financial Regulation

RULE NO.: 69V-40.003
 RULE TITLE: Electronic Filing of Forms and Fees
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 7, February 19, 2010 issue of the Florida Administrative Weekly.

The notice of change for this rule was published in the hardcopy version of the Florida Administrative Weekly under the heading of: FINANCIAL SERVICES COMMISSION, OIR – Insurance Regulation. The notice should have been published under the heading: FINANCIAL SERVICES COMMISSION, OFR – Financial Regulation.

FINANCIAL SERVICES COMMISSION

OFR – Financial Regulation

RULE NO.: 69V-560.1013
 RULE TITLE: Electronic Filing of Forms and Fees
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. 36, No. 7, February 19, 2010 issue of the Florida Administrative Weekly.

The notice of change for this rule was published in the hardcopy version of the Florida Administrative Weekly under the heading of: FINANCIAL SERVICES COMMISSION, OIR – Insurance Regulation. The notice should have been published under the heading: FINANCIAL SERVICES COMMISSION, OFR – Financial Regulation.

**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 TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on February 25, 2010, the Department of Transportation has issued an order.

An Order denying Cape Canaveral's Petition for Variance was issued on February 25, 2010. On August 17, 2009, Cape Canaveral filed a letter asking for a variance from Rules 14-20.003 and 14-20.0032, F.A.C., and the request was

published in the September 4, 2009, edition of the Florida Administrative Weekly. A Petition for Variance requesting authorization to place bus benches, bus shelters, and trash containers at bus stops along A1A without adhering to the set back and clear recovery zone requirements referenced in Rules 14-20.003 and 14-20.0032, F.A.C., was filed on September 8, 2009. The petition was denied because Cape Canaveral's request did not provide the required information as set forth in Section 120.542(5), F.S., and Rule 28-104.002, F.A.C.

A copy of the Order may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station #58, Tallahassee, Florida 32399-0458.

NOTICE IS HEREBY GIVEN THAT on March 5, 2010, the Department of Transportation, received a petition for variance and waiver of the requirement for qualification in landscape architecture of at least 5 years of post-registration experience. EnSite, Inc., request's that the 7 years of industry experience be allowed to satisfy the qualification requirement in lieu off the Department's 5 year post-registration experience requirement.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458.

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 March 3, 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 James Farrow, 501 E. Kennedy Associates, LLC, Tampa, FL, to not comply with Rule 2.7.1, ASME A18.1, 2003 edition (VW 2009-708).

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 March 3, 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, Collwood Condo, Madeira Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2012 (VW 2009-777).

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 March 3, 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 Jane Calhoun, Calhoun Property Management, Largo, FL, to not comply with Rule 3.11.1(a)(2) and 2.7.4, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-781).

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 March 3, 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 Douglas Sarmiento, Peabody Orlando, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 30, 2010 (VW 2009-785).

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 March 3, 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 Robert L. Todd, Esq., Gulfstream Towers Condo, Sarasota, FL, to not comply with Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition and with Rule 2.14.7.1 and 2.7.3.4.2, ASME A17.1, 2007 edition until April 1, 2010 (VW 2009-787).

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 March 3, 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 Steven J.

Pouyat, Kress Bldg., Tampa, FL, to not comply with Rule 3.11.3, 3.11.1(a)(2) and 3.10.3(a), ASME A17.3, 1996 edition until December 1, 2012 (VW 2009-792).

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 March 3, 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 Karen J. Cochran, The Islander Condo Assoc., Clearwater, FL, to not comply with Rule 3.11.1(a)(1), 3.3.2, 3.10.3(a) and 3.9.1, ASME A17.3, 1996 edition, with Rule 207.3, ASME A17.1, 1996 edition and with ANSI/NFPA 70, Article 620.22(A), NEC 2005 edition until October 12, 2012 (VW 2009-793).

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 March 3, 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 Cathy Wasson, Lake Virginia Condo Assoc., Inc., Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 1, 2011 (VW 2009-797).

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 March 3, 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, Wachovia Bank Bldg., St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2015 (VW 2009-798).

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 March 3, 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, Water Club, Longboat Key, FL, to not comply with Rule 2.7.3.1.1 and 2.12.6.1, ASME A17.1, 2005 edition (VW 2009-824).

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 March 3, 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 Joseph Tawil, Tahitian Towers Condo Assoc., Inc., Indian Rocks Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 30, 2012 (VW 2010-014).

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 March 3, 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 Rebecca Riva, Newport Bldg. #23, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2013 (VW 2010-017).

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 March 3, 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 Holly Steffens, Bank of America Professional Center, New Port Richey, FL, to not comply with Rule 3.11.3 and 3.3.2, ASME A17.3, 1996 edition until January 26, 2011 (VW 2010-053).

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 March 3, 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 Rigb, Casa Grande, Vanderbilt Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 1, 2013 (VW 2010-054).

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 March 3, 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

of Villa Dora Condo of Mt. Dora to not comply with Rule 3.11.3, 2.7.4 and 3.10.4(u), ASME A17.3, 1996 edition until February 1, 2013 (VW 2010-056).

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 February 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, 3.11.1 and 3.10.4(u), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Casa Del Mar E & F, St. Petersburg, FL, and location of the Serial Number 25016-17, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2010-093).

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 February 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Envoy Condo Assoc., Inc., West Palm Beach, FL, and location of the Serial Number 30741-44, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Paul Komie, Agent (VW 2010-094).

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 February 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a permanent variance from an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Greater Orlando Aviation Authority, Orlando, FL, and location of the Serial Numbers 30038-47, 30051, 30053-54, 30439-40, 35368-71, 35199, 40719, 41722-29, 42759-66, 42966, 42971-77, 42982-83, 43106-25, 43882-84, 43978, 43999, 44000, 44023-24, 44101, 44338-41, 44439-40, 44490, 44514, 46390, 52466, 54333-34, 54337-38, 54850, 56251, 57086-91, 57599, 57906-07, 73136, 73186-87, 73598, 73601, 90564-65, 92324

and 93967, requests the variance to allow the Low Voltage "Data" driven heat detectors to remain. The petition was received from Mark DeMarco, Life Safety Administrator (VW 2010-095).

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 February 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3 and 3.10.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Corniche Condo Apartment Assoc., the Palm Beaches, Inc., Singer Island, FL, and location of undisclosed Serial Number, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Michael Decenzo, President (VW 2010-096).

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 February 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency permanent variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Community Legal Services of Mid-Florida, Daytona Beach, FL, and location of the Serial Number 57, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2010-097).

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 February 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Ocean Shores Condo Assoc., Inc., Vero Beach, FL, and location of the Serial Number 31512, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mary Hankins (VW 2010-098).

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 February 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.10.4(t), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Harbor Walk One Condo Assoc., Melbourne, FL, and location of the Serial Number 33831, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mark Cannon (VW 2010-099).

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 February 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Yorktown COA, Inc. of Greenacres, and location of the Serial Number 10070-71, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Allison Waldman (VW 2010-100).

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 February 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Venture Rentals, Ltd., Bradenton, FL, and location of the Serial Number 36817-18 and 34605, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Adam Wined (VW 2010-101, 102 and 103).

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 February 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from

A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Isle, Clearwater, FL, and location of the Serial Number 31006, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Charles R. Hilleboe, Secretary (VW 2010-104).

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 February 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency permanent variance from A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Parc Soleil, Orlando, FL, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby (VW 2010-105).

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 February 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Silver Sands Building B, St. Pete Beach, FL, and location of the Serial Number 35260-62, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby (VW 2010-106).

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 March 5, 2010, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a petition for an Emergency Variance on February 22, 2010 for subsections 61C-4.010(6), (7), Florida Administrative Code, from Wow Pizza, Tampa, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another business for customer use only.

This request will publish in Vol. 36, No. 10, March 12, 2010, and approval is contingent upon the petitioner ensuring the bathrooms located within Sabor Paisa Restaurant (SEA3912175) are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Sabor Paisa Restaurant changes, an updated signed agreement for use of the bathroom facilities is required immediately.

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.

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 25, 2010, by Timothy P. Atkinson, Esq., on behalf of Charles Ray Zeldenthuis, seeking a permanent waiver or variance of Rule 61G4-15.001, F.A.C., dealing with qualifications for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G. W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

NOTICE IS HEREBY GIVEN THAT on February 18, 2010, the Board of Accountancy, received a petition for April Ann DiSegna, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on February 18, 2010, the Board of Accountancy, received a petition for Tammy A. Eastman, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA

Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on March 4, 2010, the Florida Department of Environmental Protection, received a petition for variance or waiver under Section 120.542, Florida Statutes, from Lee Pitkiewicz to obtain a variance from or waiver of the provision in Section 403.813(2)(b), Florida Statutes, which prohibits the installation of mooring pilings associated with a private docking facility as an activity exempt from permitting if the dock will create a navigational hazard. The petitioner installed a mooring piling in a manmade canal in Palm City, Martin County, Florida, which has been determined to create a navigational hazard.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stacey Cowley, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 3, 2010, the Board of Clinical Laboratory Personnel, received a petition for Oluwatosin Denise Ashimi, seeking a variance from the education requirement set forth in subsection 64B3-5.003(3), Florida Administrative Code for those seeking licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on February 22, 2010, the Board of Clinical Laboratory Personnel, received a petition for Twinkal Christie, seeking a variance or waiver of paragraph

64B3-5.002(1)(a), Florida Administrative Code, which requires for licensure with a specialty in hematology, that the licensee have a bachelors degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 4, 2010, the Board of Medicine, received a petition for waiver or variance filed on behalf of Robert Bonvino, M.D., from Rule 64B8-2.001, F.A.C., with regard to the requirement for the passing score on the FLEX examination to be obtained in one administration of the examination. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on March 1, 2010, the Board of Medicine, received a petition for waiver or variance filed by Parvis J. Sadighi, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school.

Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on February 10, 2010, the Board of Pharmacy, received a petition for variance or waiver of Rule 64B16-28.1081, F.A.C., which requires pharmacies to remain open 40 hours a week. Petitioner is requesting a waiver because they are not operating as a community pharmacy and to remain open for 40 hours a week would create a substantial hardship. The petition was submitted by Glenn Whelan, Pharm.D., on behalf of University of South Florida Board of Trustees.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston R.Ph., Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4262.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT on February 24, 2010, the Office of Insurance Regulation, received a petition for a waiver from Rule 69O-125.003, F.A.C., the Travel Rule, from Transamerica Life Insurance Company, for travel to Iraq and Afghanistan. The rule provides that no underwriting decisions or issuance decisions may be made based upon travel plans unless the insurer has actuarial proof that the decisions are justified. The rule further provides that an insurer can petition for a waiver for travel to certain countries based upon concerns for traveler safety.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Debra Seymour by email: debra.seymour@flor.com.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2010, 9:00 a.m. – conclusion

PLACE: Heritage Hall Auditorium, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at (850)245-6490 or by email: rbashmore@dos.state.fl.us or via the Division's website: www.florida-arts.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: Jennifer Hoelsing at (850)245-6462 or email: jshoelsing@dos.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: Rachele Ashmore at rbashmore@dos.state.fl.us.

The Department of State, Division of Cultural Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 5, 2010, 1:00 p.m.

PLACE: Conference Room, 1st District Court of Appeal, 301 South Martin Luther King Jr. Boulevard, Tallahassee, Florida 32399-1850

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for this facility will hold a meeting to review the artwork submitted by their selected artists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6476.

Pursuant to the provisions of 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: Laura Blischke at (850)245-6475. If you are 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 State, Division of Cultural Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 7, 2010, 1:00 p.m.

PLACE: Conference Room 335, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida 32399-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Department of Revenue Complex will hold a meeting to continue their evaluation of submissions and select artwork or artist finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator at (850)245-6476.

Pursuant to the provisions of 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: Laura Blischke at (850)245-6475. If you are

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 AGRICULTURE AND CONSUMER SERVICES

The **Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Little Big Econ State Forest (LBESF) Management Plan Advisory Group (MPAG) announces a public meeting to which all persons are invited.

MPAG MEETING

DATE AND TIME: Thursday, April 8, 2010, 6:30 p.m.

PLACE: LBESF Classroom, 1350 Snowhill Road, Geneva, FL 32732

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the LBESF MPAG to prepare for a public hearing later in the evening which will provide recommendations to the DOF to help in preparation of a management plan for the LBESF.

PUBLIC HEARING

DATE AND TIME: Thursday, April 8, 2010, 7:00 p.m.

PLACE: LBESF Classroom, 1350 Snowhill Road, Geneva, FL 32732

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the LBESF. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to: DOF's LBESF, 1350 Snowhill Road, Geneva, FL 32732, to the Attention: Stephen Stipkovits and should be mailed so as to arrive at the office by the date of the public hearing.

MPAG MEETING

DATE AND TIME: Friday, April 9, 2010, 9:00 a.m.

PLACE: LBESF Classroom, 1350 Snowhill Road, Geneva, FL 32732

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the LBESF MPAG to review comments from the public hearing of April 8, 2010 and provide recommendations to the DOF to help in preparation of a management plan for the LBESF.

A copy of the agenda may be obtained by contacting: LBESF, 1350 Snowhill Road, Geneva, FL 32732 or calling Stephen Stipkovits at (407)971-3503.

Pursuant to the provisions of 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: DOF's LBESF office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

NOTICE OF CANCELLATION – The **State Board of Education** and **Board of Governors** meeting scheduled for March 16, 2010, 3:00 p.m., Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida, noticed in the F.A.W. on 3/5/2010, Vol. 36, No. 9, has been cancelled. The meeting upon rescheduling will be noticed in the F.A.W.

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

The meeting scheduled for March 15-16, 2010, Tallahassee Community College, 444 Appleyard Drive, Building 38, Room 105, Tallahassee, Florida, noticed in the 3/5/2010, F.A.W., Vol. 36, No. 9, has been rescheduled for:

DATE AND TIME: March 26, 2010, 10:00 a.m.

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Duval Meeting Room, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Please see previous notice published in the F.A.W. on March 5, 2010.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661, email: lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF COMMUNITY AFFAIRS

The **Division of Housing and Community Development**, the Florida Building Commission, The "Commission", the Mechanical Technical Advisory Committee, announces a public meeting to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1967168#, Public Point of Access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and make recommendations to the Commission regarding Declaratory Statements and other business for the Commission.

For further information please contact: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Division of Housing and Community Development**, the Florida Building Commission, The "Commission", the Energy Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 30, 2010, 10:00 a.m. – completion

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1967168#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and make recommendations to the Commission regarding Declaratory Statements and other business for the Commission.

For further information please contact: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850) 414-8436, Website: www.floridabuilding.org.

The **Division of Housing and Community Development**, the Florida Building Commission, The "Commission", the Structural Technical Advisory Committee (concurrent with the Special Occupancy Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 30, 2010, 2:00 p.m. – completion
PLACE: Conference Call: 1(888)808-6959, Conference Code: 1967168#, Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and make recommendations to the Commission regarding Declaratory Statements and other business for the Commission.

For further information please contact: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, "the Commission" announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 1, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss "accreditor" and "course" applications for recommendation to the Florida Building Commission; report on Building Code Compliance and Mitigation Program Request for Proposal (RFP); discuss proposed changes to Rule 9B-70.002, F.A.C., relating to "self affirmation" and instructor-led v. Internet courses; and, general subject matters.

A copy of the agenda may be obtained by contacting: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Jennifer Drake, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

The Subcommittee on Training of the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the State Emergency Response Commission Subcommittee on Training, and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are 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 Local Emergency Planning Committee, Chairpersons and Staff Contacts for the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2010, 1:30 p.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are 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 Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2010, 10:00 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 166, 4075 Esplanade Way, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are 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 LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 23, 2010, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: Florida Department of Law Enforcement Headquarters, 2331 Phillips Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council will hold a telephone conference call to discuss issues relating to violent crime and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by contacting: Government Analyst Joyce Gainous-Harris, Florida Department of Law Enforcement, Investigations and Forensic Science Program, Office of Field Services, Post Office Box 1489, Tallahassee, FL 32302, (850)410-7096.

DEPARTMENT OF TRANSPORTATION

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

DATES AND TIMES: May 11, 2010, 9:00 a.m. – 5:00 p.m.;
May 12, 2010, 8:00 a.m. – 3:00 p.m.

PLACE: FDOT District 4 Auditorium, 3900 West Commercial Blvd., Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Transportation announces a Steering Committee Meeting to gather input for the 2060 Florida Transportation Plan and we invite your participation in this important process. The Florida Transportation Plan establishes long range goals that will provide a policy framework for expenditure of federal and state transportation funds in Florida. The Florida Department of Transportation is updating this Plan to respond to new trends and challenges to meet the future mobility needs of Florida's residents, visitors, and businesses.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Paula San Gregorio at (850)414-4811.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Paula San Gregorio, (850)414-4811. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: San Gregorio at (850)414-4811, e-mail: paula.sangregorio@dot.state.fl.us. Also, please visit the FTP Website at www.2060ftp.org.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The **Department of Environmental Protection**, Division of Water Resource Management announces a workshop to which all persons are invited.

DATE AND TIME: April 6, 2010, 9:30 a.m. (ET)

PLACE: Department of Environmental Protection, Conference Room A, Marjory Stoneman Douglas Bldg., 3900 Commonwealth Blvd., Tallahassee, FL 32399. Toll Free Teleconference Number: 1(888)808-6959, Conference Code: 2458486#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To amend Chapter 18-14, F.A.C., to revise and clarify how administrative fines are assessed for violations on state-owned submerged land. The proposed amendments will provide for issuance of a Warning Letter, instead of a Notice of Violation. This will enable the Department to consolidate the enforcement actions of both proprietary and regulatory violations and achieve compliance in a shorter timeframe. The proposed amendments were revised following the October 26, 2009 workshop on this rule.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS #2500, Tallahassee, Florida 32399-2400, (850)245-8486, e-mail: Mary.VanTassel@dep.state.fl.us. The agenda for the workshop is available on the Department's web site at: http://www.dep.state.fl.us/public_notices/default.htm. Information and updates on this rule may be found at http://www.dep.state.fl.us/water/rules_dr.htm#erp (OGC No. 08-0631).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 6, 2010, 2:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4884460#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and approve the advertisement for the Parole Commissioner vacancy, and to schedule and approve future meeting dates, and to discuss all business related to this vacancy.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, Attention: Beatriz Caballero, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-3417.

Pursuant to the provisions of 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: Beatriz Caballero, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-3417. If you are

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

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

For more information, you may contact: Florida Parole Commission, Attention: Beatriz Caballero, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 6, 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 the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces its Internal Affairs Meeting for April 6, 2010, to which all interested persons are invited.

DATE AND TIME: April 6, 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 prehearing conference and an additional hearing date in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: Docket Number 090451-EM – Joint petition to determine need for Gainesville Renewable Energy Center in Alachua County, by Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC.

PREHEARING CONFERENCE

DATE AND TIME: Monday, April 5, 2010, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this additional prehearing conference is to: (1) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (2) identify exhibits; (3) establish an order of witnesses; and (4) consider such other matters as may aid in the disposition of the action.

HEARING

DATE AND TIME: Thursday, April 15, 2010, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this additional hearing date is for the Commission to take limited additional evidence to supplement the record to address the Commissioners' questions at the February 9, 2010,

Agenda Conference in this final action to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for Gainesville Regional Utilities' (GRU's) and Gainesville Renewable Energy Center, LLC's (GREC's), proposed renewable energy electrical power plant to be constructed in Alachua County and to consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow GRU and GREC to provide supplemental evidence and testimony of a limited nature to address the Commissioners' questions related to the petition for a determination of need for the proposed renewable energy electrical power plant; (2) permit any intervenors to present testimony and exhibits in response to GRU and GREC's supplemental evidence and testimony; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present public testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. This additional hearing is scheduled for one day. Any additional hearing dates may be announced by the Commission at the hearing.

PUBLIC TESTIMONY: Any member of the public who wishes to offer testimony should be present at the beginning of the additional hearing date on Thursday, April 15, 2010. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code (F.A.C.). All public witnesses shall be subject to cross-examination at the conclusion of their testimony.

The additional hearing date will be governed by the provisions of Chapter 120, F.S.; Section 403.519, F.S.; and Chapters 25-22 and 28-106, F.A.C. Only limited supplemental testimony relating to the need for the renewable energy electrical power plant will be heard at the April 15, 2010, additional hearing date. Separate public hearings may be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed power plants, as required by the "Power Plant Siting Act," Sections 403.501-403.519, F.S.

Any person requiring some accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Emergency Cancellation of the Additional Hearing Date: If a named storm or other disaster requires cancellation of the additional hearing date, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

For more information, you may contact: Florida Public Service Commission, Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a hearing in the following docket to which all persons are invited.

Docket No. 090258-TP – Complaint by dPi Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute arising under interconnection agreement.

PREHEARING CONFERENCE

DATE AND TIME: Wednesday, April 7, 2010, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

HEARING

DATE AND TIME: Wednesday, April 14, 2010, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to permit parties to present testimony and exhibits relative to the proceeding, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on Wednesday, April 7, 2010.

Emergency Cancellation of Customer Meeting: If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling 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 **Governor's Commission on Volunteerism and Community Service (Volunteer Florida)**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 9:30 a.m. (EST.)

PLACE: Conference Call: 1(888)808-6959, Passcode: 1918015#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Committee business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172.

Pursuant to the provisions of 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: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172. If you are 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: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172.

The **Governor's Commission on Volunteerism and Community Service (Volunteer Florida)**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 4:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Passcode: 1918015#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin and kristin@volunteerflorida.org or (850)921-5172.

Pursuant to the provisions of 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: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.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: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

The **Governor's Commission on Volunteerism and Community Service, Volunteer Florida**, announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, April 12, 2010, 8:30 a.m. – until all Committee meetings have completed their conference calls

PLACE: Conference Call: 1(808)888-6959, Passcode: 1910815

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General Committee business. Committees meeting will be Communications, Legislative, Disability Outreach, Grants/AmeriCorps, Emergency Management, Volunteer Services, and Finance and Audit. Exact times for each committee meeting will be made available on Volunteer FLorida's web site in advance. You may log on to: www.volunteerflorida.org.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172.

Pursuant to the provisions of 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: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172. If you are 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: Kristin Mullikin at kristin@volunteerflorida.org or (850)921-5172.

The **Office of Tourism, Trade, and Economic Development** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 26, 2010, 9:00 a.m. – 12:00 Noon

PLACE: 401 Senate Office Building, The Capitol, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Council on Military Base and Mission Support will meet to discuss Florida's military presence and related economic development issues.

A copy of the agenda may be obtained by contacting: Joe Marino, Office of Tourism, Trade, and Economic Development at (850)487-2568 or email: joe.marino@eog.myflorida.com.

For more information, you may contact: Joe Marino, Office of Tourism, Trade, and Economic Development at (850)487-2568 or email: joe.marino@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, April 1, 2010, Personnel, Budget and Finance Committee, 8:30 a.m.; Planning and Growth Management Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee immediately following the Board Meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or email: sforde@nefrc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 1, 2010, 10:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 2nd Floor, Meeting Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Lower West Coast Watersheds Implementation Committee will be holding their monthly meeting to discuss water quality issues affecting Southwest Florida.

A copy of the agenda may be obtained by contacting: Mr. David Crawford at (239)338-2550, ext. 226 or dcrawford@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.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: www.swfrpc.org.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 26, 2010, 10:00 a.m. – 1:00 p.m.

PLACE: Cocoa City Hall, 65 Stone Street, Cocoa, FL 32922

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amtrak/FEC Corridor Coalition – Kickoff Meeting.

A copy of the agenda may be obtained by contacting: Kim DeLaney at (772)221-4060.

Pursuant to the provisions of 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: Kim DeLaney at (772)221-4060. If you are 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 **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2010, 9:30 a.m.

PLACE: Indian River State College (Chastain Campus), Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Treasure Coast Regional Planning Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of 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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIMES: April 1, 2010, 12:00 Noon – 2:30 p.m.; 3:00 p.m. – 5:30 p.m.

PLACE: Florida Department of Transportation, Haydon Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, 605 Suwannee Street, MS #28B, Tallahassee, Florida 32399-0450 or by email: brigitte.messina@mpoac.org.

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

For more information, you may contact: Brigitte Messina, 605 Suwannee Street, MS #28B, Tallahassee, Florida 32399-0450 or by email: brigitte.messina@mpoac.org.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 12, 2010, 5:00 p.m.

PLACE: District Headquarters, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Projects and Land Committee will discuss agenda items followed by Committee recommendations to be approved by the Full Governing Board. In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, April 13, 2010, 8:00 a.m. at District Headquarters. NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Heather Barnes at (386)329-4347 or by visiting the District website: www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, April 13, 2010, 8:15 a.m., Governing Board and Committee Chairmen; 9:00 a.m., Finance, Administration, and Audit Committee; 10:00 a.m., Regulatory Committee; 1:00 p.m., Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments which affect the adopted budget. NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Marji Hightower at (386)329-4214 or by visiting District website: www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 10:00 a.m.

PLACE: District Headquarters, 4049 Reid Street, 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 or individual environmental resource permits. An agenda will be available at least 7 days before the meeting which 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, 4049 Reid Street, Palatka, FL 32177, Attention: Vicki Young at (386)329-4523 or by visiting District website: www.floridaswater.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: Friday, March 26, 2010, 10:00 a.m.

PLACE: Hernando County Utilities, 21030 Cortez Blvd., Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: Blue Sink Tour. Visit the sink and tour the surrounding watershed. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: Alys Brockway, Hernando County Utilities at email: abrockway@co.hernando.fl.us or call: (352)540-4368, ext. 35139.

Pursuant to the provisions of 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).

For more information, you may contact: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0021).

The Southwest Florida Water Management District (SWFWMD) announces a workshop to which all persons are invited.

DATE AND TIME: Saturday, March 27, 2010, 11:00 a.m.

PLACE: J.B. Starkey Wilderness Park, 10500 Wilderness Park Blvd., New Port Richey, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Volunteer Appreciation Day to recognize those who volunteer to maintain District lands. One or more Governing or Basin Board members 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).

For more information, you may contact: Sharon.Pope@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4470 (Ad Order EXE0022).

The Southwest Florida Water Management District (SWFWMD) announces a workshop to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 2:00 p.m.

PLACE: Hillsborough Community College Trinkle Center, 1206 North Park Road, Plant City, FL 33563

GENERAL SUBJECT MATTER TO BE CONSIDERED: Plant City Agricultural Tour including a visit to Strawberry Red Ranch, Harrell's Nursery, and Oakridge Fish Hatchery. One or more Governing or Basin Board members may attend. A Governing Board dinner will follow the tour at 507 W. Reynolds St.

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).

For more information, you may contact: cori.cuttler@watermatters.org 1(800)836-0797 (FL Only) or (813)985-7481, ext. 2036 (Ad Order EXE0023).

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 30, 2010, 9:00 a.m.

PLACE: Hillsborough Community College Trinkle Center, 1206 North Park Road, Plant City, FL 33563

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 EXE0020).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Special Business Meeting

DATE AND TIME: March 31, 2010, 5:15 p.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Special Business Meeting

DATE AND TIME: April 1, 2010, 5:15 p.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or website: https://my.swfwmd.gov/portal/page/portal/pg_grp_sfwmdd_governingboard/pg_sfwmdd_governingboard_agendasminutes.

Pursuant to the provisions of 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.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 8:30 a.m.

PLACE: 2575 Enterprise Road, Clearwater, FL 33763

Pursuant to Section 2.04 of the Amended and Restated Interlocal Agreement, all Board Members will be given the opportunity to participate in the meeting in person or by telephone conference call. This meeting will be conducted by means of communications media technology (audio teleconferencing) and attendance will be provided by such means. Persons interested in attending may do so at the place listed here where there will be available audio teleconferencing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Board Meeting to approve the consultant ranking for Design Criteria Professional Services for the C.W. Bill Young Regional Reservoir Renovation Project. Since the next regular meeting of the Board of Directors is not scheduled until April 19, 2010, a special meeting of the Board is being called in order to support the schedule for Request for Design Builder Qualifications.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the web at www.tampabaywater.org. Additional material pertaining to this meeting can also be provided.

Pursuant to the provisions of 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: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Records Department at (727)796-2355.

DEPARTMENT OF THE LOTTERY

The **Department of the Lottery** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 30, 2010, 2:00 p.m. (Eastern Time); continuing from day to day thereafter as may be required

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Evaluation Committee to evaluate and score Proposals for RFP 06-09/10, Operational Security Studies and Evaluation Services. Subsequent to the completion of scoring of Proposals, the Issuing Officer will open and read aloud the vendors' Cost Proposals.

A copy of the agenda may be obtained by contacting: Rhett Frisbie or Summer Silvestri at (850)487-7710.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Rhett Frisbie or Summer Silvestri at (850)487-7710. If you are 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.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 8, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: The Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308 (Contact Name and Number: Edwin Stephens at (850)412-4077)

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 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.

For more information, you may contact: Edwin Stephens, e-mail: stephene@ahca.myflorida.com or (850)412-4077.

The **Agency for Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: April 8, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32312 (Contact Name and Number: Edwin Stephens at (850)412-4077)

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.

For more information, you may contact: Edwin Stephens at (850)412-4077 or email: stephene@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: March 26, 2010, 1:30 p.m.

PLACE: 4050 Esplanade Way, Conference Room 101, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a Pre-Response Vendor Conference is hereby noticed within the timeline for the Invitation to Negotiate (ITN Number: 13-973-120-X) for Purchasing Card Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly (FAW). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: David Bennett at (850)921-4072 or email: david.bennett@dms.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 48 hours before the workshop/meeting by contacting: David Bennett at (850)921-4072 or email: david.bennett@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Bennett at (850)921-4072 or email: david.bennett@dms.myflorida.com.

The **Agency for Workforce Innovation** announces a hearing to which all persons are invited.

DATE AND TIME: March 29, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Caldwell Building, 107 E. Madison Street, Conference Room 110, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed revisions to proposed Rules 60BB-3.0251, 60BB-3.0252, 60BB-3.0253, and 60BB-3.0254, F.A.C.

A copy of the agenda may be obtained by contacting: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, 107 E. Madison Street, Tallahassee, Florida 32399.

The **Agency for Workforce Innovation** announces a hearing to which all persons are invited.

DATE AND TIME: March 29, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: Caldwell Building, 107 E. Madison Street, Conference Room 110, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to Rules 60BB-3.0261, 60BB-3.0262, and 60BB-3.0263, F.A.C.

A copy of the agenda may be obtained by contacting: John R. Perry, Assistant General Counsel, 107 E. Madison Street, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 9:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879597#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Regulatory Council of Community Association Managers office at (850)922-5012 or via 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: Regulatory Council of Community Association Managers office at (850)922-5012 or via 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: Regulatory Council of Community Association Managers office at (850)922-5012 or via 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: March 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 7 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 **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 13, 2010, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879516#

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of 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: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701. If you are 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: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, April 14, 2010, 12:00 Noon; Thursday, April 15, 2010, 8:00 a.m.; Friday, April 16, 2010, 8:00 a.m. or soon thereafter

PLACE: Embassy Suites Tampa/USF, 3705 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of 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: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701. If you are 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: Andy Janecek, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 2010, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 21, 2010, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 2010, 8:30 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational Review Committee Meeting. Review applications for licensure and other general business of the Board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of 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. If you are 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 email: rsammons@fbpe.org.

The **Florida Engineers Management Corporation**, Board Operations Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 2010, 2:00 p.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Ste. 200, Tallahassee, FL 32303. Conference Call: 1(866)895-8146, Passcode: 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.

Pursuant to the provisions of 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. If you are 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 email: rsammons@fbpe.org.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 20, 2010, 8:30 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Ste. 200, Tallahassee, FL 32303. Any public portions of the Probable Cause Panel meeting may be accessed by dialing 1(866)895-8146, Participant Code: 30295716#. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Shannon McCoy, at least 48 hours prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of 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 (850)521-0500. If you are 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 email: rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 28, 2010, 10:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Ste. 200, Tallahassee, FL 32303, Conference Call: 1(866)895-4186, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of 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. If you are 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 email: rsammons@fbpe.org.

The **Building Code Administrators and Inspectors Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2010, 3:00 p.m.

PLACE: Florida's Resort, 12562 International Drive, Orlando, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting, portions of which may be closed to the public.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N. Monroe St., Tallahassee, FL 32399-2211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The 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.

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** announces a public meeting to which all persons are invited.

DATE AND TIME: March 30, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Videoconferencing Rooms as follows: Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL 32399, Video Conference Room 609; 2295 Victoria Avenue, Fort Myers, FL 33901, Video Conference Room 38H; 7825 Baymeadows Way, Jacksonville, FL 32256, Video Conference Room 213A; 3319 Maguire Blvd., Orlando, FL 32803, Video Conference Room F; 160 Government Center, Pensacola, FL 32502, Video Conference Room 501A; 13051 North Telecom Parkway, Temple Terrace, FL 33637, Video Conference Room 111; 400 North Congress Avenue, West Palm Beach, FL 33401, Video Conference Room (no number)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the tenth meeting of an advisory committee composed of technical experts from government and private industry to help develop compliance assistance educational materials for the generation, segregation, packaging, transport, and disposal of biomedical and universal pharmaceutical wastes that are regulated by three Florida agencies: DEP for waste management, DOH for infectious waste, drug distribution and diversion and DOT for transportation.

A copy of the agenda may be obtained by contacting: Yvonne Peters by e-mail: yvonne.peters@dep.state.fl.us or by calling (850)245-8707.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Yvonne Peters by e-mail: yvonne.peters@dep.state.fl.us or by calling (850)245-8707. If you are 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 District, **Air Resource Management Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 30, 2010, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: All Concrete Batch Plants (CBP) operating in Citrus, Desoto, Hardee, Hernando, Hillsborough, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter counties are invited to a workshop to be hosted by the SWD Air Resource Management and Industrial Wastewater staff. The goal of the workshop is to assist affected facilities in understanding their permit requirements to ensure compliance and minimize their impact on the environment. Specifically, this workshop will provide information on the CBP Air General Permit, CBP Air Compliance and Enforcement issues, CBP Industrial

Wastewater Permitting, CBP Industrial Wastewater Design Criteria, and CBP Industrial Wastewater Compliance and Enforcement issues.

A copy of the agenda may be obtained by contacting: Ms. Rhonda Hughes at (813)632-7600, ext. 114 or email: Rhonda.Hughes@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mr. Mike Zavoisky at (813)632-7600, ext. 437. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Rhonda Hughes at (813)632-7600, ext. 114 or email: Rhonda.Hughes@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Technology Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 9, 2010, 8:30 a.m. – 10:00 a.m. (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5221678031# and remote CART: <http://www.streamtext.net/text.aspx?event=FCDDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subjects of the meeting will be the content, length and other particulars of a PSA for the Council and specific content of the upcoming CART presentation to the Council at its quarterly meeting, May 13-14, 2010, Orlando, FL.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel, info@fccdhh.org, MaryGrace_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mary Grace Tavel, info@fccdhh.org, MaryGrace_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mary Grace Tavel, info@fccdhh.org, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, MaryGrace_Tavel@doh.state.fl.us.

The **Board of Clinical Laboratory Personnel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 9, 2010, 9:00 a.m. (will be held by telephone conference call if necessary)

PLACE: Marriott Tampa Airport, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/clinlab/index.html.

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

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

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 7, 2010, 3:00 p.m.

PLACE: Please call for information: (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

The **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 6, 2010, 1:00 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6321783289#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss and vote on the prepared SERC for pain clinic rules and initiate the disciplinary guidelines that need to be added for pain clinics.

A copy of the agenda may be obtained by contacting: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 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.

The Probable Cause Panel of the **Board of Pharmacy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 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, #C-65, 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: 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Affordable Housing, Education and Training, Data Collection, Legal and Law Enforcement, and Children's.

Committee: Executive

DATES AND TIME: Monday, April 5, 2010; Monday, May 3, 2010; Monday, June 7, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Continuum of Care Capacity

DATES AND TIME: Wednesday, April 14, 2010; Wednesday, May 12, 2010; Wednesday, June 9, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Affordable Housing

DATES AND TIME: Wednesday, April 21, 2010; Wednesday, May 19, 2010; Wednesday, June 16, 2010; 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Education and Training

DATES AND TIME: Friday, April 2, 2010; Friday, May 7, 2010; Friday, June 4, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Data Collection

DATES AND TIME: Monday, April 12, 2010; Monday, May 10, 2010; Monday, June 14, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Legal and Law Enforcement

DATES AND TIME: Friday, April 9, 2010; Friday, May 14, 2010; Friday, June 11, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Children's

DATE AND TIME: Thursday, May 20, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATES AND TIMES: Initial Meeting, April 23, 2010, 2:00 p.m.; Debriefing Meeting, May 3, 2010, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Initial meeting of Department Evaluators as provided for in Sections 2.5 and 6.3 and Appendix XII-a of RFP #02F10GC1, published on the Vendor Bid System (VBS) on February 22, 2010.

The Debriefing meeting of Department Evaluators as provided for in Sections 2.5 and 6.3 and Appendix XII-a of RFP #02F10GC1, published on the Vendor Bid System (VBS) on February 22, 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/vbs/main_menu.

The agenda for each meeting is provided in XII-a, Instructions to Evaluators, of RFP #02F10GC1.

Pursuant to the provisions of 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: Greg Ferguson at email: greg_ferguson@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).

The **Adult Protective Services Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 7, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6969, Conference Call: 4882881#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of the review of all aspects of the Department's adult protection system and identify areas that need improvement.

A copy of the agenda may be obtained by contacting: Adult Protective Services Program at (850)488-2881.

Pursuant to the provisions of 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: Adult Protective Services Program at (850)488-2881. If you are 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: Robert Anderson, Director, Adult Protective Services at (850)488-2881.

The Florida **Department of Children and Families**, Refugee Services division announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 24, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Catholic Charities of Collier County, 2210 Santa Barbara Blvd., 2nd Floor, Naples, Florida 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Task Force Meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Janet Blair at email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598. If you are 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: Janet Blair office (813)558-5841, email: Janet_Blair@dcf.state.fl.us, or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese_Fessehaye@dcf.state.fl.us.

The Florida **Department of Children and Families**, Refugee Services Division announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 30, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: Contact facilitator for location.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Task Force Meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at email: Janet_Blair@dcf.state.fl.us or Fax (813)558-5598. If you are 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: Janet Blair office (813)558-5841, email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese_Fessehaye@dcf.state.fl.us.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement**, Boating Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2010, 9:00 a.m.

PLACE: FWC, 620 South Meridian Street, Bryant Building, Room 272 (2nd Floor, Conference Room), Tallahassee, Florida 32399-1600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Boating Advisory Council.

A copy of the agenda may be obtained by contacting: FWC, Division of Law Enforcement, Boating Advisory Council, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399-1600, or by calling Ms. Shelly Gurr at (850)488-5600.

Pursuant to the provisions of 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: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 8, 2010, 1:00 p.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cotton States Mutual Insurance Company requested an overall rate level decrease of 24.8% with regard to its homeowners new and renewal line of business, File Log 10-02824, effective May 25, 2010 for new and renewal business. The requested rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing,

please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com. The subject line of your e-mail should read "Cotton States."

A copy of the agenda may be obtained by contacting: Sharlee Hobbs Edwards, Esquire at (850)413-4276 or Cindy Walden at (850)413-2616.

Pursuant to the provisions of 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: Cindy Walden at (850)413-2616 or e-mail: cindy.walden@flor.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: Sharlee Hobbs Edwards, Esquire at (850)413-4276 or Cindy Walden at (850)413-2616.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology**, Chief Information Officers Council Steering Committee announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, March 25, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Collins Building, Room 201, 107 W. Gaines Street (Public Entrance on Bloxham Street), Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: CIO Council Steering Committee Planning Workshop.

A copy of the agenda may be obtained by contacting: Margie (Rainey) Drury, Florida Department of Legal Affairs, Office of Information Technology at (850)414-3525 or email: margie.rainey@myfloridalegal.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: Margie (Rainey) Drury at margie.rainey@myfloridalegal.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 **Agency for Enterprise Information Technology** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: 4030 Esplanade Way, Conference Room 109, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Bi-Weekly Enterprise IT Strategic Plan Technical Workgroup Meeting.

A copy of the agenda may be obtained by contacting: Bharath Chari at (850)922-7502 or by e-mail: bharath.chari@aeit.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: Bharath Chari at (850)922-7502 or by e-mail: bharath.chari@aeit.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 **Agency for Enterprise Information Technology**, Chief Information Officers Council Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 9, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Collins Building, Room 138, 107 W. Gaines Street (Public Entrance on Bloxham Street), Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Margie (Rainey) Drury, Florida Department of Legal Affairs, Office of Information Technology at (850)414-3525, margie.rainey@myfloridalegal.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: Margie (Rainey) Drury at (850)414-3525, margie.rainey@myfloridalegal.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).

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: March 23, 2010, 12:00 Noon

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

JUSTICE ADMINISTRATIVE COMMISSION

The **Justice Administrative Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2010, 10:00 a.m. (EST)

PLACE: Justice Administrative Commission, 227 N. Bronough Street, Suite 2100, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the legislative session or other regular commission meeting items, if necessary.

A copy of the agenda may be obtained by contacting: Jessica Kranert at (850)488-2415, ext. 261 or jessicak@jac.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 3 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).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2010, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: March 24, 2010, 2:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Dave Kershaw, Deputy Director at (321)872-1050, ext. 102 or email: dkershaw@trda.org.

FLORIDA CENTER FOR NURSING

The **Florida Center for Nursing** announces a public meeting to which all persons are invited.

DATES AND TIME: April 8, 2010, 2:00 p.m. – 6:00 p.m.; April 9, 2010, 8:00 a.m. – 5:00 p.m.

PLACE: For additional information contact Cathy at (407)823-0980

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCN Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Cathy at (407)823-0980.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: March 24, 2010, 5:30 p.m.

PLACE: 720 North Denning Drive, Winter Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at lkutz@cilorlando.org or (407)623-1070.

Pursuant to the provisions of 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).

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 22, 2010, 1:30 p.m.

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting of the SSRC Board of Trustees contingent upon anticipated need for state budget revision.

Pursuant to the provisions of 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: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 29, 2010, 1:30 p.m.

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting of the SSRC Board of Trustees contingent upon anticipated need for state budget revision.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.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: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

FLORIDA HEALTH CHOICES CORPORATION

The **Florida Health Choices Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 26, 2010, 12:00 Noon

PLACE: Florida Capitol, Room 28, House Office Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board of directors meeting.

A copy of the agenda may be obtained by contacting: Lauren McCarthy, lauren@myfloridachoice.com or (850)445-2496.

For more information, you may contact: Lauren McCarthy at email: lauren@myfloridachoice.com or call: (850)445-2496.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The **Florida Local Government Finance Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 23, 2010, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for the purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Charlotte County, Florida, Collier County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

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.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Construction Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 25, 2010, 3:00 p.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Blvd., Tampa, FL, 1(866)915-1557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 26, 2010, 8:30 a.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Blvd., Tampa, FL, (866)915-1557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

SOIL AND WATER CONSERVATION DISTRICTS

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday April 15, 2010, 9:30 a.m.

PLACE: USDA Service Center, South Dade Soil and Water Conservation District, 1450 N. Krome Ave., Suite 102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda items for presentation to Board of Supervisors: Nursery BMP & MIL Lab Reports, District Projects and Reports.

A copy of the agenda may be obtained by contacting: Norma H. Wilson at (305)242-1288.

For more information, you may contact: Mr. Morgan Levy, SDSWCD Administrator at (305)242-1288.

FLORIDA WORKER'S COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA MAP Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 27, 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: The agenda topic is the Market Assistance Plan.

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.

The **FWCJUA Safety Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 28, 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 will include the Cause, Frequency, and Severity Analysis.

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.

GOVERNOR'S COMMISSION ON DISABILITIES

The **Governor's Commission on Disabilities**, Transportation, Independent Living Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: Monday, April 5, 2010; Monday, April 19, 2010; Wednesday, May 5, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#, 4030 Esplanade Way, Suite 260, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Legal, Civil Rights Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: Monday, April 5, 2010; Monday, April 19, 2010; Wednesday, May 5, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#, 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Education, Employment Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: Thursday, April 8, 2010; Thursday, April 22, 2010; Thursday, May 6, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#, 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Healthcare Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: Friday, April 9, 2010; Friday, April 23, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#, 4030 Esplanade Way, Suite 350A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Healthcare Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 6, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#, 4030 Esplanade Way, Suite 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on February 16, 2010, the Board of Accountancy has received the petition for declaratory statement from James G. Newman, on behalf of Gregory, Sharer & Stuart, P.A. The petition seeks the agency's opinion as to the applicability of subsection 61H1-26.001(3), Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of subsection 61H1-26.001(3), Florida Administrative Code, which states "Certified Public Accountants may share office facilities provided there is adequate disclosure that would enable a reasonable person to determine the practice is not associated with the profession or occupation not regulated by the Board, such as written agreements, signs, etc." and whether based on the circumstances listed in the petition, that the petitioner satisfies the requirements of the rule.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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 the Board of Physical Therapy Practice has received the petition for declaratory statement from Bruce Wills, MPT. The petition seeks the agency's opinion as to the applicability of Chapter 486, F.S., as it applies to the petitioner.

Petition is seeking a declaratory statement allowing physical therapists to accept referrals from nurse practitioners. The Board will consider this petition at its meeting scheduled for May 6-7, 2010, in Ft. Lauderdale, Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255.

Please refer all comments to: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

- Projects: UF-363, College of Engineering Renovations (Gainesville, FL)
 UF-353, Movement Disorders Center (Gainesville, FL)

The facilities will include the following:

UF-363, College of Engineering Renovations (Gainesville, FL)
 The project consists of the renovation of 4 buildings within the College of Engineering. These projects are estimated at 35,000 – 40,000 total square feet. The purpose of these renovations is to create more lab space, reduce energy consumption, upgrade

space to latest code, and allow for more technologically advanced lab space. The scope may also include the renovation of temporary space as laboratories are renovated. The spaces are identified as follows:

- Benton Hall (Building #0721) – approximately 5,200 square feet of offices and labs (10/90) including some circulation space.
- Nuclear Science Building (Building #0634) – approximately 8,000 square feet of offices and labs (30/70) including restrooms, data closet, and circulation space.
- Weil Hall (Building #0024) – approximately 14,800 square feet of offices and labs (50/50) including mechanical and electrical systems, server room, data closet, and circulation space.
- Larsen Hall (Building #0722) – approximately 10,500 square feet of offices and labs (20/80) including restrooms, mechanical and electrical systems, data storage, and circulation space.

The total project budget is up to \$6.7 million, including fees, surveys and tests, total building commissioning, furnishings and equipment, and contingencies. The scope of services shall include design phase peer review, completion and maintenance of the Owner’s Project Requirements (OPR) document, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The project will be delivered using the Design/Build construction method. LEED – CI (Leadership in Energy and Environmental Design – Commercial Interiors) certification by the U.S. Green Building Council is mandatory.

UF-353, Movement Disorders Center (Gainesville, FL)

The project consists of remodeling and renovation of approximately 11,500 GSF on the 4th floor of the Orthopedics and Sports Medicine Institute to house the University of Florida International Parkinson’s Disease and Movement Disorders Center. This, for the first time, will consolidate the patient care and research activities that make up the UFIPDMDC. In addition, the location of the facility will provide ease of access for patients and a comfortable environment, from parking to exam room. The Orthopedics and Sports Medicine Institute was constructed in 2004 and remains a state-of-the-art out-patient care facility.

The total project budget is \$3,375,000 including design fees, total project commissioning, furnishings & equipment, and contingencies. The scope of services shall include design phase peer review, completion and maintenance of the Owner’s Project Requirements (OPR) document, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The project will be delivered using the Construction Manager at Risk method. LEED – CI

(Leadership in Energy and Environmental Design – Commercial Interiors) certification by the U.S. Green Building Council is mandatory.

Blanket professional liability insurance will be required for each project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities programs, Project Fact Sheets for Commissioning Consultants, and other background information. The proposal shall be limited to 20 single-sided pages OR 10 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed, project-specific Commissioning proposal form with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant consultants from the appropriate governing board.
5. Proof of the applicant's ability to be insured for the level of professional liability coverage demanded for this project.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant 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 applicant 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.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form, Project Fact Sheet, UF Design Services Guide, UF Design and Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant agreement, and other project and process information can be found on the Facilities Planning and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Friday, April 16, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000, Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Architecture (Up to 3) (Tampa Campus with ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions for University facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for professional services that does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Architectural services only. Engineering services (mechanical, electrical, structural and civil) required for specific projects shall be provided as part of basic services through the selected Architect(s) based upon project need. Use of USF continuing service engineers by the selected Architect(s) shall be encouraged. The consultant(s) receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Services required to be provided under the Continuing Services Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University's space management program. Any new construction projects should have the ability to be LEED certified if required by the Owner and shall be included as part of basic services and will not be considered as an additional service.

INSTRUCTIONS:

Firms desiring to provide professional services shall submit one (1) original submittal and four (4) spiral bound copies consisting of the information as required in the "SUBMITTAL REQUIREMENTS" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement" dated March 2010, and any required or additional information within the proposal limits as described in the PQS General Instructions. Submittals that do not comply with these requirements or do not include the requested information may not be considered. No submittal material will be returned. Submittals become part of the public record. 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. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability, design ability, past performance, workload, volume of USF work (including USF Foundation), and location. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Architect for this contract shall be provided by the Architect in response to a periodic request from the University's Supplier Diversity Manager's office. 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 \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The "USF Professional Qualifications Supplement dated March 2010" and Project Fact Sheet which includes project information may be obtained by contacting: Kathy Bennett, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or Fax: (813)974-3542. All

interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 10:00 a.m. (Eastern Time), Tuesday, March 30, 2010, at the University of South Florida, Tampa Campus, Marshall Center Oak, Room #3707, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, consult a campus map website at: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>, and parking information at http://usfweb2.usf.edu/parking_services/default.asp. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Project Fact Sheet. Requests for any project information must be in writing to the above e-mail address. One (1) original and four (4) spiral bound copies of the above required proposal data shall be submitted to: Ray Gonzalez, RA, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittal shall be submitted at the above campus address (4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550), to the Attention: Ray Gonzalez, RA, by 2:00 p.m. (Eastern Time) Friday, April 16, 2010. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

NOTICE TO PROFESSIONAL CONSULTANTS

Request for Qualifications – RFQ 10-16 – Campus Architect
The University of North Florida – Board of Trustees, a public body corporate, announces that continuing Professional Services in the discipline of Architecture and Engineering will be required for certain campus projects to be located at the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

Projects included in the scope of this agreement will be for renovations, alterations, and additions that have a basic construction budget estimate of \$2,000,000 or less, or for studies of which the fee for professional services is \$200,000 or less. The University plans on awarding three Campus Service contracts for these projects. The awarded consultants will be available on an as-needed basis for the upcoming fiscal year: July 1, 2010 – June 30, 2011. The consultants receiving the award will not have an exclusive contract to perform

services for these projects. The university may have additional campus service professionals under contract during the same time period.

The preliminary tentative schedule for this project:

Advertisement	March 19, 2010
Question due	April 6, 2010
Submissions due	April 13, 2010, 2:00 p.m.
Evaluation/Short listing	May 2010
Interviews/Award	May/June 2010

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application with all of the appropriate documents from RFQ 10-16 Campus Architect. Proximity of the firm’s location to campus will be one of the criteria in the selection of the firm.

The letter of application should have attached:

1. The most recent version of the “Professional Qualifications Supplement,” completed by the applicant. Applications on any other form will not be considered. Evaluation criterion is detailed in the RFQ 10-16 document.
2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Submit five (5) complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions will be disqualified. Application materials will not be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplemental forms, descriptive project information and selection criteria may be obtained electronically online at the UNF Purchasing department website:

http://www.unf.edu/anf/purchasing/bids_and_notices.aspx, or by emailing:

Dianna White	AND	Angela Dyal
Dianna.white@unf.edu	University of North Florida	angela.dyal@unf.edu
(904)620-1731	Purchasing Dept.	(904) 620-1732
	Bldg. 53, Room 2950	
	1 UNF Drive	
	Jacksonville, FL 32224	

Submit five (5) complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2:00 p.m. (Local Time), April 13, 2010. Facsimile (FAX) or email submittals are not acceptable and will not be considered.

Notice is hereby given that sealed Requests For Proposal for Outside Legal Services will be received and publicly opened at: Office of the Purchasing Department, District School Board of Collier County, 5775 Osceola Trail, Naples, FL 34109 on April 30, 2010, 2:00 p.m. The names of the proposers only, will be read at this time. All interested parties should go to http://www.demandstar.com/supplier/bids/agency_inc/bid_list.asp?f=search&LP-BB&mi=10202 to obtain RFP documents, or you may call the Purchasing Department at (239)377-0047.

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

PROFESSIONAL SERVICES FOR CONTINUING CONTRACTS STATEWIDE CIVIL/WATER/SEWER

The State of Florida, Department of Management Services (DMS) requests qualifications from engineering firms to provide Civil/Water/Sewer Services statewide. These services may be used for projects anywhere in the State of Florida. Projects will vary in size up to \$2,000,000.00 for construction and up to \$200,000.00 for planning or study fees.

Shortlist Date: Tuesday, May 18, 2010

Interview Date: Tuesday, June 8, 2010

Please visit the Department’s Website listed below and click on “Search Advertisements – Division of Real Estate Development and Management” http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

CLARK CONSTRUCTION GROUP, LLC

LOWELL RECEPTION CENTER – INVITATION TO BID

Clark Construction Group, LLC, the Construction Manager for the Lowell Reception Center project to be constructed in Marion County, Florida, will be receiving bids at Clark Construction’s on-site field office located at 11205 N.W. Gainesville Road, Ocala, FL 34482 at 10:00 a.m. on Wednesday, April 21, 2010 for the following Bid Package:

- Bid Package 16B – Data and Communications Systems
- A Pre-Bid Meeting is scheduled for 10:00 a.m. on Wednesday, March 31, 2010 at Clark Construction’s on-site field office. One original proposal submitted on Clark’s bid proposal forms is required. Bids will be publicly opened.

Potential Bidders must be pre-qualified with Clark Construction no later than April 7, 2010. Interested bidders may inquire about this project by contacting: Steve Stone via email: steve.stone@clarkconstruction.com or by phone: (813)477-4262.

Bidders will be required to furnish a Bid Bond/Bid Security in the amount of 5% of the bid value for all bids in the amount of \$100,000 or greater.

**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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Classy Cycles, Inc. d/b/a California Cycles, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd (GUNG) at 13416 Front Beach Road, Panama City Beach (Bay County), Florida 32407, on or after March 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Classy Cycles, Inc. d/b/a California Cycles are dealer operator(s): Colleen Swab, 13416 Front Beach Road, Panama City Beach, Florida 32407, principal investor(s): Colleen Swab, 13416 Front Beach Road, Panama City Beach, Florida 32407.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leslie Bedenbaugh, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant’s compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Trade Flow Holdings, Inc. d/b/a Flyscooters, intends to allow the establishment of TGT Companies, Inc. d/b/a Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1918 South Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after March 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc. d/b/a Extreme Motor Sales are dealer operator(s): Heidi Drwal, 1918 South Orange Blossom Trail, Apopka, Florida 32703 and Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Heidi Drwal, 1918 South Orange Blossom Trail, Apopka, Florida 32703 and Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703.

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: Daniel Pak, Trade Flow Holdings, Inc. d/b/a Flyscooters, 7307 Edgewater Drive, Suite H, Oakland, California 94621.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Carter Brothers Manufacturing Company, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co., Inc. (SANY) at 1828 North Dixie Highway, Lake Worth (Palm Beach County), Florida 33460, on or after March 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Tom McMahan, 1828 North Dixie Highway, Lake Worth, Florida 33460; principal investor(s): Tom McMahan, 1828 North Dixie Highway, Lake Worth, Florida 33460.

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: Clint E. Jones, Carter Brothers Manufacturing Company, Inc., 1871 US Highway 231 South, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Lambretta South, Inc. d/b/a Riva Motorsports, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (GUNG) at 3671 North Dixie Highway, Pompano Beach (Broward County), Florida 33064, on or after March 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Lambretta South Inc. d/b/a Riva Motorsports are dealer operator(s): Lynn Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064; principal investor(s): Lynn Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064.

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: Leslie Bedenbaugh, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- County: Polk District: 6
 ID # E0900015 Decision: A Issue Date: 3/8/2010
 Facility/Project: Lakeland Regional Medical Center
 Applicant: Lakeland Regional Medical Center, Inc.
 Project Description: Establish an 18 bed Level III Neonatal Intensive Care Unit
 Proposed Project Cost: \$5,772,615.00
- County: Miami-Dade District: 11
 ID # E1000001 Decision: A Issue Date: 1/29/2010
 Facility/Project: Larkin Community Hospital
 Applicant: Larkin Community Hospital, Inc.
 Project Description: Addition of eight adult inpatient psychiatric beds
 Proposed Project Cost: \$500,000.00
- County: Pinellas District: 5
 ID # E1000002 Decision: A Issue Date: 3/1/2010
 Facility/Project: Windmoor Healthcare of Clearwater
 Applicant: Windmoor Healthcare, Inc.
 Project Description: Addition of 20 adult inpatient psychiatric beds
 Proposed Project Cost: \$475,000.00

The Agency for Health Care Administration has received an application for an emergency service exemption from Heart of Florida Regional Medical Center, 40100 US Highway 27 North, Davenport, FL 33837, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology & Urology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status. Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4359 or by e-mail: munnj@ahca.myflorida.com.

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 gives notice that it intends to grant a variance extension to the Florida Governmental Utility Authority (FGUA) for its public water system Lehigh Water Treatment Plant Number 2 (LWTP#2), 925 Bolivia Drive, Lehigh Acres, Lee County, Florida. The variance is under Rule 62-560.510, Florida Administrative Code (F.A.C.), so that the Secondary Maximum Contaminant Level (SMCL) for Total Dissolved Solids of 500 mg/L will not have to be met in the water served to its customers from the issuance date through December 10, 2012, when the petitioner shall have treatment in place at that time. An alternative level of 1000 mg/L for TDS will be required during this time.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2), 62-110.106(3)(a), (4) and Rule 62-560.550, F.A.C., petitions for an administrative hearing must be filed within 30 days of publication of the notice or receipt of written notice, whichever occurs first. Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 before the applicable deadline. A timely request for extension of time will toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an

extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing.

The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Under Section 120.569(2)(c) and (d), Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed. Complete copies of all documents relating to this determination are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, Department of Environmental Protection, South District, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901, please contact: James Oni, Drinking Water Supervisor at (239)332-6975, ext. 110.

DEPARTMENT OF HEALTH

On March 5, 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 Leonor Corea, P.A. License #PA 9100778. 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 March 4, 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 Omar Brito Marin, M.D., License #ME 37203. 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 March 9, 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 Michael S. Arzie, C.N.A., License #CNA 85513. 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 March 4, 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 Robert M. Horne, C.N.A. License #CNA 164204. 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 March 4, 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 Kathleen S. Johnson, R.N., License #RN 9166140. 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 March 9, 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 Roseanne Toth, R.N., License #RN 9284504. 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.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for

inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the 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., April 9, 2010):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Bonifay Holding C Company, Inc. (The Bank of Bonifay) Bonifay, Florida
Proposed Purchasers: Kirk Mathew Dorskocil

Received: March 5, 2010

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>

Name and Address of Applicant: Central Florida Postal Credit Union, Post Office Box 568765, Orlando, Florida 32856

Expansion Includes: Geographic Area

Received: March 8, 2010

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 1, 2010
 and March 5, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-8.041	3/3/10	3/23/10	35/38	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-6.020	3/4/10	3/24/10	35/48	
59G-6.030	3/4/10	3/24/10	35/48	
59G-6.090	3/4/10	3/24/10	35/48	
59G-6.090	3/4/10	3/24/10	35/48	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-3.001	3/4/10	3/24/10	35/44	36/3
61C-3.002	3/4/10	3/24/10	35/44	

DEPARTMENT OF HEALTH

Board of Medicine

64B8-4.029	3/4/10	3/24/10	36/3	
64B8-9.009	3/5/10	3/25/10	35/51	36/5

Board of Osteopathic Medicine

64B15-12.005	3/5/10	3/25/10	35/50	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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FISH AND WILDLIFE CONSERVATION COMMISSION

68-1.003	3/1/10	3/21/10	36/2	
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Freshwater Fish and Wildlife

68A-1.004	3/1/10	7/1/10	36/2	
68A-4.004	3/1/10	7/1/10	36/2	
68A-9.002	3/1/10	3/21/10	36/2	
68A-9.004	3/1/10	7/1/10	36/2	
68A-9.007	3/1/10	7/1/10	36/2	
68A-9.010	3/1/10	7/1/10	36/2	
68A-12.007	3/1/10	7/1/10	36/2	
68A-13.003	3/1/10	7/1/10	36/2	
68A-13.004	3/1/10	7/1/10	36/2	
68A-13.008	3/1/10	7/1/10	36/2	
68A-14.001	3/1/10	3/1/10	36/2	
68A-14.0011	3/1/10	3/1/10	36/2	
68A-15.004	3/1/10	7/1/10	36/2	
68A-15.005	3/1/10	6/1/10	36/2	
68A-15.006	3/1/10	7/1/10	36/2	
68A-15.061	3/1/10	7/1/10	36/2	
68A-15.062	3/1/10	7/1/10	36/2	
68A-15.063	3/1/10	7/1/10	36/2	
68A-15.065	3/1/10	7/1/10	36/2	
68A-17.004	3/1/10	7/1/10	36/2	
68A-17.005	3/1/10	7/1/10	36/2	
68A-19.005	3/1/10	3/1/10	36/2	
68A-20.005	3/1/10	7/1/10	36/2	

Marine Fisheries

68B-24.0055	3/1/10	3/21/10	36/2	
68B-44.002	3/1/10	3/21/10	36/2	
68B-44.008	3/1/10	3/21/10	36/2	