

## Section I

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

#### DEPARTMENT OF STATE

##### Division of Elections

**RULE NO.:** 1S-2.034      **RULE TITLE:** Polling Place Procedures Manual

**PURPOSE AND EFFECT:** The proposed changes are to the polling place procedures manual, DS-DE 11, incorporated by reference in the rule. This manual is used as a guide for poll workers during the early voting period and election day. The proposed changes clarify procedures for voter intake at the polling place and for handling a ballot that has been overvoted. It also enhances the provisions governing persons with disabilities.

**SUBJECT AREA TO BE ADDRESSED:** Polling Place Procedures.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1), 102.014(5) FS.

**LAW IMPLEMENTED:** 102.014(5) FS.

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

**DATE AND TIME:** May 3, 2010, 3:00 p.m.

**PLACE:** Room 307, R. A. Gray Building, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Maria Matthews, Assistant General Counsel, Florida Department of State at: mimatthews@dos.state.fl.us or (850)245-6536, or Donald Palmer, Director, Division of Elections, Florida Department of State at: DLPalmer@dos.state.fl.us or (850)245-6200

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

#### DEPARTMENT OF STATE

##### Division of Elections

**RULE NO.:** 1S-2.039      **RULE TITLE:** FVRS Voter Registration Processes

**PURPOSE AND EFFECT:** The proposed language codifies a number of uniform practices and procedures relating to registering voters in the Florida Voter Registration System.

**SUBJECT AREA TO BE ADDRESSED:** FVRS Voter Registration Procedures.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1)-(2), 97.052(1), 98.015(10)-(12), 98.035(5), 98.045(5) FS.

**LAW IMPLEMENTED:** 97.052, 97.053, 98.015, 98.035, 98.045 FS.

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

**DATE AND TIME:** May 3, 2010, 3:00 p.m.

**PLACE:** Room 307, R. A. Gray Building, 500 S. Bronough 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: Eddie Phillips, Executive Assistant, Office of the General Counsel, Florida Department of State at elphillips@dos.state.fl.us or (850)245-6536. If you are 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:** Maria Matthews, Assistant General Counsel, Office of the General Counsel, Florida Department of State; mimatthews@dos.state.fl.us or (850)245-6536

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#### DEPARTMENT OF LEGAL AFFAIRS

##### Division of Victim Services and Criminal Justice Programs

**RULE NO.:** 2A-8.005      **RULE TITLE:** Adjustments to Reflect Consumer Price Index

**PURPOSE AND EFFECT:** The proposed rule amendments are intended to reflect changes to benefits with regard to the recent change in the Consumer Price Index.

**SUBJECT AREA TO BE ADDRESSED:** Benefits to be paid beginning July 1, 2010.

**RULEMAKING AUTHORITY:** 112.19 FS.

**LAW IMPLEMENTED:** 112.19 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:** Rick

Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-4.0163                      RULE TITLE: Reading Endorsement Competencies

PURPOSE AND EFFECT: The purpose of this rule development is to establish the updated six competencies that must be completed to earn the Reading Endorsement. The effect of this rule will be to establish a clear description of the six updated Reading Endorsement competencies and their accompanying indicators which have been updated to align with the most current research.

SUBJECT AREA TO BE ADDRESSED: Reading Endorsement.

RULEMAKING AUTHORITY: 1001.02(2), 1001.215, 1012.55(1) FS.

LAW IMPLEMENTED: 1001.215, 1012.55(1) FS.

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

DATE AND TIME: May 5, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Turlington Building, Room 1727, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Elzie, Interim Executive Director, Just Read, Florida! Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0503. The draft Reading Endorsement Competencies are available at <http://www.justreadflorida.com/docs/nre.rtf>

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.03315                      RULE TITLE: Private School Scholarship Compliance

PURPOSE AND EFFECT: The purpose of the rule development is to clarify the current compliance reporting requirements for private schools to be eligible to participate in the state scholarship programs. The effect will be to develop a rule that is consistent with the current procedures and the governing statutes.

SUBJECT AREA TO BE ADDRESSED: Private school scholarship compliance.

RULEMAKING AUTHORITY: 220.187, 1002.39, 1002.421 FS.

LAW IMPLEMENTED: 220.187, 2002.39, 1002.421 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: Laura Harrison, Director of Scholarship Programs, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Suite 522, Tallahassee, FL 32399-0400; (850)245-0502

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.03315 Private School Scholarship Compliance.

Compliance reporting requirements for the participation of a Florida private school registered with the Department of Education to be determined eligible to participate in one or more state scholarship program(s) are specified in Form IEPC SCF-1, Scholarship Compliance Form for Private School Participants in State Scholarship Programs 2008, hereinafter Scholarship Compliance Form, which is hereby incorporated by reference to become a part of this rule effective upon the effective date of this rule.

(1) No change.

(2) Renewing schools. The signed, notarized Scholarship Compliance Form must be postmarked by March 1 of each year for participation in the subsequent school year. Following the timely submission of the Scholarship Compliance Form, any outstanding compliance issues, including submission of the annual survey required by Section 1002.42, Florida Statutes, must be resolved by the private school on or before ~~prior to~~ May 1 of each year or within forty-five (45) days of receipt of notification from the Department of any noncompliance issue, whichever is later, for the school to remain eligible to participate in the scholarship programs. Renewing schools as a part of the renewal process are required to have a review of compliance documentation every third year. The Department shall mail notice to renewing schools subject to the compliance documentation review by December 1 of each year. This does not limit the Department's ability to request compliance related documentation at other times.

(3) through (5) No change.

Rulemaking Specific Authority 1002.39, 1002.42, 1002.421 FS. Law Implemented 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, 1002.39, 1002.42, 1002.421, 1003.22, 1003.23 FS. History--New 10-13-04, Amended 9-20-05, 1-18-07, 1-5-09, \_\_\_\_\_.

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

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

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-7.010	Pooled Investment Accounts
19-7.011	Rate of Return Calculation
19-7.012	Pool Participation
19-7.013	Reporting Procedures
19-7.015	Allocation of Earnings
19-7.016	Close of Business
19-7.017	Pooled Investment Account Reserve Fund

**PURPOSE AND EFFECT:** To amend the rate of return calculation rule to reflect that the calculation will be in accordance with the yield methodology of SEC Rule 2a-7 for money market funds; to amend the reporting procedures rule to eliminate investment service charges; to amend the allocation of earnings rule to allow the closing of an account if the balance is less than \$1,000; to amend the close of business rule to indicate 1:00 p.m. EST as the close of business; to delete Rules 19-7.012 and 19-7.017, F.A.C.; to update references.

**SUBJECT AREA TO BE ADDRESSED:** Revised Local Government Surplus Trust Funds account procedures; revised rate of return calculation; to update references.

**RULEMAKING AUTHORITY:** 218.405, 218.412 FS.

**LAW IMPLEMENTED:** 218.405, 218.409, 215.515 FS.

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

**DATE AND TIME:** Monday, April 26, 2010, 9:00 a.m. – 11:00 a.m.

**PLACE:** Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32303

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tina Joanos, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1197; [tina.joanos@sbafla.com](mailto:tina.joanos@sbafla.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ruth A.

Smith, Assistant General Counsel, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1182; [ruth.smith@sbafla.com](mailto:ruth.smith@sbafla.com)

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.:	RULE TITLE:
33-601.210	Custody Classification

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to clarify the procedures for custody classification assessment and review.

**SUBJECT AREA TO BE ADDRESSED:** Custody Classification.

**RULEMAKING AUTHORITY:** 944.09, 958.11 FS.

**LAW IMPLEMENTED:** 20.315, 921.20, 944.09, 944.17, 944.1905, 958.11 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:**

33-601.210 Custody Classification.

(1) Facility Assignments.

(a) A mission description shall be prepared for each facility of the Department of Corrections to which an inmate can be assigned. The mission description shall be based upon such factors as staffing patterns, perimeter security, construction features, electronic monitoring capability, type of health services provided, available programs, and any other factors ~~that~~ ~~which~~ may affect the security and safety of the staff, inmates, or the general public. The mission descriptions shall be used to aid in the assignment of inmates to facilities in a manner which will best enable the department to maintain security and order. Inmate evaluation and facility assignment shall be based upon such factors as nature and severity of offense, characteristics of sentence, criminal history, age, ~~and~~ health status, and any other factor relating to the security and order of the institution or the security and safety of the general public. An inmate shall be assigned to a facility that can provide appropriate security and supervision, that can meet the health needs of the inmate as identified by the department's health services staff, and, to the extent possible, can meet the inmate's need for programs and is near the location of the

inmate's family. The ~~Secretary~~ secretary may modify the mission of any facility to meet changing needs in response to changes in population characteristics, or in the event of riot, emergency conditions, or other circumstances affecting security and safety of the general public, staff, and inmates.

(b) Inmates who have been committed under the Youthful Offender Act shall not be placed at a non-youthful offender institution except under the following circumstances:

1. ~~The If the~~ youthful offender is convicted of a new crime ~~that which~~ is a felony under the laws of this state;

2. ~~The If the~~ youthful offender becomes such a serious management or disciplinary problem as to render his assignment to the youthful offender program detrimental to the program and to other youthful offender inmates assigned thereto;

3. ~~The If the~~ youthful offender needs medical treatment, health services, or other specialized treatment otherwise not available at the youthful offender institution or facility;

4. ~~The If the~~ department determines that the youthful offender should be transferred outside of the state correctional system, as provided by law, for services not provided by the department; or

5. ~~Bed If bed~~ space is not available in a designated community facility. In such case, the youthful offender shall be separated, insofar as is practicable, from other offenders.

(2) Custody Grade Classification.

(a) Each inmate shall be placed in one of the five custody grades: community, minimum, medium, close, or maximum.

(b) Information from all available sources shall be used to complete an automated custody classification questionnaire ~~Classification Questionnaire~~. The questionnaire shall reflect the degree of supervision appropriate for the inmate.

(c) No change.

(d) The custody grade resulting from an inmate's score may be modified if circumstances indicate the need for an exception. The specific reason for the modification shall be explained in the automated system. Reasons for increasing or decreasing the custody grade might, in appropriate cases, include one of the following comments with proper explanation:

1. through 4. No change.

5. Community and public interest concerns (i.e., judge's or prosecutor's recommendation, victim/victim family interest, legislative inquiry, law enforcement interest, executive inquiry, personal notoriety, case notoriety, ~~etc.~~).

a. Family environment (no family ties, ~~;~~ strong family ties, ~~;~~ married/head of household, ~~;~~ crime history in family, ~~;~~ family desertion, family transience, ~~etc.~~).

b. No change.

6. No change.

7. Status prior to sentencing (i.e., high bond, bond forfeiture, release on bond, jail adjustment, ~~etc.~~).

8. No change.

(e) through (g) No change.

(h) Except for the offenses listed below, any inmate who is convicted or has been previously convicted or adjudicated delinquent for any crime where a sex act was intended, attempted, or completed shall not be eligible for assignment to community or minimum custody status unless he has previously successfully completed the mentally disordered sex offender program prior to the repeal of Chapter 917, F.S.:

1. through 6. No change.

(i) Any inmate who has been certified as a mentally disordered sex offender pursuant to Chapter 917, F.S., shall not be assigned to minimum custody status unless he has ~~they have~~ successfully completed the mentally disordered sex offender program.

(j) Any inmate who has been designated as an alien by the department, who has been in the custody of the department less than six months, and:

1. through 2. No change.

3. For whom a ~~A~~ decision has been made to deport, shall not be assigned to lower than close custody status.

(k) No change.

(l) The Chairperson of the State Classification Office may approve an inmate listed in paragraph (k) for lower custody after consideration of the following criteria:

1. through 6. No change.

7. Whether the inmate poses a threat to the public.

8. through 10. No change.

(3) Review of Inmates Who Have Special Needs. The secretary shall appoint a special needs committee in central office to review those cases in which inmates have been determined by medical services as having special medical needs or inmates who are elderly and have special needs that ~~which~~ may be in conflict with the custody levels authorized. The special needs committee will evaluate the special needs, the custody requirements, and the institutional placement best suited to meet an inmate's needs. This committee has the authority to make the final assignment that meets the inmate's needs within the medical and facility resources of the department. This may include a special custody exception on a case by case basis. Inmates identified as having special needs or requiring special review shall be recommended to the impaired inmate special needs coordinator in the central office who will coordinate with classification services and refer each case to the special needs committee. The special needs committee shall be comprised of the Chairperson of the State Classification Office, the Americans with Disabilities Act Coordinator, and the Impaired Inmate Coordinator for Health Services. Committee decisions shall be reviewed by the Secretary ~~secretary~~.

(4) Progress Assessments.

(a) No change.

(b) Assessments shall be periodically prepared for the purpose of:

1. Recording the inmate's adjustment to the institution and treatment program.

~~2. Recording changes of program that have taken place.~~

~~2.3. Evaluating the inmate's potential future adjustment.~~

~~3.4. Establishing positive adjustment~~ Making recommendations for program changes, establishing goals and motivating the inmate to achieve ~~those~~ the goals.

5. ~~Providing~~ Provide the inmate with an opportunity to become involved in assessing his progress needs and in stating his work and program interests selecting programs to meet those needs.

a. Periodic assessments will record the inmate's program interests.

b. Program goals and placements will be based on the needs assessments tool and within the parameters of that tool.

(c) All inmates are required to appear for assessments and reviews unless a permanent medical condition makes them incapable of participating and the reason is documented in the review. Under any other circumstances, the assessment and review shall be rescheduled if the inmate fails to appear or is temporarily unavailable to attend as scheduled. An inmate shall be notified a minimum of forty-eight hours in advance of an assessment and review unless the inmate waives such notice in writing. All inmates shall be scheduled for assessments at least every 12 months, and reviews as follows:

~~1. Inmates with three years or less remaining to serve shall receive an assessment and review every six months;~~

~~2. Inmates with more than three years remaining to serve shall receive an assessment and review every twelve months;~~

~~3. Inmates with life sentences with no parole, life sentences with no established release date, or death sentences will receive an assessment and review every twenty four months. At the point where a parole release date is established in these cases the schedule of progress reports shall be in accordance with subparagraphs 33-601.210(4)(c)1. and 2., F.A.C.~~

~~4. Close management, work release and transition plan documentation may be substituted for the required assessments.~~

(d) through (e) No change.

(f) In preparing assessments, care should be taken that all pertinent facts are included to insure that all up-to-date information concerning changes in an inmate's activity are documented. Additionally, any new recommendations of the committee in regard to inmate goals should be carefully documented and supporting facts included. ~~If at the time of the review the inmate is being recommended for work release, the~~

~~Form DC6-127, Checklist for Transfers to Work Release Centers will suffice for the assessment. Form DC6-127 is incorporated by reference in Rule 33-601.602, F.A.C.~~

(g) An assessment and review will be completed on all transfers by the receiving facility transfer recommendations except as authorized by a member of the State Classification Office. Movement from one location to another on a temporary basis does not require an assessment and review.

(h) An assessment and review shall be prepared whenever an inmate is being recommended for parole ~~or for permanent transfer to another institution. When an inmate is transferred on an emergency basis and there is insufficient time to prepare an assessment and review, a written statement will be included in the inmate record outlining the emergency situation and any pertinent security or medical problems. An assessment and review from the sending institution should be forwarded to the receiving institution as soon as possible.~~

(i) All recommendations for a transfer to another facility, ~~or~~ to a contract drug treatment program, or for work release shall require the approval of the State Classification Office.

(j) At the time of the first assessment and review, should the inmate record not contain either a pre-sentence or post-sentence investigation, the classification officer is responsible for requesting such documents from the Probation and Parole Services Office in the region from which the inmate was committed. Care should be exercised to ensure that at least sixty (60) days ~~have~~ ~~has~~ lapsed since the post-sentence investigation was originally requested prior to making this follow-up.

(k) No change.

(l) Assessments and reviews may contain recommendations for the setting of sentences pursuant to Section 921.22, F.S. Such recommendations should specify a definite period of years or months, taking into account the tentative expiration date on the set term, the amount of gain time earned and the amount of time it will take to process the recommendation. Such recommendations should be based on all information concerning the inmate ~~that~~ ~~which~~ is available to the team.

(m) The department may in selected cases recommend to the Florida Parole Commission that an inmate be placed on parole at an earlier date than scheduled. Note should be made of an inmate's presumptive parole release date (PPRD) when considering such possibilities. If it is felt that such significant progress has taken place since the setting of the PPRD that it should be moved forward to an earlier date, then such recommendations should be made to the Parole Commission in an assessment and review setting forth the basis for recommending a change in the PPRD. All assessments and reviews containing parole recommendations will be reviewed and approved or disapproved by the Institutional Classification Team and forwarded to the State Classification Office for

approval or disapproval. The assessment and review shall then be submitted to the Chief of the Bureau of Classification and Central Records who, on behalf of the ~~Secretary~~ secretary, shall make a recommendation to the Parole Commission. A copy of the report shall be forwarded to the Parole Commission.

~~Rulemaking Specific~~ Authority 944.09, 958.11 FS. Law Implemented 20.315, 921.20, 944.09, 944.17(2), 944.1905, 958.11 FS. History--New 12-7-81, Formerly 33-6.09, Amended 6-8-82, 10-26-83, 6-8-86, 7-8-86, 10-27-88, 1-1-89, 7-4-89, 10-12-89, 1-2-91, Formerly 33-6.009, Amended 7-21-91, 8-30-92, 5-13-96, 6-12-96, 11-19-96, 10-15-97, Formerly 33-6.0045, Amended 9-19-00, 2-25-07, 11-4-08, \_\_\_\_\_.

**COMMISSION ON ETHICS**

**RULE NO.:** 34-7.010  
**RULE TITLE:** List of Forms and Instructions  
**PURPOSE AND EFFECT:** These amendments to Rule 34-7.010, F.A.C, are intended to satisfy the requirements of Section 120.55(1)(a)4., Florida Statutes, which requires agencies to adopt their forms in the substantive rule. Thus, CE Form 20, CE Form 20-R, and CE Form 24 are being transferred to Chapter 34-12, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The forms that executive branch agency lobbyists use to register and renew their registrations (CE Form 20 and CE Form 20-R), as well as the form used by lobbying firms to report their compensation (CE Form 24), are affected by this rulemaking.

**RULEMAKING AUTHORITY:** Art. II, Sec. 8(f), (h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7), (10), 112.324 FS.

**LAW IMPLEMENTED:** Art. II, Sec. 8(a), (f), (h), Fla. Const., 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 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:** Julia Cobb Costas, Assistant General Counsel, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709

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

**COMMISSION ON ETHICS**

**RULE NOS.:** 34-12.200, 34-12.330, 34-12.400  
**RULE TITLES:** Registration Requirements, Annual Renewals, Expenditure Reporting Requirements

**PURPOSE AND EFFECT:** These amendments to Chapter 34-12, F.A.C, are intended to satisfy the requirements of Section 120.55(1)(a)4., Florida Statutes, which requires agencies to adopt their forms in their substantive rules. Thus, CE Form 20, CE Form 20-R, and CE Form 24 are being transferred from Rule 34-7.010, F.A.C., to Chapter 34-12, F.A.C. Also, the most current version of the North American Industry Classification System (NAICS) will be adopted by reference.

**SUBJECT AREA TO BE ADDRESSED:** The forms that executive branch agency lobbyists use to register and renew their registrations (CE Form 20 and CE Form 20-R), as well as the form used by lobbying firms to report their compensation (CE Form 24), are affected by this rulemaking. Additionally, the version of the NAICS that principals use to identify and designate their main business, will be updated.

**RULEMAKING AUTHORITY:** 112.3215, 112.322(9) FS.

**LAW IMPLEMENTED:** 112.3215 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:** Julia Cobb Costas, Assistant General Counsel, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

**RULE NOS.:** 40D-4.021, 40D-4.051  
**RULE TITLES:** Definitions, Exemptions

**PURPOSE AND EFFECT:** The purpose of the proposed revisions will create a new environmental resource permitting (ERP) exemption for activities that involve less than 4,000 square feet of impervious or semi-impervious surface subject to vehicular traffic in uplands and activities that involve less than 9,000 square feet of total impervious or semi-impervious surface in uplands. The revisions also incorporate a new definition for “semi-impervious” to clarify the types of surfaces that will contribute to the new exemption threshold area. Concurrent with these rule revisions, the District is proposing revisions to Rule 40D-400.475, F.A.C. that delete the 4,000 and 9,000 square foot threshold requirements from the permit criteria of this NGP. The effect of the proposed revisions, if adopted, will allow the regulated public to conduct minor activities that the District has determined have minimal individual or cumulative impacts to the water resources

without applying to the District for confirmation that a proposed activity qualifies for either an exemption or NGP and paying the applicable fee.

SUBJECT AREA TO BE ADDRESSED: Individual Environmental Resource Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.414(9) FS.

LAW IMPLEMENTED: 373.079(4)(a), 373.083(5), 373.403, 373.406, 373.413, 373.414, 373.414(9), 373.416 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: Barbara Martinez, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4660, or barbara.martinez@watermatters.org (File #2009056)

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-400.475  
 RULE TITLE: General Permit for Minor Activities

PURPOSE AND EFFECT: The purpose and effect of the proposed revision to Rule 40D-400.475, Florida Administrative Code (F.A.C.), is to delete the 4,000 and 9,000 square foot threshold requirements from the permit criteria of this Noticed General Permit. These threshold requirements are included in revisions the District is proposing to Rule 40D-4.051 F.A.C., to create a new environmental resource permitting (ERP), exemption for minor activities. The District is also proposing to amend Rule 40D-4.021 F.A.C., to add a definition of “semi-impervious” to clarify the types of surfaces that will contribute to the new exemption threshold area. The new exemption will include activities that involve less than 4,000 square feet of impervious or semi-impervious surface subject to vehicular traffic in uplands and activities that involve less than 9,000 square feet of total impervious or semi-impervious surface in uplands.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 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: Barbara Martinez, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4660, or barbara.martinez@watermatters.org (File #2009059)

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-13.131	Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule

PURPOSE AND EFFECT: The proposed amendment to Rule 59G-13.131, F.A.C., incorporates by reference the Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule, July 2010 The fee schedule is being changed to add two new services, transition case management and transition home modifications, that are specific to nursing home transition activities and available only to those recipients who have transitioned on to the waiver from a nursing home placement. This rule is the stand alone rule for the Fee Schedule for services available under the Traumatic Brain Injury and Spinal Cord Injury (TBI/SCI) waiver. This revised fee schedule adds services specific to nursing home transition and increases the number of services from 12 to 14.

SUBJECT AREA TO BE ADDRESSED: Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

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

DATE AND TIME: Tuesday, May 11, 2010, 3:00 p.m. – 4:00 p.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: Arlene Walker at the Bureau of Medicaid Services,

(850)412-4270. If you are 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: Arlene Walker, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4270, e-mail: Arlene.walker@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.131 Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule.

All traumatic brain and spinal cord injury waiver services providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Fee Schedule, July 2010 ~~October 2007~~, which is incorporated by reference. The 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 of the fee schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912 FS. History—New 8-5-09, Amended.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.: RULE TITLE:

61C-1.005 Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect of this proposed rule development is to amend the disciplinary guidelines for imposing penalties on public food service establishments and public lodging establishments in administrative actions.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address the disciplinary guidelines for imposing penalties on public food service establishments and public lodging establishments in administrative actions.

RULEMAKING AUTHORITY: 455.2273, 509.032 FS.

LAW IMPLEMENTED: 386.207, 509.032, 509.261, 509.281, 509.292 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:

61H1-33.003 Continuing Professional Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning the automatic extension and the completion of CPE hours and to remove the requirement that proof of completion be post marked or recorded online.

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

RULEMAKING AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.312(1)(a), (c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.003 Continuing Professional Education.

(1)(a) No change.

(b) Florida certified public accountants who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the Florida certified public accountant ~~completes submits~~ completes submits an additional 8 hours in Accounting and Auditing subjects. An automatic extension will be granted until December 31st provided the Florida certified public accountant ~~completes submits~~ completes submits an additional 16 hours in Accounting and Auditing subjects. ~~Florida certified public accountants utilizing the automatic extension must submit the required information postmarked or recorded on-line by September 15th or December 31st.~~



(2) through (7) No change.

Rulemaking Authority 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.312(1)(a), (c) FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05, 7-23-06, 12-10-09,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-33.006  
 RULE TITLE: Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct the reestablishment dates by which required continuing professional education hours must be completed after a license is reactivated.

SUBJECT AREA TO BE ADDRESSED: Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

RULEMAKING AUTHORITY: 455.271, 473.304, 473.311, 473.312, 473.313 FS.

LAW IMPLEMENTED: 455.271, 473.311, 473.312, 473.313, 473.323(1)(i) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

(1) through (3) No change.

(4) The first establishment period after reactivation shall commence on the following ~~June~~ January 1st and the initial designated reestablishment date shall be the third ~~June 30th~~ December 31st following reactivation.

Rulemaking Authority 455.271, 473.304, 473.311, 473.312, 473.313 FS. Law Implemented 455.271, 473.311, 473.312, 473.313, 473.323(1)(i) FS. History—New 12-4-79, Amended 2-3-81, 11-6-83, 3-29-84, 8-20-85, Formerly 21A-33.06, Amended 4-8-86, 12-28-89, 10-16-90, Formerly 21A-33.006, Amended 12-14-93, 5-26-96, 7-23-06, 12-10-09,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-1.009  
 RULE TITLE: Probable Cause Panel  
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Probable Cause Panel.

RULEMAKING AUTHORITY: 455.225, 475.614 FS.

LAW IMPLEMENTED: 455.225 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: Thomas O’Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-1.009 Probable Cause Panel.

(1) ~~The determination of probable cause panel shall determine if probable cause exists that a registrant, licensee, certificate holder, or permit holder or the subject of the investigation has violated the Real Estate Appraisal License Law, Part II, Chapter 475, Florida Statutes, or any of the board’s rules or orders, shall be made by the probable cause panel of the board and regulations.~~

(2) There may be ~~multiple two~~ multiple probable cause panels of the board. The probable cause panels shall be composed of two members which shall constitute a quorum. The members of the panel shall be appointed by the chairperson of the board and shall serve for the period directed by the chairperson. As provided in Section 455.225(4), Florida Statutes, one of the panel members may be a former member of the board, one must be a present member of the board, and one must be a former or present consumer member, if one is available, willing to serve, and is authorized to do so by the chairperson. ~~Panel members shall not participate in the determination and issuance of the final order to be rendered in each disciplinary case.~~

Rulemaking ~~Specific~~ Authority 455.225, 475.614 FS. Law Implemented 455.225 FS. History—New 10-15-91, Formerly 21VV-1.009, Amended 8-8-93, 1-29-95, 7-2-95, 1-8-06, 12-4-06,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH****Division of Medical Quality Assurance**

RULE NO.: 64B-9.002  
 RULE TITLE: Physician Survey Procedures  
 PURPOSE AND EFFECT: To update the survey questions.  
 SUBJECT AREA TO BE ADDRESSED: Physician Survey Procedures.

RULEMAKING AUTHORITY: 458.3191(4), 459.0081(4) FS.  
 LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 FS.

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

DATE AND TIME: May 5, 2010, 10:00 a.m. – 1:00 p.m.  
 PLACE: Department of Health, Capital Circle Office Center, Building #4052, Room 301, 4052 Bald Cypress Way, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Jessica Swanson Rivenbark at (850)245-4444, x-2711, or mailing address, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jessica Swanson Rivenbark

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-9.002 Physician Survey Procedures.

(1) At time of licensure renewal, each medical doctor and osteopathic physician who renews his or her license on line at [www.FLHealthSource.com](http://www.FLHealthSource.com) must fully complete on line all applicable portions of the physician workforce survey, form DH-MQA 1119, entitled Physician Workforce Survey, effective 08/10, ~~08/09~~ which is incorporated herein by reference and also may be viewed at <http://www.doh.state.fl.us/mqa/medical/index.html> or at <http://www.doh.state.fl.us/mqa/osteopath/index.html>. The address where physicians who do not renew online are required to obtain, complete and submit a paper copy of the survey with their renewal is 4052 Bald Cypress Way, Bin #C10, Tallahassee, FL 32399.

(2) No change.

Rulemaking Authority 458.3191(4), 459.0081(4) FS. Law Implemented 381.4018, 458.3191, 459.0081 FS. History–New 4-21-08, Amended 10-20-08, 9-30-09,\_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Agency for Persons with Disabilities**

RULE NO.: 65G-1.047  
 RULE TITLE: Crisis Status Criteria  
 PURPOSE AND EFFECT: The purpose and effect of these Rule Development Workshops is to solicit public input on a petition that has been filed to amend Rule 65G-1.047, F.A.C. The Petition proposes that children living in out-of-home foster care without the possibility of a permanent placement be added to the "first priority" crisis category of the rule.  
 SUBJECT AREA TO BE ADDRESSED: Crisis Categories.  
 RULEMAKING AUTHORITY: 393.501(1), 393.065(2) FS.  
 LAW IMPLEMENTED: 393.065(2) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: May 12, 2010, 6:00 p.m. – 8:00 p.m. EDT,  
 PLACE: APD Conference Room, 201 West Broward Blvd., Ft. Lauderdale, Florida 33301; ADA Contact: Ft. Lauderdale Area Office (954)467-4218

DATE AND TIME: May 19, 2010, 6:00 p.m. – 8:00 p.m. EDT  
 PLACE: University Area Community Center, 14013 North 22nd St., Tampa, Florida 33613; ADA Contact: Tampa Area Office (813)233-4300

DATE AND TIME: May 20, 2010, 6:00 p.m. – 8:00 p.m.  
 PLACE: Hurston Building South Tower, Conference Rooms A&B, 400 W. Robinson Street, Orlando, Florida 32801; ADA Contact: Orlando Area Office (407)245-0440

DATE AND TIME: May 26, 2010, 6:00 p.m. – 8:00 p.m. EDT  
 PLACE: APD Central Office, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399; ADA Contact: APD Central Office 1(800)APD-CARE

Pursuant to the provisions of 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: Terri McGarrity, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399-0950, (850)414-7452. If you are 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: Terri McGarrity, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399-0950, (850)414-7452

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.:** 5E-2.042  
**RULE TITLE:** Secondary Containment Standards  
**PURPOSE AND EFFECT:** To adopt by reference Federal containment regulations stipulated in 40 CFR 165, relevant to secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities. Adoption of the regulations referenced in the proposed rule will address the areas of non-equivalency which were identified by the US Environmental Protection Agency during their evaluation of Florida's Aboveground Storage Tank Systems Rule, Chapter 62-762, F.A.C.

**SUMMARY:** The rule will adopt by reference Federal containment regulations stipulated in 40 CFR 165, relevant to secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities.

**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 that states commercial costs associated with the installation or modification of a secondary containment pad for pesticide dispensing activities, are likely to be incurred by some businesses subject to the rule. Specifically, these costs would be incurred by those businesses which currently do not have a containment pad that meets the requirements of 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:** 487.051, 570.07(23) FS.  
**LAW IMPLEMENTED:** 487.051(2) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mr. Bruce Nicely, Chief of the Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650; (850)487-8731

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

#### 5E-2.042 Secondary Containment Standards.

(1) The standards applicable to secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities at facilities identified in 40 CFR 165.80(b) (2008) are set forth and specified in 40 CFR 165.3, 165.80(b), 165.81, 165.82, 165.83, 165.85(a), 165.85(b), 165.85(c)(3) & (c)(4), 165.85(e), 165.85(f), 165.87(a), 165.87(b), 165.87(c)(2) & (c)(3), 165.87(e), 165.87(f), 165.90 and 165.95 (2008).

(2) All federal regulations contained in this rule are hereby adopted and incorporated by reference and may be obtained on the U.S. Government Printing Office's Website <http://www.gpo.gov/fdsys/search/home.action>, or from the Superintendent of Documents, Attn: New Orders, P. O. Box 371954, Pittsburgh, PA 15250-7954. Charge orders may be telephoned to the Government Printing Office order desk at (202)512-1800.

Rulemaking Authority 487.051, 570.07(23) FS. Law Implemented 487.051(2) FS. History--New \_\_\_\_\_.

**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 30, 2010

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

### DEPARTMENT OF EDUCATION

#### State Board of Education

**RULE NO.:** 6A-4.0021  
**RULE TITLE:** Florida Teacher Certification Examinations

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to adopt changes to the competencies and skills for the Guidance and Counseling PK-12 and School Psychologist PK-12 examinations, effective January 1, 2011. The effect of these changes will be updated competencies and skills for the Florida Teacher Certification Examinations (FTCE).

**SUMMARY:** The rule is proposed for amendment to adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Fifteenth Edition.

**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: 1012.56(9) FS.  
 LAW IMPLEMENTED: 1012.56 FS.  
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: May 18, 2010, 10:00 a.m.  
 PLACE: Tampa Airport Marriott, Duval Room, Tampa, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Before January 1, 2011 ~~October 1, 2009~~, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fourteenth ~~Thirteenth~~ Edition." Beginning with the January 1, 2011 ~~October 1, 2009~~, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth ~~Fourteenth~~ Edition." ~~Copies of these publications may be obtained from Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a price to be established by the Commissioner not to exceed actual cost.~~

2. Before January 1, 2011 ~~October 1, 2009~~, the professional education test competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fourteenth ~~Thirteenth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2011 ~~October 1, 2009~~, the professional education test competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth ~~Fourteenth~~ Edition," which is hereby incorporated by reference

and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before January 1, 2011 ~~October 1, 2009~~, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fourteenth ~~Thirteenth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2011 ~~October 1, 2009~~, the subject area competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth ~~Fourteenth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor's or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, F.A.C.

(3) through (15) No change.

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Sellers, Acting Deputy Commissioner for Accountability, Research and Measurement

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 6, 2009

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0573  
 RULE TITLE: Industry Certification Process

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt the "2010-2011 Comprehensive Industry Certification List" and the "2010-2011 Industry Certification Funding List." The effect of the amendment is to ensure school districts have the most up to date list of industry certifications that may be offered to their students.

SUMMARY: The rule is amended to adopt the "Comprehensive Industry Certification List," as compiled by the Agency for Workforce Innovation, as approved and

published March 2010 by Workforce Florida, Inc. In addition, the “2010-2011 Industry Certification Funding List” is presented for approval.

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

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

**RULEMAKING AUTHORITY:** 1003.492(2) FS.

**LAW IMPLEMENTED:** 1003.491, 1003.492, 1003.493 FS.

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

**DATE AND TIME:** May 18, 2010, 10:00 a.m.

**PLACE:** Tampa Airport Marriott, Duval Room, Tampa, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Loretta Costin, Interim Chancellor, Career and Adult Education, 325 West Gaines Street, Tallahassee, Florida 32399; (850)245-0446

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

6A-6.0573 Industry Certification Process.

(1) Pursuant to Section 1003.492(2), F.S., Workforce Florida, Inc.’s approved list of industry certifications, which has been named the “Comprehensive Industry Certification List, March 2010 ~~2009~~” is adopted by the State Board of Education and incorporated by reference in this rule. The “Comprehensive Industry Certification List” may be obtained from the Department of Education’s web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(2) No change.

(3) “Industry Certification Funding List.” The Department of Education shall review the approved “Comprehensive Industry Certification List” to identify certifications deemed sufficiently rigorous academically and, thus, eligible for additional full-time equivalent (FTE) membership funding, pursuant to Section 1011.62(1)(~~o~~), F.S.

(a) This list will be known as the “~~2010-2011~~ Industry Certification Funding List,” to be published by the Department of Education and is incorporated by reference in this rule ~~to become effective with the effective date of this rule~~. The “Industry Certification Funding List” may be obtained from the Department of Education’s web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(b) through (c) No change.

(4) No later than March 15 each year, the Department of Education shall produce a preliminary “Industry Certification Funding List” and shall show the industry certifications for which registered career and professional academy students

may be reported for additional full-time equivalent membership funding by school districts under Section 1011.62(1)(~~o~~), F.S.

(a) through (5) No change.

(6) Conditions for the additional full-time equivalent membership funding pursuant to Section 1011.62(1)(~~o~~), F.S.

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

(c) Eligibility for funding under Section 1011.62(1)(~~o~~), F.S., is limited to academies registered with the Department of Education.

(d) through (8)(b) No change.

(c) In the annual registration process for the academy, the school district can no longer report an industry certification that fails to meet the performance criteria in the academy and will not be eligible to receive the additional full-time equivalent membership funding for that industry certification under the requirements of Section 1011.62(1)(~~o~~), Florida Statutes.

Rulemaking Authority 1003.492(2) FS. Law Implemented 1003.491, 1003.492, 1003.493 FS. History—New 10-20-08, Amended 8-18-09,\_\_\_\_\_.

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

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 7, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** April 2, 2010

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
6A-6.0787	Ballot Process for Teacher and Parent Voting for Charter School Conversion Status

**PURPOSE AND EFFECT:** The proposed rule will establish a ballot process by which teachers and parents may vote to support the conversion of their public school to charter school status. The effect will be a consistent process for all school districts.

**SUMMARY:** The proposed rule will establish a ballot process for teacher and parent voting as it relates to converting a public school to charter status.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** There may be minimal costs associated with preparing and distributing ballots if a public school chooses to conduct a vote for conversion.

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

RULEMAKING AUTHORITY: 1002.33(26) FS.

LAW IMPLEMENTED: 1002.33 FS.

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

DATE AND TIME: May 18, 2010, 10:00 a.m.

PLACE: Tampa Airport Marriott, Duval Room, Tampa, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0787 Ballot Process for Teacher and Parent Voting for Charter School Conversion Status.

An application proposing to covert an existing public school to a charter school must demonstrate the support of teachers and parents in accordance with Section 1002.33(3)(b), Florida Statutes. The following provisions are established to detail the ballot process by which such support shall be demonstrated.

(1) Initiation of ballot process. Any individual or group may submit a request in writing to the school administrator to conduct a vote for conversion. The request shall be submitted no later than ninety (90) days prior to the August 1 deadline for charter applications. The administrator shall initiate the ballot process within sixty (60) days of receipt of the written request and the ballot process shall be completed no less than thirty (30) days prior to the charter application deadline.

(2) Ballot process.

(a) Support for a conversion charter school shall be determined by secret ballot.

(b) Teachers and parents shall be offered the opportunity to vote on whether or not to approve the charter school proposal.

(c) A minimum of one school day shall be allotted for teachers to submit a ballot and a minimum of six (6) consecutive school days shall be allotted for parents to submit a ballot.

(d) Written notification of a ballot shall be provided to teachers and parents at least thirty (30) days prior to conducting the ballot. The notification shall include, at a minimum:

1. The definition of a charter school;

2. A description of the conversion process;

3. The dates and conditions under which a ballot may be submitted;

4. The date and location of a scheduled public meeting where the ballots will be counted; and

5. Contact information for additional questions.

(e) The official ballots shall be created and distributed by the school and submitted by teachers and parents in a sealed, unmarked envelope also provided by the school.

(f) Separate ballot boxes shall be created for teacher and parent votes and each box shall be visibly sealed, supervised during school hours, and secured when the school is closed in order to maintain the confidentiality of ballots.

(g) Upon placement of the ballot by the voter into the ballot box, the school administrator or designee who is not eligible to vote shall confirm the individual's eligibility to vote and document who submitted the ballot in order to ensure only eligible individuals vote and no individual votes more than once.

(3) Ballot results.

(a) As soon as possible, but not more than three (3) school days after closing the ballot, a public meeting shall be held in which an independent arbitrator, selected by the agreement between the school administrator and the applicant, will unseal the teacher and parent ballot boxes and count the ballots aloud in the presence of meeting attendees.

(b) Each vote shall be tallied by the independent arbitrator.

(c) The final ballot results shall be posted in a prominent location on the school site.

(d) If a majority of teachers employed at the school and a majority of voting parents support the charter proposal, the conversion charter application must be submitted by the application deadline that follows the ballot. The ballot results may not carry over to another school year or application period.

(e) If a majority of parents and/or teachers do not support the charter proposal, the application may not be submitted to the sponsor.

(f) Only one (1) vote per school year may be held.

(4) Teacher voting. For purposes of this rule a teacher is an individual as defined in Section 1012.01(2)(a), Florida Statutes, and employed by the school for more than half of each school day. School administrators are not eligible to vote.

(a) Teacher ballots shall be uniform in design and created and distributed by the school along with a sealable, unmarked envelope.

(b) A teacher who is absent, on leave, or otherwise unavailable to submit his or her ballot during the designated balloting window may:

1. Designate another individual to submit his or her ballot.

The teacher must put the sealed ballot in another envelope and sign the seal of the outside envelope. When the designee presents the ballot at the school's site, it shall be removed from the signed outer envelope and immediately placed in the ballot box.

2. Submit the ballot early upon mutual agreement between the teacher and the school administrator.

(c) A teacher may refuse to vote or choose not to submit a ballot, which is equivalent to voting not to approve the charter proposal.

(5) Parent voting. For purposes of this rule, each household shall receive one ballot regardless of the number of students residing in the household. If a student has two households, the household of the enrolling parent shall receive the ballot.

(a) Parent ballots shall be uniform in design and created and distributed by the school along with a sealable, unmarked envelope.

1. The ballot and envelope shall be mailed to the household of each student enrolled in the school before the ballot is conducted.

2. Extra ballots shall be made available at the school's location during the balloting window.

3. A ballot may be sent home with a student if the parent's address is found to be invalid.

(b) If the parent is unable to submit the ballot in person at the school site, he or she may put the sealed ballot in another envelope, sign the seal of the outside envelope, and mail the ballot to the school. The parent shall include identification on the outer envelope such as a return address to ensure only one ballot is submitted per household. If the ballot is submitted improperly, it shall not be counted.

(c) A teacher who is also the parent of a student enrolled in the school shall be allowed to submit both a teacher ballot and the parent ballot submitted for the household.

(d) A majority of parents eligible to vote must participate in the ballot process pursuant to Section 1002.33(3)(b), Florida Statutes; therefore, for purposes of this rule, a majority is more than half.

Rulemaking Authority 1002.33(26) FS. Law Implemented 1002.33(3)(b) FS. History--New

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

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

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

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide that private schools participating in the Florida Tax Credit Scholarship Program may be subject to 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. The effect is a rule which will further strengthen the Department's administration and implementation of the program.

SUMMARY: The proposed rule amendment aligns the rule with governing statutes and provides for private school on-site inspections in conjunction with a formal complaint and allows the Department to refer an inquiry to the Office of Inspector General at any point in the process.

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

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

RULEMAKING AUTHORITY: 220.187 FS.

LAW IMPLEMENTED: 220.187 FS.

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

DATE AND TIME: May 18, 2010, 10:00 a.m.

PLACE: Tampa Airport Marriott, Duval Room, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, FL 32399-0400; (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE 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.

(4) Qualified students. Applications for a ~~Florida Corporate~~ Tax Credit Scholarship shall be made by parents directly through an eligible nonprofit scholarship-funding organization. The nonprofit scholarship-funding organization shall identify qualified students and award all scholarships consistent with the requirements of Section 220.187, F.S. The process used to identify qualified students and award scholarships is subject to the annual financial and compliance audit required by law.

(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](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)(40)~~, 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) No change.

(b) Failure to respond to a letter of inquiry, in a timely manner by:

1. A parent, then the Department shall notify the appropriate nonprofit scholarship-funding organization of the nature of the inquiry and the parent’s deemed admission of alleged violation due to a failure to respond to the letter of inquiry. The nonprofit scholarship-funding organization can use that information to reconsider its determination of student eligibility.

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)(40)~~, 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)(40)~~, 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)(40)~~, 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 Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History–New 2-5-07, Amended 11-26-08,\_\_\_\_\_.

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

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



DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-10.0341  
 RULE TITLE: Career Education Student Follow-Up Requirements

PURPOSE AND EFFECT: The rule establishes procedures for determining a postsecondary student’s placement status. The amendment to the rule is to be consistent with terminology in current law relating to career education and identifying Florida colleges in addition to community colleges already identified in the rule. The effect is a rule which is clear and consistent with governing law.

SUMMARY: Terminology is updated to be consistent with current statutes.

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: 1008.43(1)(b),(4) FS.

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

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

DATE AND TIME: May 18, 2010, 10:00 a.m.

PLACE: Tampa Airport Marriott, Duval Room, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Loretta Costin, Interim Chancellor, Career and Adult Education, 325 West Gaines Street, Tallahassee, Florida 32399; (850)245-0446

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0341 Career ~~Vocational~~ Education Student Follow-Up Requirements.

(1) To meet public information requirements of Section 1008.42(1) ~~239.245~~, Florida Statutes, school districts; independent postsecondary career education ~~vocational~~, technical, trade and business schools; Florida colleges and community colleges shall determine a postsecondary career education ~~vocational~~ student’s placement status using one (1) or more of the following procedures:

(a) The written questionnaire outlined in this rule;

(b) State-level computerized employment data collected by the Florida Education and Training Placement Information Program (FETPIP);

(c) Written verification from the employer.

(2) through (5) No change.

(6) The written notification must indicate that the local education agency or independent school intends to conduct a local follow-up of its career education ~~vocational~~ completers and leavers; the program(s) on which the local follow-up will be conducted; reason(s) for the local follow-up; and, may request technical assistance.

(7) Anytime a local education agency or independent school publishes program performance measures that are based at least partially on local follow-up data, a notice of the inclusion of those data must be made in writing as part of the publication. The following statement must be displayed prominently in the publication: “As a result of a career education ~~vocational~~ program review, locally collected career education ~~vocational~~ student follow-up data have been used to compile this information. The methods used to collect this information are specified by state laws and rules. These data are available for inspection upon request.”

Rulemaking Specific Authority 1008.43(1)(b), (4) FS. Law Implemented 1008.42(2)(b)3., 1008.43(1) FS. History--New 6-23-87, Amended 11-24-87, 10-4-93, 6-18-96, \_\_\_\_\_.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 12, 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.: 33-203.101  
 RULE TITLE: 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.

SUMMARY: The proposed rule removes 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.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

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

**THE FULL TEXT OF THE PROPOSED RULE 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, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** George Sapp, Deputy Secretary of Institutions

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Walter McNeil, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** March 1, 2010

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

**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 clarify language regarding the time frames inmates may possess consumable items from the institutional canteen, as this language is being removed from Rule 33-203.101, F.A.C., via Chapter 120, F.S.

**SUMMARY:** The proposed rule clarifies language regarding the time frames inmates may possess consumable items from the institutional canteen, as this language is being removed from Rule 33-203.101, F.A.C., via Chapter 120, F.S. The proposed rule also adds a canteen-purchased plastic bowl to the approved inmate property list.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 944.09 FS.

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

**THE FULL TEXT OF THE PROPOSED RULE 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 cover-up, lip coloring (female only) (canteen)
1	box		Feminine hygiene products (internal and external) (female only) (state issue or canteen)
*			File folders (*limited by storage space)
20			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

2	each		compounds (canteen – as approved by health services)
*			Hearing aid (state issue or personal)
1	each		Hobby craft – at locations where program exists
1	each		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,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
George Sapp, Deputy Secretary of Institutions  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:	RULE TITLE:
40D-2.091	Publications and Forms Incorporated by Reference

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend section 5.1 of the Water Use Permit Information Manual Part B, “Basis of Review” to specify when water use permittees are required to submit the Flow Meter Accuracy Verification Form, LEG-R.021.01(4/09), and incorporate the revised Basis of Review by reference. The effect will be to require the submittal of the Flow Meter Accuracy Verification Form, required every 5 years, during a specific month depending upon the county in which the permitted water withdrawal facilities are located.

SUMMARY: Water use permittees required to monitor and report water withdrawal quantities to the District are also required to maintain accurate totalizing flow meters on each withdrawal facility. Permit conditions require the testing of flow meters and submittal of the Flow Meter Accuracy Verification Form to the District at a minimum of once every 5 years. Use of the reporting form was first added to permits located within the Southern Water Use Caution Area in January 2003, which resulted in most forms being due in January 2008. The high demand for water meter testing could not be met by the limited number of certified meter testing companies, which resulted in many delays and time extension requests. The large volume of reports that were submitted in January overwhelmed staff resources. To address this, the District is proposing to stagger the months for submittal of the report, which will now be due in a given month according to the county in which the withdrawal facilities are located. The form submittal months are intended to correlate with varied planting seasons among the counties where possible, in an effort to avoid making agricultural permittees turn withdrawal facilities on during off-season periods solely for testing purposes. It is anticipated that by spreading out the due dates

for submittal of the form, testing companies will be able to target specific counties within the District and thereby reduce travel costs, which should result in lower costs passed on to affected permittees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs was prepared to analyze anticipated costs associated with having to submit the required Flow Meter Accuracy Verification form in a specific assigned month. Approximately 1,792 water use permits have conditions requiring the testing and submittal of the Flow Meter Accuracy Verification form at least once every 5 years. Some 8,000 forms will be submitted District-wide. For this next round of reports, most of which will be due in 2012, some permittees will have to submit their forms anywhere from 1-11 months earlier than they would under existing rules. Approximately 730 or 9% will have due dates that are 11 months earlier. The costs for flow meter testing are estimated to range from \$400 for a single meter located a great distance from a meter testing company, to \$150 per meter for multiple meters located close to a meter testing company. Based on a median of \$275 per meter, the one-time “opportunity cost” associated with having to have a meter tested for accuracy on an accelerated schedule (thus having to save more for testing over a shorter timeframe) is estimated to range from \$5 per test for 1 month early to about \$50 per test for 11 months early submittal. The amendments are not anticipated to create transactional costs for small businesses, small cities or small counties. Some permittees may benefit from reduced meter testing costs as a result of county-specific due dates, which will allow the testing companies to realize cost efficiencies by targeting specific areas of the District.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS.

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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications and Forms Incorporated by Reference.

(1) The following publications are hereby incorporated by reference into this Chapter, and are available from the District’s website at [www.watermatters.org](http://www.watermatters.org) or from the District upon request:

- (a) Water Use Permit Information Manual Part B, “Basis of Review (\_\_\_\_\_) (~~11-2-09~~) and
- (b) No change.
- (2) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10,\_\_\_\_\_.

Water Use Permitting Information  
Manual Part B – Basis of Review (BOR)

5.1. WITHDRAWAL QUANTITY.

Flow Meter Verification.

The following requirements pertain to the required flow meter testing:

1. The Flow Meter Accuracy Verification Form, Form No. LEG-R.021.01 (4/09), incorporated by reference in paragraph 40D-2.091(2)(a), F.A.C., reference above under the heading “Flow Meters” shall be completed and provided to the District for each flow meter tested. This form can be obtained from the District’s website ([www.watermatters.org](http://www.watermatters.org)). If the test equipment provides a printout of data that was input, this shall be submitted with the worksheet. The equipment’s water temperature shall be set to 72° F degrees for ground water, and for other water sources the measured water temperature shall be used.

2. through 6. No change.

7. Flow meters shall be tested in place for accuracy at a minimum of once every five years beginning from the flow meter’s date of installation or from the date of initial issuance of the permit containing the metering condition with an accuracy-test requirement for existing meters, unless the permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted. Results of the flow meter accuracy testing shall be reported to the District on the Flow Meter Accuracy Verification Form, Form No. LEG-R.021.01 (04/09), and shall be submitted no later than the end of the month indicated below for the county in which the permitted withdrawal facility or a majority of the permitted withdrawal facilities are located:

<u>a. January</u>	<u>Hillsborough</u>
<u>b. February</u>	<u>Manatee, Pasco</u>
<u>c. March</u>	<u>Polk – Permits ending in odd base number</u>
<u>d. April</u>	<u>Polk – Permits ending in even base number</u>
<u>e. May</u>	<u>Highlands</u>
<u>f. June</u>	<u>Hardee, Charlotte</u>
<u>g. September</u>	<u>DeSoto, Sarasota</u>
<u>h. October</u>	<u>Citrus, Levy, Lake</u>
<u>i. November</u>	<u>Hernando, Sumter, Marion</u>
<u>j. December</u>	<u>Pinellas</u>

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ken Weber, Water Use Permitting Program Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2010

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-3.037  
RULE TITLE: Rules, Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to incorporate by reference a revised appendix to the Memorandum of Agreement Between the U.S. Environmental Protection Agency, Region IV, Superfund Division and the Southwest Florida Water Management District, to add the Southern Solvents Superfund Site located in Hillsborough County to the list of sites under the agreement.

SUMMARY: The Memorandum of Agreement (MOA) Between the U.S. Environmental Protection Agency, Region IV, Superfund Division, and the District outlines a cooperative relationship and protocol for sharing information when the District is reviewing permit applications for activity near selected Superfund sites. The MOA enables each agency to implement its respective regulatory practices in a manner that helps prevent additional ground water contamination impacts in areas near selected sites. For the District, this is typically addressed by taking into account the identified contamination and buffer zones when reviewing well construction and other permit applications. Persons considering a District permit for activities located near the selected sites may view the affected areas on the District’s website and thereby avoid activities that could potentially cause contaminants to spread. The MOA appendix will be revised to add Southern Solvents, located on W. Linebaugh Ave. near Gunn Highway in Tampa, to the list of Superfund Sites in the District covered under the MOA.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs was prepared for this rulemaking, which determined that individuals and entities potentially affected by addition of the Southern Solvents site to the EPA-District MOA would not incur additional costs that would not otherwise be incurred due to the existence of groundwater contamination in and around the Southern Solvents area. Because there is an active trichlorethylene (TCE) contamination plume detected in groundwater wells in the vicinity of the site, permit applications for well construction or groundwater use in the area will be scrutinized by the District to address this contamination. Any permits, if issued, may require special conditions such as minimum well grouting and casing requirements or water use limits, in order to prevent any further harm to public health, safety or welfare and avoid spreading contamination. There are approximately 63 parcels of property located in or partially in the proposed contamination zone, and some 93 parcels located in or partially in the surrounding buffer zone. The mostly commercial area has municipal water supply, and continued use of well water is expected to decrease. State or local government agencies will not be affected by this rulemaking. The District anticipates only minimal costs to implement the MOA. While additional costs attributed to this rulemaking are not expected, potentially affected persons including small businesses should be able to minimize any costs associated with contaminated groundwater supply or migration of groundwater contaminants through avoidance of regulated activities within the identified contamination and buffer zones surrounding the Southern Solvents site.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.309 FS.

LAW IMPLEMENTED: 373.046, 373.103, 373.308, 373.309, 373.323, 373.324, 373.333 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-3.037 Rules, Publications and Agreements Incorporated by Reference.

(1) through (3) No change.

(4) The Memorandum of Agreement Between the U.S. Environmental Protection Agency, Region IV, Superfund Division and the Southwest Florida Water Management District (August 2008) and Appendix dated ~~March 2010~~ ~~July 2009~~ are incorporated by reference.

Rulemaking Authority 373.044, 373.113, 373.309 FS. Law Implemented 373.046, 373.308, 373.309, 373.323, 373.324, 373.333 FS. History—New 7-1-90, Amended 12-31-92, 4-11-94, 6-27-94, 9-22-94, 7-5-95, 10-19-95, 7-15-99, 6-23-03, 1-8-04, 8-19-08, 1-5-09, 8-30-09, 11-2-09, \_\_\_\_\_.

Memorandum of Agreement Between  
The U.S. Environmental Protection Agency, Region 4,  
Superfund Division and  
The Southwest Florida Water Management District  
APPENDIX 1  
March 2010 ~~July 2009~~

1. No change.
2. No change.

3. Southern Solvents Superfund Site, EPA No. FLD0001209840, Tampa, Hillsborough County (March 2010).

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony Gilboy, Well Construction Regulation Manager

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2010

**DEPARTMENT OF MANAGEMENT SERVICES**

**Technology Program**

RULE NO.: 60FF-5.004

RULE TITLE: 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 fee required by Section 365.172, Florida Statutes.

SUMMARY: The new rule will set forth the procedural requirements for submitting and reporting the 911 fee required by Section 365.172, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting John C. Ford, Board Chair, at the address listed below. The following is a summary of the SERC:

- The proposed changes would affect 185 service provider companies providing E911 fee remittance.



- No costs would be incurred by the E911 Board. The Board proposes to implement the rule within its current workload, with existing staff.
- The proposed changes will have a minimal impact on small businesses.

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

LAW IMPLEMENTED: 365.172(8) 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: John C. Ford, Board Chair, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) All non-wireless and wireless service providers shall remit fees pursuant to Section 365.172(8), F.S.

(2) Fees shall be submitted to the E911 Board within 60 days after the end of the month in which the fee was billed, together with a monthly report of the number of service identifiers in each county. The information shall be submitted to the E911 Board at the following address:

State of Florida E911 Board  
ATTN: Financial Management Services  
Post Office Box 7117  
Tallahassee, Florida 32399-0950.

(a) Service providers collecting less than \$50 per month of total fee remittances shall provide monthly reports of the number of service identifiers billed in each county. The reports and the fee remittance are due to the E911 Board on a quarterly basis.

(b) All service providers providing fee remittance for 911 or E911 service disbursements pursuant to Section 365.172(8)(f), F.S., shall provide the following information with the fee remittance. The information shall be provided in the appropriate categories, either the wireless, non-wireless LEC, non-wireless VoIP or non-wireless Specialty categories. This information shall be provided in a form format referred to as a Florida Emergency Communications Number E911 System Remittance Report. The form shall include:

1. Service provider's name and address: Contact person: Contact Phone Number: E-mail Address:

2. Date remittance report:

3. Service collection period:

4. Itemization of fee remittance revenue per county, including:

a. County: (if the county information is not available, the remittance should include a statement from the service provider that the county location information is not available).

b. Total Subscribers: each provider shall report the number of service identifiers for subscribers, or access lines billed based on the county:

c. Gross Fees Collected Unit cost of each item:

d. 1% Provider Allowance:

e. Adjustment:

f. Billing Adjustment:

g. Uncollected:

h. Comment or description of any adjustment or other pertinent notation; and

i. Net fees Collected.

5. Remittance Check Amount, Check Date, and Check Number; and

6. The following certification shall be a part of the form: These amounts are submitted in compliance with Florida Statutes 365.172, 365.173 and 365.174, along with ordinances definitions held within. Under penalties of perjury, I declare that I have verified the foregoing and the amounts alleged are true, to the best of my knowledge and belief.

(c) In lieu of submitting a signed Florida Emergency Communications Number E911 System Remittance Report, it can be electronically transmitted to the E911 Board's e-mail address: E911 BoardElectronicRemittanceReports@dms.myflorida.com.

(d) Third party companies submitting fee remittances on behalf of wireless and non-wireless service providers shall provide a contact person, address, contact phone number and e-mail address on fee remittance information to respond to all E911 Staff inquiries about the fee remittance.

(3) The service providers shall provide their company contact person, address, contact phone number and e-mail address on fee remittance information to explain any irregularities noticed in the monthly fee remittance submittals. In the event of multiple irregularities or failures to submit the fee remittances in a timely manner, the providers representative shall be prepared to attend the E911 Board meeting, either in person or via teleconference, to explain these issues at the monthly E911 Board meeting.

(4) Service providers that fail to collect or deliver collected E911 fee revenue and remittance information within the 60 day submission time frame shall be subject to collection costs required to obtain the fee revenue and lost interest revenue, calculated in accordance with Section 55.03, F.S., on the unpaid E911 fee revenues due. The one percent provider allowance shall be applied to offset the total amount of

collection costs and lost interest due to the E911 Board, and the service provider shall be obligated to the E911 Board for any remaining balance due.

(5) A service provider may request relief from the monetary obligations resulting from its noncompliance by showing good cause in writing explaining in detail the facts and circumstances purporting to excuse its noncompliance. The service provider's representative shall be required to appear, either in person or via teleconference, at the next ensuing E911 Board meeting to present its position and answer any questions from the E911 Board. The E911 Board, in the exercise of its powers enumerated in Section 365.172(5) and (6), F.S., shall consider the facts and circumstances and determine whether relief is justified to avoid imposition of a substantial hardship or a violation of the principles of fairness, and whether relief would serve the purpose of Sections 365.172, 365.173, 365.174, F.S., and particularly Section 365.172(8), F.S.

Rulemaking Authority 365.172(6)(a)11., 365.172(8) FS. Law Implemented 365.172(8) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
E911 Board  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E911 Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-4.003                      RULE TITLE: Continuing Education  
PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the granting of credit for continuing education.  
SUMMARY: Language concerning the granting of credit for continuing education will be clarified.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule 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: 475.614 FS.  
LAW IMPLEMENTED: 475.613, 475.618, 475.628 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: Thomas O'Bryant, Jr., Director, Division of Real Estate, 400 West Robnison Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.003 Continuing Education.

(1) through (2) No change.

(3) Satisfactory completion of the Board prescribed or approved continuing education course or courses of classroom instruction is demonstrated by successfully meeting standards established for each Board prescribed course. These standards for approval of continuing education courses for appraisers shall be that the course or courses contain at least 3 hours of instruction and cover real estate appraisal related topics such as ad valorem taxation, arbitration, business courses related to real estate appraisal, construction estimating, ethics and standards of professional practice, land use planning, zoning and taxation, management, leasing, brokerage, timesharing, property development, real estate appraisal (valuations/evaluations), real estate financing and investment, real estate law, real estate litigation, real estate appraisal related computer applications, real estate securities and syndication, and real property exchange. ~~Approval of satisfactory course completion shall not be issued to any registrant, licensee or certificate holder not attending a minimum of 90% of each of the classroom hours of Board prescribed course instruction.~~

(a) through (7) No change.

(8) Credit towards the continuing education requirement of this rule may also be satisfied by teaching Board approved appraisal courses. Credit shall only be granted on a one-time basis per renewal cycle for teaching a particular appraisal course and shall be limited to 50% of the required classroom hours for that renewal cycle. Credit shall be awarded on an hour for hour basis. Individuals claiming such credit must teach the appraisal course during the renewal cycle in which credit is claimed and may not claim the course more than once in the renewal cycle. The Board may request supportive documentation to ascertain course content and to verify the date(s), time, place and hours taught.

Rulemaking Specific Authority 475.614 FS. Law Implemented 475.613, 475.618, 475.628 FS. History--New 10-15-91, Amended 4-21-92, 6-7-92, Formerly 21VV-4.003, Amended 11-3-94, 9-5-96, 4-6-98, 9-6-98, 9-14-00, 10-22-01, 3-31-02, 5-25-04, 5-15-05, 1-8-06, 12-4-06, 12-6-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Real Estate Appraisal Board  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.012  
 RULE TITLE: Equivalency for Prelicensing Education

PURPOSE AND EFFECT: To delete redundant language and clarify existing language.

SUMMARY: This rule deletes redundant language and clarifies existing language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Commission determined the proposed rule 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: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.012 Equivalency for Prelicensing Education.

(1) No change.

(2) Any person who has obtained a 4-year degree with a major in real estate from an accredited institution of higher education which substantially covers the Commission prescribed course subject matter at such college or university shall also be deemed to have satisfactorily completed the course. Application for equivalency evaluation shall be accompanied by an official transcript from the college or university or by appropriate certificate issued by a real estate school registered in Florida pursuant to Section 475.451, F.S., showing the real estate subjects taken together with date completed and grade attained. The Commission may request supportive documentation to determine course equivalency.

Rulemaking Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 9-16-84, Formerly 21V-3.12, Amended 6-28-93, Formerly 21V-3.012, Amended 12-30-97, 1-18-00, 4-28-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-14.008  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: To clarify and update language.

SUMMARY: This rule clarifies and updates language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Commission determined the proposed rule 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: 475.05, 475.25(1)(k) FS.

LAW IMPLEMENTED: 475.25(1)(k) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-14.008 Definitions.

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

(b) When a deposit is placed or to be placed with a title company or an attorney, the licensee who prepared or presented the sales contract (“Licensee”), shall indicate on that contract the name, address, and telephone number of such title company or attorney. Within ten (10) three (3) business days after each deposit is due under the sales contract, the Licensee’s broker shall make written request to the title company or attorney to provide written verification of receipt of the deposit, unless the deposit is held by a title company or by an attorney nominated in writing by a seller or seller’s agent. Within ten (10) business days of the date the Licensee’s broker made the written request for verification of the deposit, the Licensee’s broker shall provide Seller’s broker with either a copy of the written verification, or, if no verification is received by Licensee’s broker, written notice that Licensee’s

broker did not receive verification of the deposit. If Seller is not represented by a broker, then Licensee's broker shall notify the Seller directly in the same manner indicated herein.

(3) No change.

Rulemaking Specific Authority 475.05, 475.25(1)(k) FS. Law Implemented 475.25(1)(k) FS. History--New 1-1-80, Formerly 21V-14.08, Amended 10-13-88, 12-29-91, 7-20-93, Formerly 21V-14.008, Amended 7-5-95, 7-4-06, 12-6-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 2010

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-730.030	Identification of Hazardous Waste
62-730.160	Standards Applicable to Generators of Hazardous Waste

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments incorporate by reference certain changes made by the U.S. Environmental Protection Agency (EPA) between July 1, 2008 and June 30, 2009 to the federal hazardous waste regulations. The Florida Department of Environmental Protection (FDEP) is authorized by EPA to administer the state hazardous waste program in lieu of the federal program. As a result of that authorization, at least once a year FDEP incorporates federal rule changes into Chapter 62-730, F.A.C., the state hazardous waste rule.

RULEMAKING AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.704, 403.72, 403.721 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Ms. Julie Rainey, Hazardous Waste Regulation Section, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or [julie.c.rainey@dep.state.fl.us](mailto:julie.c.rainey@dep.state.fl.us)

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE

PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-730.030 Identification of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 261 revised as of July 1, 2008, and all appendices, and the amendments to 40 CFR Part 261 as published in the Federal Register dated December 1, 2008 (73 FR 72912), with the exceptions described in paragraphs (1)(a) through (d) of this section.

(a) through (d) No change.

(2) though (4) No change.

Rulemaking Authority 403.72, 403.721, 403.8055 FS. Law Implemented 403.72, 403.721 FS. History--New 5-28-81, Amended 9-8-81, 12-6-81, 3-4-82, 11-25-82, 5-19-83, 1-5-84, 8-24-84, 12-18-84, 7-5-85, 10-3-85, Formerly 17-30.03, Amended 5-5-86, 8-25-86, 9-19-86, 10-31-86, 3-31-87, 4-13-88, Formerly 17-30.030, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.030, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09,\_\_\_\_\_.

62-730.160 Standards Applicable to Generators of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 262 revised as of July 1, 2009 ~~July 1, 2008~~, including the Appendix, with the exception of 40 CFR 262.34(e) and the Project XL site-specific regulations in 262.10(j) and Subparts I and J.

(2) through (7) No change.

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History--New 5-19-82, Amended 5-20-82, 3-31-83, 1-5-84, 2-2-84, 8-24-84, 7-5-85, 10-3-85, Formerly 17-30.16, Amended 9-19-86, 10-31-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.160, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.160, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09,\_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

RULE NOS.:	RULE TITLES:
63G-1.010	Scope
63G-1.011	Definitions
63G-1.012	Determining Residence
63G-1.013	Calculating Estimated Funding
63G-1.014	Fiscally Constrained Counties
63G-1.015	Receipt of Payment
63G-1.016	Monthly Reporting
63G-1.017	Monthly / Annual Reconciliation and Dispute Resolution
63G-1.018	Billing

**PURPOSE AND EFFECT:** The new rule sections replace repealed Rules 63G-1.001-.009, F.A.C., governing the process by which the funding of secure detention services is shared by state and county government. Additional definitions are provided, monthly reporting and reconciliation are added, and the method of calculating estimated funding is revised.

**SUMMARY:** The rule sections significantly revise the implementation of detention cost-sharing. Monthly reporting and reconciliation are provided for, and methodologies for estimating funding have been amended. Definitions are revised.

**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:** 985.686(10) FS.

**LAW IMPLEMENTED:** 985.686 FS.

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

**DATE AND TIME:** Wednesday, May 12, 2010, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

#### 63G-1.010 Scope.

This rule establishes the process by which the funding of detention services is shared by state and county government.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(1) FS. History--New \_\_\_\_\_.

#### 63G-1.011 Definitions.

(1) "Funding of detention services" means the funding required to provide detention services as determined by the General Appropriations Act Implementing Bill and/or General Bills.

(2) "Commitment" means the final court disposition of a juvenile delinquency charge through an order placing a youth in the custody of the department for placement in a residential or non-residential program. Commitment to the department is in lieu of a disposition of probation.

(3) "Shared County/State Juvenile Detention Trust Fund" means the state trust fund used to capture budget and costs associated with the counties' share of detention funding.

(4) "Fiscally constrained county" means a county within a rural area of critical economic concern as designated by the Governor pursuant to Section 288.0656, F.S., or each county for which the value of a mil will raise no more than \$5 million in revenue, based on the school taxable value certified pursuant to Section 1011.62(4)(a)1.a., F.S., from the previous July, which is not required to pay the full costs of its resident juveniles' detention services.

(5) "Juvenile Probation Officer" (JPO) means the primary case manager for the purpose of managing, coordinating, and monitoring the services provided and sanctions required for youth on probation, post-commitment probation or conditional release supervision.

(6) "Juvenile Justice Information System" (JJIS) means the department's electronic information system used to gather and store information on youth having contact with the department.

(7) "County of Residence" means the county where, at the time of referral, a child resides, as determined by a department intake officer pursuant to Rule 63G-1.012, F.A.C., and entered in the Juvenile Justice Information System, except for those youth described in subsection 63G-1.012(2), F.A.C., below.

(8) "Pre-commitment" means those days a youth is detained in a detention center prior to being committed to the department.

(9) "Reconciliation period" means the first through the last day of a month during which reconciliation by the county and the department for the previous month's utilization takes place.

(10) "Secure detention" means a physically state owned and operated restricting facility for the temporary care of children, pending adjudication, disposition, or placement.

(11) "Service day" means any day or portion of a day spent by a youth in secure detention.

(12) "Utilization" means a summary of service days.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686 FS. History--New \_\_\_\_\_.

#### 63G-1.012 Determining Residence.

(1) Department of Juvenile Justice (DJJ) JPOs and contracted providers responsible for intake shall utilize the following procedure to determine a referred child's county of residence:

(a) The address provided by the child at intake will initially be checked against the address included in the arrest affidavit and against any existing address for the child already in the JJIS.

(b) In all cases, an effort will be made to verify the address with the child's parent or guardian.

(c) All attempts to contact the parent or guardian, and the results of those attempts, will be noted in the chronological record in the child's case file.

(2) County of residence for children in substitute care placements, such as foster care, will be where the dependency case originated for the youth. Street address information recorded in the JJIS will be that of the Department of Children and Family Services or its contracted agency district office or service center for confidentiality purposes.

(3) Address verification procedures are to be included in the annual refresher training on the JJIS given to departmental JPOs and its contracted providers responsible for intake.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(5) FS. History—New \_\_\_\_\_.

#### 63G-1.013 Calculating Estimated Funding.

(1) Estimates for each county's individual portion of detention funding will be calculated as follows:

(a) All youth served in secure detention during the most recently reconciled previous fiscal year as reflected in the JJIS will be identified:

(b) The total number of pre-commitment service days in secure detention is computed by including all days up to but not including the date of commitment to the department.

(2) The total number of pre-commitment service days for each county from the most recently reconciled previous fiscal year utilization data will be divided by the total pre-commitment service days for all counties for that same time period to arrive at each county's percentage of the total.

(3) Each county's percentage will be multiplied by the total estimated annual appropriation in the shared county/state juvenile detention trust fund for the upcoming fiscal year to determine each county's share of the total budget.

(4) The estimated share of the total budget will be billed to the counties in monthly installments.

(5) Invoices are to be mailed at the beginning of the month prior to the service period, so that an invoice for the August service period will be mailed in July.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(3) FS. History—New \_\_\_\_\_.

#### 63G-1.014 Fiscally Constrained Counties.

(1) Each fiscally constrained county's estimated share of detention budget is determined in the same manner as those for non-fiscally constrained counties.

(2) For informational purposes, fiscally constrained counties will be invoiced for their estimated monthly share even though they will not be required to remit payment.

(3) Prior to the beginning of each fiscal year the total estimated budget needed for all fiscally constrained counties will be compared to the amount appropriated in General Revenue to the department for fiscally constrained counties. If the total estimated annual amount for utilization exceeds the appropriated amount, matching funds will be required to make

up the shortfall. Fiscally constrained counties will be assessed for the amount of the shortfall under the following methodology:

(a) Each fiscally constrained county's utilization will be compared to the total for all fiscally constrained counties to determine a percentage of the total.

(b) The county's percentage will be multiplied by the shortfall amount computed in subsection (3) above to determine the individual county's amount due.

(4) The department shall determine whether an estimated shortfall is likely by July 31. If a shortfall is expected, the department shall provide fiscally constrained counties information on their share of the expected shortfall on or before August 15.

(5) Fiscally constrained counties will be billed for their share of the shortfall in equal monthly installments beginning November 1 through May 1.

(6) If after the annual reconciliation is complete it is found that there was in fact no shortfall or that the shortfall was overestimated, the fiscally constrained counties will receive a refund. If the shortfall was underestimated, the department may seek matching funds from the counties to make up the difference.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(4) FS. History—New \_\_\_\_\_.

#### 63G-1.015 Receipt of Payment.

(1) Payment is to be made by check or by pre-arranged wire transfer, which is due the first day of the monthly service period, such that the July service period payment is due July 1.

(2) Payment will be deemed in arrears on the second day of the month the payment is due.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(5)-(6) FS. History—New \_\_\_\_\_.

#### 63G-1.016 Monthly Reporting.

(1) Each month, the department shall generate a web based on-line utilization report that provides each county's actual usage for the previous service month. The report is to be used by the counties to validate utilization.

(2) The report shall contain the following information:

(a) Youth's name;

(b) Youth's address at the time of the referral;

(c) Sex;

(d) Date of birth;

(e) Name of parent or guardian, if available;

(f) Phone contact, if available;

(g) Charge category;

(h) Admission date;

(i) Commitment disposition date, if available; and

(g) Number of detention days.

(3) The report will be available electronically on the first day of each month for the previous month's utilization.

(4) The limited release of juvenile identifying information contained in each county's monthly report is confidential. The release will not include treatment or charging information, is limited to the county official(s) designated to receive the report, and is not to be used for any purpose other than that of verifying the provision of detention services.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(7) FS. History--New \_\_\_\_\_.

63G-1.017 Monthly/Annual Reconciliation and Dispute Resolution.

(1) On the first day of each month, the department shall make available to each county a utilization report described in Rule 63G-1.016, F.A.C.

(2) The county shall have from the first to the fourteenth day of the month to review the on-line utilization information reported for the previous month. If the county takes issue with any of the utilization data, it shall mark the record for dispute on-line and provide a reason for the dispute. Disputes involving a detained youth's county of residence or disposition must include one or more of the following indicia of specificity:

- (a) Address invalid – not in county;
- (b) Address invalid – street number not valid;
- (c) Address invalid – not residence of youth;
- (d) Address invalid – see text (must enter text);
- (e) Detention stay invalid – see text (must enter text).

(3) The department will make every effort to review all disputes for the previous month between the fifteenth and twenty-fourth day of each month for the reconciliation period. The department's response, provided on-line, constitutes notice of final action. Any pending disputes not resolved by the department within 60 days after the end of the monthly reconciliation period will be considered the responsibility of the state and not the county.

(4) In October of each year, the department will perform an annual reconciliation of utilization and costs for the prior fiscal year. Based on a county's actual utilization, a recalculation of that county's share of the shared county/state juvenile detention trust fund expenditures will be performed.

(5) In November of each year, the department will provide each county an annual reconciliation statement for the previous fiscal year. The statement shall reflect the difference between the amount paid by the county based on the estimated utilization and the actual utilization reconciled in subsection (4) above.

(6) If the total amount paid by a county falls short of the amount owed based on actual utilization, the county will be invoiced for that additional amount. The amount due will be applied to the county's account. An invoice will accompany the reconciliation statement, and shall be payable on or before March 1. If the amount paid by a county exceeds the amount

owed based on actual utilization, the county will receive a credit. The credit will be applied to the county's account and be included on the invoice sent in November.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(5)-(7) FS. History--New \_\_\_\_\_.

63G-1.018 Billing.

(1) The monthly reporting marks the point at which a county may take issue with the charges referenced in the report, but it cannot be the basis for withholding payment. Adjustments, including those necessitated by dispute resolution, cannot be made until the annual reconciliation.

(2) Invoices will include the following information:

- (a) Invoice date;
- (b) Invoice number;
- (c) Remittance address;
- (d) Payment due date;
- (e) Billing Service period;
- (f) Total amount billed; and
- (g) Department contact information.

Rulemaking Authority 985.64, 985.686(10) FS. Law Implemented 985.686(5)-(7) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Beth Davis, Director of Program Accountability  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Peterman, Jr., Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2010

**DEPARTMENT OF HEALTH**

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

RULE NO.: 64B4-3.003  
RULE TITLE: Examination for Licensure  
PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for examination for licensure.

SUMMARY: The requirements for examination for licensure will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule 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: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.003 Examination for Licensure.

~~(1) An applicant for examination for licensure must apply to the Department no later than 120 days and submit supporting documentation necessary to determine eligibility no later than 90 days prior to the examination date, otherwise the applicant shall be scheduled for the next available examination. The application and examination fee must accompany the application.~~

~~(1)(2)~~ An applicant who has completed all requirements for the examination and has been certified eligible by the board will be admitted to the examination for licensure.

~~(2)(3)~~ THEORY AND PRACTICE.

(a) CLINICAL SOCIAL WORKERS.

‡ The theory and practice examination for clinical social workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). The minimum passing score is the recommended cut-off score provided by the national vendor established according to a standard-setting method. ~~Candidates' raw scores are converted to a scaled score. The passing score is a scaled score of 75.~~

~~2. An applicant for licensure as a clinical social worker is not required to take the theory and practice Part II of subparagraph 64B4 3.003(3)(a)1., F.A.C., of the licensure examination if the following conditions are met:~~

~~a. The applicant has taken within the last five years the national Clinical Level objective multiple choice ASWB examination; and~~

~~b. The applicant earned the national passing score on the Clinical Level objective multiple choice ASWB examination.~~

(b) MENTAL HEALTH COUNSELORS.

The National Clinical Mental Health Counseling Examination (NCMHCE) shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

(c) MARRIAGE AND FAMILY THERAPISTS.

‡ The marital and family therapy examination shall be an objective multiple choice examination developed by the Examination Advisory Committee of the Association of

Marital and Family Therapy Regulatory Board (AMFTRB) and the Professional Examination Service. All items will be weighted equally in scoring the examination. The minimum passing score is the recommended cut-off score provided by the national vendor and established according to the Angoff procedure.

~~2. An applicant for licensure as a marriage and family therapist is not required to take the theory and practice of paragraph 64B4-3.003(3)(e), F.A.C., of the licensure examination if the following conditions are met:~~

~~a. The applicant has taken within the last five years the national examination developed by AMFTRB; and~~

~~b. The applicant earned the national passing score on the examination developed by the AMFTRB.~~

Rulemaking Specific Authority 456.017, 491.004(5) FS. Law Implemented 456.017, 491.005 FS. History—New 3-21-90, Amended 7-31-91, 3-10-92, 6-1-92, 1-27-93, Formerly 21CC-3.003, Amended 3-14-94, 7-20-94, Formerly 61F4-3.003, Amended 12-22-94, 9-18-95, 11-13-96, 6-1-97, Formerly 59P-3.003, Amended 8-8-99, 1-11-00, 7-2-00, 8-24-00, 10-15-02, 7-8-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2010

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

**DEPARTMENT OF HEALTH**

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

RULE NO.: 64B4-4.005  
 RULE TITLE: Biennial Licensure Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the biennial licensure fee.

SUMMARY: The biennial licensure fee will be reduced.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules 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: 456.025(1), 491.004(5), 491.007(1) FS.

LAW IMPLEMENTED: 456.025(1), 491.007(1) FS.

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



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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-4.005 Biennial Licensure Fee.

The biennial licensure fee for a clinical social worker license, marriage and family therapist license and mental health counselor license shall be \$125 ~~\$150~~ each.

Rulemaking Specific Authority 456.025(1), 491.004(5), 491.007(1) FS. Law Implemented 456.025(1), 491.007(1) FS. History—New 4-3-89, Amended 2-25-90, 6-1-92, Formerly 21CC-4.005, Amended 1-9-94, Formerly 61F4-4.005, 59P-4.005, Amended 10-9-00, 9-6-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2010

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

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-12.002	Definitions
5M-12.004	Plan Development and Revision
5M-12.006	BMP Record Keeping

#### 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.

5M-12.001 No change.

5M-12.002 Definitions.

(1) “Conservation plan” means a record of the decisions and supporting information for treatment of a unit of land or water, approved by USDA/NRCS or certified by a Technical Service Provider, which meets the requirements of Rule 5M-12.004, F.A.C.

(2) through (4) No change.

(5) “Notice of Intent” means a form provided by the Department to be submitted by the producer to enroll in BMPs.

Rulemaking Authority 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. Law Implemented 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. History—New\_\_\_\_\_.

5M-12.003 No change.

5M-12.004 Plan Development and Revision.

(1) The conservation plan shall be developed in accordance with the USDA/NRCS National Planning Procedures Handbook Amendment 4, December 2006 (hereby adopted and incorporated by reference), and shall be consistent with quality criteria for soil, water quality, and water quantity contained in Florida’s Quality Criteria, Section III (A), of the USDA/NRCS Field Office Technical Guide (FOTG), April 2005 (hereby adopted and incorporated by reference). These documents may be obtained from USDA/NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510, or accessed online at: <http://www.floridaagwaterpolicy.com/bestmanagementpractices.html> <http://www.nrcs.usda.gov/Technical/efotg/>.

(2) The conservation plan shall include identify:

(a) As listed in Section III B of the FOTG, March 2005 (hereby adopted and incorporated by reference), all the essential conservation practices for the identified land uses on the operation, and the applicable facilitating conservation practices that support quality criteria for soil, water quality, and water quantity contained in Section III A of the USDA/NRCS FOTG, April 2005. Section III B of the FOTG, March 2005, may be obtained from USDA/NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510, or accessed online at: <http://www.nrcs.usda.gov/Technical/efotg/> or <http://www.floridaagwaterpolicy.com/bestmanagementpractices.html>.

(b) A completed copy of the BMP checklist ~~All applicable BMPs contained in each manual adopted by the Department under Title 5M, F.A.C., that is applicable adopted manuals relevant to the operation. The producer shall complete and include in the plan the BMP checklists from the relevant manuals;~~

(c) The schedule of operations and activities needed to address all identified soil and water quality and water quantity issues, which provides for implementing:

1. As soon as practicable within one year after submitting the of Notice of Intent (NOI) ~~submittal~~, the applicable non-structural nutrient and irrigation management practices.

2. As soon as practicable within two years after submitting the of NOI ~~submittal~~, the remaining applicable practices, except for practices that require more time to implement, as specified in the plan.

(d) All applicable record-keeping requirements, including the relevant requirements in Rule 5M-12.006, F.A.C.; and

(e) The date of plan completion or revision.

~~(3) The plan shall be approved by USDA/NRCS or certified by a Technical Service Provider that it incorporates the relevant FOTG criteria and practices referenced in subsections (1) and (2).~~

~~(3)(4) The plan shall be reviewed at least every five years, and updated as necessary to continue to meet the requirements of this rule. If the Department adopts or revises any BMP manuals applicable relevant to the operation subsequent to plan completion, the producer shall include in the plan a completed copy of the BMP checklist contained in the new or revised manual incorporate any additional applicable BMPs into the plan.~~

Rulemaking Authority 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. Law Implemented 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. History—New\_\_\_\_\_.

5M-12.005 No change.

5M-12.006 BMP Record Keeping.

Participants must preserve documentation to confirm implementation and maintenance of the BMPs contained in the conservation plan submitted with the NOI. All documentation is subject to inspection. Record keeping shall include:

(1) As applicable to the operation, documentation specified in the conservation plan USDA/NRCS FOTG.

(2) Records specified for any ~~applicable~~ BMPs in Department adopted manuals adopted by the Department under Title 5M, F.A.C., that are applicable relevant to the operation.

Rulemaking Authority 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. Law Implemented 403.067(7)(c)2., (13)(b), 570.07(23), 570.085 FS. History—New\_\_\_\_\_.

5M-12.007 No change.

5M-12.008 No change.

**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 May 18, 2010 to June 15, 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."

**EXECUTIVE OFFICE OF THE GOVERNOR**

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

RULE NOS.:                   RULE TITLES:  
27M-4.001                   Definitions and Forms  
27M-4.003                   Certification Decision

**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. 14, April 9, 2010 issue of the Florida Administrative Weekly.

27M-4.001 Definitions and Forms.

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

(1) No change.

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

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

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

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

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

(7) "Loan Administrator" means an Applicant that, after a competitive selection process, the Office selects to receive Program funds.

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

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

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

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

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

**27M-4.003 Certification Decision.**

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

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

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

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NO.: 58A-5.0186                      RULE TITLE: Do Not Resuscitate Orders (DNROs)

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to proposed rule published in Vol. 35, No. 49, December 11, 2009 issue of the Florida Administrative Weekly. The rule number 58A-5.0183 Do Not Resuscitate Orders (DNROs), which was referenced in the above publication of the Florida Administrative Weekly, has been renumbered to rule number 58A-5.0186. Rule 58A-5.0183 Reports of Abuse in Facilities was previously repealed and cannot be reused.

**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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 11, March 19, 2010 issue of the Florida Administrative Weekly.

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, November 2009. The proposed rule will create a stand-alone rule regarding the procedure codes and fee schedule.

**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, ~~November 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~~ May 29, 2009

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Building Construction**

RULE NOS.:	RULE TITLES:
60D-15.001	Definitions and Incidental Policies
60D-15.002	Agencies' Procedures for Contracting with Continuing Contract Entities

**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. 8, February 26, 2010 issue of the Florida Administrative Weekly.

60D-15.001 Definitions and Incidental Policies.

(1) through (3) No change.

(4) "Competitive negotiation standards" means the methodology established in Rule 60D-5.0091, Florida Administrative Code, for determining fair, competitive and reasonable costs and the process of successive negotiations with the next most qualified continuing contract entity.

(5) through (8) No change.

60D-15.002 Agencies' Procedures for Contracting with Continuing Contract Entities.

(1) All state agencies serving as the managing agency of a state-owned facility or a state construction site are authorized to utilize the services of any current Department contract through activation.

(2) through (3) No change.

(4) All activations shall be determined by the contracting agency. Determination shall be based on the needs of the individual project and any qualifications and performance data of the continuing contract entity on file with the activating agency.

(5) through (8) No change.

(9) Before contracting with a continuing contract entity, an agency shall first submit a list of employees qualified to serve as Agency Project Managers as defined by Rule 60D-15.001, Florida Administrative Code. ~~All submitted list shall be accompanied by a copy of each employee's active license that qualifies them as a Agency Project Manager. All submitted lists shall be accompanied by a copy of each employees' active license that qualifies them as an agency Project Manager.~~ An agency cannot contract with a continuing contract entity unless the agency employs a Department approved Agency Project Manager.

(10) through (11) No change.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.: 61C-4.0161  
RULE TITLE: Mobile Food Dispensing Vehicles and Theme Park Food Carts

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.

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) through (8) No change.

(9) Copies of all forms adopted in this section are available from the Division of Hotels and Restaurants Internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail to call.center@dbpr.state.fl.us; by phone request to the department at (850)487-1395; or upon written request to the

Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014.

Rulemaking Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.101, 509.211, 509.215, 509.221 FS. History--New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-3.003  
RULE TITLE: Licensure 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. 36, No. 3, January 22, 2010 issue of the Florida Administrative Weekly.

1. The revision date of the form shall be changed to 02/10.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-4.001  
RULE TITLE: Licensure as a Physical Therapist by Examination  
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.

1. The revision date of the form shall be changed to 02/10.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-1.004  
RULE TITLE: Definitions

**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 February 17, 2010 to September 1, 2010.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-27.0011	Killing Endangered Species
68A-27.0012	Procedures for Listing, Delisting and Reclassifying Endangered, Threatened and Species of Special Concern
68A-27.002	Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property
68A-27.0021	Designation of Candidate Species; Prohibitions; Permits
68A-27.003	Designation of Endangered Species; Prohibitions; Permits
68A-27.004	Designation of Threatened Species; Prohibitions; Permits
68A-27.005	Designation of Species of Special Concern; Prohibitions; Permits
68A-27.006	Reward Program

**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 February 17, 2010 to September 1, 2010.

**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 LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on March 29, 2010, the Criminal Justice Standards and Training Commission has issued an order.

A petition for permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., was received from Angelo Rainey on February 12, 2010. Petitioner requested a waiver of the rule requiring him to wait four years after quitting one temporary employment authorization (TEA) before beginning another TEA. Notice of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 8, on February 26, 2010. The telephonic hearing on the petition was held March 29, 2010. Petitioner was employed on a Temporary Employment Authorization (TEA) by the Department of Corrections (DC) on January 11, 2008 and was assigned to DC, Region 2 in Jacksonville, Florida. Petitioner lived in Miami, Florida, and was serving in the Florida Army National Guard in Miami, Florida. Petitioner had frequent conflicts between his employment in Jacksonville and his commitment to the National Guard. Petitioner states that his Department of Corrections supervisor told him that his first responsibility was to his TEA employment with DC. Petitioner provided evidence that his commanding officers in the National Guard attempted to resolve the issue with DC. Petitioner was coded Absent Without Leave (AWOL) as a result of missed National Guard drills. Petitioner resigned his TEA with DC in order to resolve the AWOL issue with the National Guard. Petitioner now wishes to return to employment as a correctional officer on a TEA. Paragraph 11B-27.00213(4)(b), F.A.C., requires individuals who have not completed a TEA to have a four-year break in service from the last date worked prior to beginning another TEA. Section 943.131(1)(a), F.S., requires those employed on a TEA to complete basic recruit training within 18 months of commencing basic recruit training, and to pass the State Officer Certification Examination within 180 days of completing basic recruit training. Section 943.131(1)(b), F.S., makes it impossible for a person to be employed on at TEA for more than 30 months, or to change employers while on a TEA. The Commission found that the application of the rule to Petitioner's situation would violate the principles of fairness because it would affect him in a manner different from the way that it affects other similarly situated persons who are subject to the rule. The Criminal Justice Standards and Training Commission granted the Petitioner a permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., in its order issued March 29, 2010. The order grants Petitioner a waiver of that

portion of the rule requiring those who have failed to complete a temporary employment authorization to wait four years before beginning a new temporary employment authorization. A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32327, (850)410-7676.

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

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

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**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Agency for Workforce Innovation, received a petition for Temporary Waiver of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Southwest Florida, 5256 Summerlin Commons Way, #201, Fort Myers, FL 33907.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

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NOTICE IS HEREBY GIVEN THAT on March 18, 2010, the Agency for Workforce Innovation, received a petition for Temporary Waiver of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Escambia County, 3636D North "L" St., Suite A, Pensacola, FL 32505.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order denied a variance to Tom R. Foster, Boca Inlet Apartment Assoc., Inc., Boca Raton, FL, as the petitioner has not met its burden by not providing all required information to the Division, as specified in Section

120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the October 23, 2009 edition of the F.A.W., Vol. 35, No. 42 (VW 2009-508).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order denied a variance to David Ricereto, Ironwood Eight, Sarasota, FL, as the petitioner has not met its burden by not providing all required information to the Division, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the October 23, 2009 edition of the F.A.W., Vol. 35, No. 42 (VW 2009-527).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Arlene Gross, The Tennis Club of Palm Beach, West Palm Beach, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until January 1, 2015. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the October 30, 2009 edition of the F.A.W., Vol. 35, No. 43 (VW 2009-639).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order denied a variance to Kathy Benham, Christian Retreat, Bradenton, FL, to not comply with, Rule 2.7.4 and 3.11.1a2 (door restrictors and two-way communication), ASME A17.3, 1996 edition as the petitioner has not met its burden by not providing all required information to the Division, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the November 25, 2009 edition of the F.A.W., Vol. 35, No. 47 (VW 2009-695).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Charles E. Pogue, South Seas Island Resort, Captiva, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until December 1, 2012. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the December 18, 2009 edition of the F.A.W., Vol. 35, No. 50 (VW 2009-752).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Kathleen A. Gassmann, Miramar Condo, Jensen Beach, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until December 1, 2012. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the December 18, 2009 edition of the F.A.W., Vol. 35, No. 50 (VW 2009-757).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Bob Kresnik, Imperial Cove, Clearwater, FL, to not comply with, Rules 3.11.3, 2.7.4, 3.10.4u and 3.3.2 (firefighter service, door restrictors, emergency stop switch and platform guards), ASME A17.3, 1996 edition until February 1, 2013. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the January 15, 2010 edition of the F.A.W., Vol. 36, No. 2 (VW 2009-791).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order denied a variance to Robert Benjamin, Sandalfoot South Condo Assoc. Phase 3, Boca Raton, FL, from the necessity of eliminating the "toggle switch, as the petitioner has not met its burden by not providing all required information to the Division, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the January 22, 2010 edition of the F.A.W., Vol. 36, No. 3 (VW 2009-828).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Bryce J. Philpot, Colonial Square Bldg., Lakeland, FL, to not comply with, Rules 3.11.3 and 2.7.4 (firefighter service and door restrictors), ASME A17.3, 1996 edition until April 1, 2011. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the February 5, 2010 edition of the F.A.W., Vol. 36, No. 5 (VW 2010-022).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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, Casa Del Mar E & F, St. Petersburg, FL, to not comply with, Rules 3.11.3, 3.10.4u and 3.11.1a2 (firefighter service, emergency stop switch and two-way communication), ASME A17.3, 1996 edition until February 15, 2013. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 19, 2010 edition of the F.A.W., Vol. 36, No. 11 (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.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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,

Community Legal Services of Med-Florida, Daytona Beach, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition. The Department's decision was made because the travel distance only exceeds the minimum 25 feet by 18 inches. The request for variance was published in the March 19, 2010 edition of the F.A.W., Vol. 36, No. 11 (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.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Charles R. Hilleboe, Isle of Clearwater, Clearwater, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until July 31, 2014. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 19, 2010 edition of the F.A.W., Vol. 36, No. 11 (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.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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, Parc Soleil, Orlando, FL, to not comply with, Rule 2.2.2.5 (sump pump), ASME A17.1a, 2004 edition. The Department's decision was made because the unit was planned, permitted and installed with the understanding that a pump was not required. The request for variance was published in the March 19, 2010 edition of the F.A.W., Vol. 36, No. 11 (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.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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, Silver Sands Bldg. B, St. Pete Beach, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until February 15, 2013. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 19, 2010 edition of the F.A.W., Vol. 36, No. 11 (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.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Belgau, Indian River Place Condo, Ft. Pierce, FL, to not comply with Rule 3.3.2 (platform guards), ASME A17.3, 1996 edition and with Rule 8.6.5.8 (safety bulkhead), ASME A17.1, 2004 edition until May 26, 2010. The Department's decision was made to relieve the Petitioner's hardship due to the time required to complete this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-113).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order denied a variance to Vicky Kingsbury, Forestbrook IV Condo Assoc., Largo, FL, to not comply with, Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-114).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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, Compass Rose Restaurant, Valparaiso, FL, to not comply with Rule 5.2.1.4.3 (top car clearance), ASME A17.1a, 2004 edition. The Department's decision was made due to the fact that the elevator is being built in an existing building. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-117).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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, Tidewater Condo, Ponce Inlet, FL, to not comply with Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until March 1, 2013. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-125).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Soli Bratanatawira, Comfort Inn Universal Studios, Orlando, FL, to not comply with Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until November 5, 2012. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-126).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 W. Kuehn, SunTrust Bldg., Daytona Beach, FL, to not comply with Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until March 31, 2012. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-128).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Greg Grunder, International Palms Resort, Orlando, FL, to not comply with Rule 3.11.3 (firefighter service), ASME A17.3, 1996 edition until February 25, 2012. The Department's decision was made to relieve the Petitioner's hardship due to

the cost and complexity of this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-129).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 30, 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 Grady D. Padgett, Memorial Hospital, Jacksonville, FL, to not comply with Rule 2.7.4 (door restrictors), ASME A17.3, 1996 edition until April 1, 2011. The Department's decision was made to relieve the Petitioner's hardship due to the cost and complexity of this upgrade. The request for variance was published in the March 26, 2010 edition of the F.A.W., Vol. 36, No. 12 (VW 2010-132).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That the order denied a variance to Joanne Calub, Alhambra Club Condos, Orlando, FL, to not comply with, Rule 3.11.1(a)(2) (two-way communication), ASME A17.3, 1996 edition as the petitioner has not met its burden as speaking through the doors does not meet the intent of the code, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers. The request for variance was published in the April 2, 2010 edition of the F.A.W., Vol. 36, No. 13 (VW 2010-144).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 5, 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 firefighter's service and door restrictors, A17.3, Section 3.11.3 and 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, Castel Del Mare, Sarasota, FL, and location of the Serial Numbers 22638-40, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Walter Mamak (VW 2010-149).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 8, 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 limitation of load, speed and travel, A18.1, Section 2.7.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Devonshire Properties, Tampa, FL, and location of the Serial Number 88103, requests the variance because the lift was originally installed in June 2005. The petition was received from James Farrow (VW 2010-150).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 8, 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 firefighter's service, car emergency signaling devices and door restrictors, A17.3, Section 3.11.3, 3.11.1 and 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, The Paramount Hotel Group, and location of undisclosed serial number(s), requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Michael H. Childs (VW 2010-151).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 8, 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 firefighter's service, door restrictors and platform guards, A17.3, Sections 3.11.3, 2.7.4 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Crystal Tree, North Palm Beach, FL, and location of the Serial Number 32019-20, 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 2010-152).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency variance from firefighter's service, 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, Island Club 1 & 2, Marco Island, FL, and location of the Serial Number 26920 and 26927, requests the variance because travel only exceeds the minimum travel distance by 18 inches. The petition was received from Lee Rigby, agent (VW 2010-153).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 9, 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 firefighter's service, 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, Shipwatch Two of Largo, and location of the Serial Number 34654-55, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Ernest Hepler (VW 2010-154).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 9, 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 firefighter's service, 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, Beacon Reef Condominium, Islamorada, FL, and location of the Serial Number 30894-95, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mary Williams (VW 2010-155).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 9, 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 door restrictors and reopening devices, A17.3, Section 2.7.4 and 2.8.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Century

Village South Hampton, West Palm Beach, FL, and location of the Serial Number 20460-61, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Carroll O. Crawford (VW 2010-156).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 9, 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 firefighter's service, 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, Riverside Condo Assoc., Daytona Beach, FL, and location of the Serial Number 16718-19 and 11121, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Shirley K. Covert (VW 2010-157).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 9, 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, Waters Edge Condo Assoc., Cocoa Beach, FL, and location of the Serial Number 28565-66, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Robert L. Beals, Esq. (VW 2010-158).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 11, 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 firefighter's service, door restrictors and platform guards, A17.3, Section 3.11.3, 2.7.4 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Security Square, Winter Haven, FL, and location of the Serial Number 25130, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Matthew R. Clark (VW 2010-159).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 11, 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 firefighter's service, two-way communication and door restrictors, A17.3, Section 3.11.3, 3.11.1(a)(2) and 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, Coastal House, Delray Beach, FL, and location of the Serial Number 7959-60, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Leon Goldin (VW 2010-160).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 11, 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 firefighter's service, access to machine rooms, door restrictors, and electrical protective devices, A17.3, Section 3.11.3, 2.2.2, 2.7.4 and 3.10.4t, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Palma Del Mar 4 Condo Assoc. Inc., St. Petersburg, FL, and location of the Serial Number 28960 and 28962, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, agent (VW 2010-161).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 11, 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 firefighter's service and door restrictors, A17.3, Section 3.11.3 and 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, The Cove, Panama City, FL, and location of the Serial Number 21655-56, 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 2010-162).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 11, 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 door restrictors and firefighter's service, A17.3, Section 3.11.3 and 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, Orlando Lutheran Towers, Orlando, FL, and location of the Serial Number 28483-86, 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 2010-163).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 12, 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 firefighter's service, 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, The Parker Highland East, Highland Beach, FL, and location of the Serial Number 29755-56, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Cynthia Siedlecki (VW 2010-164).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 12, 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 firefighter's service, door restrictors, and periodic inspection requirements of inside car and outside hoistway, A17.3, Section 3.11.3 and 2.7.4 and A17.1, Section 8.11.2.1.1 and 8.11.2.1.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Lake Worth Towers, Lake Worth, FL, and location of the Serial Number 4579 and 4549, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Robert Spear (VW 2010-165).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 15, 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 firefighter's service, 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, Little Hickory Bay Condo, Bonita Springs, FL, and location of the Serial Number 30107, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from T. DeBoer (VW 2010-166).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 16, 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 firefighter's service, lighting, door restrictors, platform guards, normal terminal stopping devices, electrical protective devices and safety bulkhead, A17.3, Section 3.11.3, 2.2.3, 2.7.4, 3.3.2, 3.9.1 and 3.10.4t and A17.1, Section 8.6.5.8, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Gateway Square #5 Condo, St. Petersburg, FL, and location of the Serial Number 8828-89, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, agent (VW 2010-167).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 16, 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 firefighter's service, 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, Island Gulf Resort Condo, Madeira Beach, FL, and location of the Serial Number 33038, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jo-Ann McNew (VW 2010-168).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 16, 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

firefighter's service, 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, Grandview, Marco Island, FL, and location of the Serial Number 30160, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jeffrey Will (VW 2010-169).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency variance from machine room access and hoistway door unlocking device, A17.1, Section 2.7.3 and 2.12.6.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Water Club, Longboat Key, FL, and location of the Serial Number 55108-15, requests the variance because of building design flaw. The petition was received from Lee Rigby, agent (VW 2010-170).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 17, 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 firefighter's service, 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, Horizon House of Naples, and location of the Serial Number 9008 and 9127, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Antonio Ancona (VW 2010-171).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 17, 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 firefighter's service, 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, 410 Wilma Assoc. of West Palm Beach, FL, and location of the Serial Number 10520 and 10625, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Carroll O. Crawford, agent (VW 2010-172).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 17, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency variance from firefighter's service, 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, Colony Surf Condo, Clearwater Beach, FL, and location of the Serial Number 33581, requests the variance because travel only exceeds the minimum requirement by 24 inches. The petition was received from Lee Rigby, agent (VW 2010-173).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on March 29, 2010, 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 March 23, 2010 for Section 509.221(1)(b), F.S., paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), F.A.C. and Section 6-402.11, 2001 FDA Food Code from Sangria's Wine and Piano Bar, St. Augustine, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize the public bathrooms located on a different level.

The request was published in the F.A.W., Vol. 36, No. 13 on 4/2/10 and approval was contingent upon the Petitioner ensuring the public bathrooms located on the first level within the building are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, employee hand washing signage and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within the establishment clearly stating the location of the bathrooms.

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

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NOTICE IS HEREBY GIVEN THAT on April 1, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraphs 61C-1.004(2)(a), 61C-4.010(7)(c), F.A.C., from Yogurtland, Hallandale, 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 public bathrooms located on the same level over 300 feet away for customers only.

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on March 29, 2010, the Board of Acupuncture, received a petition for waiver or variance from Rhonda A. Bilsker, seeking a waiver or variance of subsection 64B1-7.0015(4), F.A.C., with respect to Continuing Education Classes. Petitioner also requests the Board to consider her 8 CEU's and to give her credit for taking the classes.

Comments on this petition should be filed with: Board of Acupuncture, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kaye Howerton, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3256.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on March 18, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), F.A.C., from Gulf Coast Community Care and Carmen Monzon, assigned Case No.: 10-022W. Subsection 65C-15.017(3), F.A.C. requires agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 26, 2010, 1:00 p.m.

PLACE: Main Conference Room, 8323 N. W. 12th Street, Suite 212, Miami, FL 33126

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Miami-Dade County Health Department Administration Building is meeting to evaluate the artwork submitted for their review.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 S. Bronough St., 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 **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 1:00 p.m.

PLACE: Conference Room, Brevard County Health Department, 2555 Judge Fran Jamieson Way, Viera, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The facility's Art Selection Committee will review and discuss the artwork proposed for the new building.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, Division of Cultural Affairs, 500 S. Brounough St., Tallahassee, FL 32399-0259, (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)245-6476. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 2010, 1:00 p.m.

PLACE: Suite A101, Charlotte County Health Department, 410 Taylor St., Punta Gorda, FL 33950, (941)833-3050, ext. 2755

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Loveland clinic will evaluate plans for the facility and determine potential artwork sites.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 S. Bronough St., 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 **Division of Cultural Affairs** and the **Citizens for Florida Arts, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 30, 2010, 10:00 a.m.

PLACE: 231 East Adams Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review, and take action on funding and any other business that may appropriately come before the board.

A copy of the agenda may be obtained by contacting: Morgan Lewis at (850)245-6356 or by email: mblewis@dos.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: Laura Blischke at (850)245-6475 or by email:

llblishke@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).

For more information, you may contact: Morgan Lewis at (850)245-6356 or by email: mblewis@dos.state.fl.us.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 23, 2010, 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8722163#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Trade Agreement for Fair Authority Electrical Equipment.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathleen Fisher at (813)627-4221.

## DEPARTMENT OF EDUCATION

The **Criminal Justice Standards and Training Commission**, Region VI, Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 10:00 a.m.

PLACE: Marion County EOC, 692 N. W. 30th Avenue, Ocala, Florida 34478

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review the 2009-2010 expenditures to date.

A copy of the agenda may be obtained by contacting: Central Florida Community College, ATTN: Steve Ash, 3001 S. W. College Road, Ocala, Florida 34474.

## DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Standards and Training Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 2010, 2:00 p.m.

PLACE: Hilton Ocala, 3600 S. W. 36th Avenue, Ocala, Florida 34474. HOTEL INFORMATION: Telephone:

(352)854-1400, Fax: (407)995-1150 (Group Name: Criminal Justice Standards and Training); To make on-line Reservations, website: <http://cwp.marriott.com/mcoml/fdle>

criminaljusticestanda/; ROOM RATE: \$91.00 Single or Double from May 16-21, 2010; Check-in is 3:00 p.m. and Check-out is 11:00 a.m.; RESERVATION DEADLINE: April 26, 2010; HOTEL CONTACT: Cheryl Taylor at (850)410-8657 or e-mail: cheryltaylor@fdle.state.fl.us  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to discuss the use of community service officers and private security guards by criminal justice agencies.

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or e-mail: donnahunt@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615 or e-mail: donnahunt@fdle.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: Donna Hunt at (850)410-8615 or e-mail: donnahunt@fdle.state.fl.us.

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

DATE AND TIME: Friday, May 21, 2010, 10:00 a.m.

PLACE: Hilton Hotel, 3600 S. W. 36th Avenue, Ocala, Florida 34474, (352)854-1400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

A copy of the agenda may be obtained by contacting: Bureau Chief Glen Hopkins at (850)410-8600.

Pursuant to the provisions of 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: Medical Examiners Commission Staff at (850)410-8600. If you are 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: Medical Examiners Commission Staff, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

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## DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: May 6, 2010, 6:00 p.m.

PLACE: Indian RiverSide Park Dockside Pavilion, 1707 N. E. Indian River Drive, Jensen Beach, Florida 34957

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information meeting is being held to present the results of a two-year study of shoreline stabilization, water quality, algal blooms and seagrass coverage within the Indian River Lagoon. Financial Management #417432-1-22-01.

A copy of the agenda may be obtained by contacting: Ms. Jamie Patterson-Brady, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309 or email: Jamie.Patterson-Brady@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jamie.Patterson-Brady@dot.state.fl.us or call Ms. Jamie Patterson-Brady at (954)777-4342 or toll free at 1(866)336-8435, ext. 4342. If you are 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. Jamie Patterson-Brady, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309 or email: Jamie.Patterson-Brady@dot.state.fl.us.

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The **Department of Transportation**, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: May 13, 2010, 6:30 p.m.

PLACE: Florida Department of Transportation, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design and social, economic and environmental effects of Financial Project ID Number 213304-3, otherwise known as Interstate 95/Overland Bridge Noise Walls, Duval County, Florida. The Florida Department of Transportation (FDOT) previously conducted a Project Development and Environment (PD&E) Study to analyze the impacts of replacing the I-95 Overland Bridge. The study limits began on I-95 at San Diego Road and extended northwest to Palm Avenue. A traffic noise evaluation was included in the PD&E Study and noise barriers were evaluated to reduce traffic noise levels at affected residential areas. For the PD&E phase evaluation, FDOT determined that residential communities bordering Interstate 95, within the project limits, would be affected by the project and that consideration of noise barriers is warranted. The following is the general locations of the proposed barriers:

- I-95 southbound (western side) from south of San Diego Road to the vicinity of Merrill Avenue.



- I-95 northbound (eastern side) from south of San Diego Road to the vicinity of York Street.

FDOT is seeking input from you, as a property owner, to verify your support for or opposition to the construction of noise barriers within the FDOT's right of way adjacent to your property. The final decision to construct a noise barrier will be dependent upon the support or opposition provided by the affected adjacent property owners.

This hearing is being conducted to inform the public of the project and afford the public the opportunity to express views concerning the location, conceptual design and social, economic and environmental effects of the proposed improvements. This project is being developed in compliance with Title VI of the Civil Rights Act of 1964.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 South Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

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#### **FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** and the Florida Parole Commission Qualifications Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 5, 2010, 2:00 p.m.

PLACE: Conference call: 1(888)808-6959, Conference Code: 4884460#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To determine applicants to be interviewed for the Parole Commissioner position and discuss all matters pertaining to this vacancy.

A copy of the agenda may be obtained by contacting: 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: Beatriz Caballero, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-3417.

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The **Florida Parole Commission** and the Florida Parole Commission Qualifications Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Tampa International Airport, The Florida Bar Conference Room B, 5507 Spruce Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct interviews for the Parole Commissioner position.

A copy of the agenda may be obtained by contacting: 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: Beatriz Caballero, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-3417.

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#### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a revised 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.

HEARING

DATE AND TIME: Monday, May 3, 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. Please note that the revised date of Monday, May 3, 2010, replaces the previously scheduled date of Thursday, April 15, 2010.

PUBLIC TESTIMONY: Any member of the public who wishes to offer testimony should be present at the beginning of the additional hearing date on Monday, May 3, 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 May 3, 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-.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: 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.

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: May 4, 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, FL

32399-0850. The agenda and recommendations are also accessible on the PSC Website: <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: May 4, 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: 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/>.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service, Volunteer Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 7:30 a.m. – 5:00 p.m.

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative visits – Specific times and agenda of the visits will be posted on the Volunteer Florida website: [www.volunteerflorida.org](http://www.volunteerflorida.org).

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)921-5172 or [kristin@volunteerflorida.org](mailto:kristin@volunteerflorida.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Kristin Mullikin at (850)921-5172 or email: [kristin@volunteerflorida.org](mailto: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 email: [kristin@volunteerflorida.org](mailto:kristin@volunteerflorida.org).

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The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Drug Policy Advisory Council.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Claude Shipley at (850)414-8820. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Claude Shipley at (850)414-8820.

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The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Prescription Drug Monitoring Implementation and Oversight Task Force.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Claude Shipley at (850)414-8820. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Claude Shipley at (850)414-8820.

**REGIONAL PLANNING COUNCILS**

The **Bay County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 1:00 p.m.; Public Hearing followed by regular meeting

PLACE: Bay County Library Meeting Room, 898 West 11th Street, Panama City, FL 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Regular Local Coordinating Board meeting. Action items include approval of the CTC Evaluation and approval of the annual update of the service plan.

A copy of the agenda may be obtained by contacting: www.wfrpc.org/baytd.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Amy Brown at email: amy.brown@wfrpc.org or 1(800)226-8914, ext. 281. If you are 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: Julia Pearsall, Regional Planner, WFRPC at email: julia.pearsall@wrfpc.org, or 1(800)226-8914, ext. 231.

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, May 6, 2010, Personnel, Budget and Finance Committee, 9:00 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 sforde@nefrpc.org.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 19, 2010, 6:00 p.m.

PLACE: Volusia County Metropolitan Planning Organization, Daytona Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is intended to solicit public input as it relates to the Draft East Central Florida 2060 Strategic Policy Plan. East Central Florida Regional Planning Council staff will present an overview of the Plan and solicit any comments and input.

A copy of the agenda may be obtained by contacting: George Kinney, Planning Manager at email: gkinney@ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: George Kinney at email: gkinney@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: George Kinney, Planning Manager at gkinney@ecfrpc.org or (407)262-7772.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 20, 2010, 6:00 p.m.

PLACE: Kenansville Community Center, 1176 South Canoe Creek Road, Kenansville, FL 34739

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m., and a question and answer period following. The presentation will cover the purpose, progress and draft recommendation of the JLUS study. Comments by the public will be encouraged.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, email: hsears@cfrcpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 22, 2010, 6:00 p.m.

PLACE: Frostproof Woman's Club, 75 North Lake Reedy Boulevard, Frostproof, FL 33843

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m., and a question and answer period following. The presentation will cover the purpose, progress and draft recommendation of the JLUS study. Comments by the public will be encouraged.

A copy of the agenda may be obtained by contacting: Helen Sears at 1(866)534-7130, ext. 124, email: hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2010, 6:00 p.m.

PLACE: Okeechobee County Civic Center, 1750 Highway 98 North, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m., and a question and answer period following. The presentation will cover the purpose, progress and draft recommendation of the JLUS study. Comments by the public will be encouraged.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, email: hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2010, 6:00 p.m.

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The workshop will have an open house format. Displays will open at 6:00 p.m., with a presentation at 6:30 p.m., and a question and answer period following. The presentation will cover the purpose, progress and draft recommendation of the JLUS study. Comments by the public will be encouraged.

For more information, you may contact: Helen Sears at (863)534-7130, ext. 124, email: hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 9:30 a.m.

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Joint Task Force Goal Setting Committee of the Heartland 2060 Regional Visioning effort.

A copy of the agenda may be obtained by contacting: Shannon Brett, Senior Planner at (863)534-7130, ext. 132 or email: sbrett@cfrpc.org.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130 or email: psteed@cfrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 6, 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: SWFRPC's Lower West Coast Implementation Committee monthly meeting.

A copy of the agenda may be obtained by contacting: Mr. David Crawford at (239)338-2550, ext. #226 or email: 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 email: 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 visit our website: [www.swfrpc.org](http://www.swfrpc.org).

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2010, 10:30 a.m.

PLACE: 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Development of Regional Impact Assessment for Main Street at Coconut Creek, City of Coconut Creek; Any proposed Local Government Comprehensive Plan received prior to the

meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Cooper City and Hialeah. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call: Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

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## REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 30, 2010, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Area Regional Transportation Authority (TBARTA) announces its monthly calendar of meetings. The TBARTA Board and its advisory committees will meet to discuss the implementation of regional transportation solutions.

The TBARTA Board:

DATE AND TIME: Friday, April 30, 2010, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. The Transit Management Committee (TMC):

DATE AND TIME: Wednesday, April 21, 2010, 10:00 a.m.

PLACE: Pinellas Suncoast Transit Authority (PSTA), 3201 Scherer Dr., St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

The Citizens Advisory Committee (CAC):

DATE AND TIME: Wednesday, April 21, 2010, 1:30 p.m.

PLACE: USF Connect Building, 3802 Spectrum Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Brandie Miklus, Transportation Planner, (813)746-3383, at least three (3) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com>, approximately three to five days prior to each meeting.

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## DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Thursday, April 29, 2010, 10:30 a.m.

PLACE: Reception and Medical Center (Regional Director's Conference Room at RMC), 7765 South CR 231, Lake Butler, FL 32054

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the RMC Hospital Governing Body.

Pursuant to the provisions of 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: Gerda Godwin at (386)496-6074. If you are

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: Gerda Godwin at (386)496-6074.

## METROPOLITAN PLANNING ORGANIZATIONS

The **Hillsborough County Transportation Disadvantaged Coordinating Board** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 22, 2010, 6:00 p.m.

PLACE: 601 East Kennedy Boulevard, 26th Floor, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hillsborough County Transportation Disadvantaged Coordinating Board (TDCB) will hold its Annual Public Hearing, so the public may address the board on issues facing the transportation disadvantaged in Hillsborough County. The Public Hearing will be followed immediately by the TDCB's regular meeting. In accordance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, 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: Michele Ogilvie at (813)273-3774, ext. 317 or email: ogilviem@plancom.org. Agendas are posted a week before the meeting at: [www.hillsboroughmpo.org](http://www.hillsboroughmpo.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Michele Ogilvie at (813)273-3774, ext. 317 or email: ogilviem@plancom.org at least 3 business day prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michele Ogilvie at (813)273-3774, ext. 317 or email: ogilviem@plancom.org.

## WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, April 23, 2010, 8:15 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tampa Bay SWIM Ecosystem Restoration Projects Tour. Visit estuarine, freshwater and upland habitats at Terra Ceia and Cockroach Bay in Manatee and Hillsborough counties. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings and 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: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0032).

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. There will be an opportunity for public input on the intention to amend the District's fiscal year (FY) 2010 budget as follows: Decrease the FY2010 Manasota Basin budget by \$384,720 and increase the General Fund budget by \$384,720 to reflect the reallocation of State revenue for the District's Facilitating Agricultural Resource Management Systems Program. Increase the FY2010 Florida Forever/Save Our Rivers Capital Projects Fund budget by \$5,700,000 to reflect unanticipated revenue from the Florida Forever Trust Fund for planned land acquisitions during FY2010, including lands to be acquired within the Myakka Conservation Area and Three Sisters Springs. This amendment will not impact the District or Basin millage or ad valorem property taxes. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings and 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 EXE0031).

**The Water Resources Advisory Commission (WRAC),** Adaptive Protocols Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD-Lower West Regional Service Center, 2301 MacGregor Blvd., Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Adaptive Protocols and the Lake Okeechobee Water Regulation Schedule 2008 (LORS2008).

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or website: <http://my.sfwmd.gov/wrac>.

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

#### DEPARTMENT OF ELDER AFFAIRS

NOTICE OF CHANGE – The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2010, 9:30 a.m. – 11:30 a.m. (CST) (NOTE: The meeting end time has changed from what was originally noticed in the Vol. 36, No. 02, 1/15/10 publication of the F.A.W.)

PLACE: 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northwest District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Michael Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: [phillipsm@elderaffairs.org](mailto:phillipsm@elderaffairs.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Michael Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: [phillipsm@elderaffairs.org](mailto:phillipsm@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: [phillipsm@elderaffairs.org](mailto:phillipsm@elderaffairs.org).

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration,** Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 23, 2010, 9:00 a.m. – 2:30 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting.

Members of the public who wish to testify at this meeting must contact: Mark Gibson at [Mark.Gibson@ahca.myflorida.com](mailto:Mark.Gibson@ahca.myflorida.com). The number of speakers will be limited and will be accommodated in order of notification to Mr. Gibson. Because of unforeseen events that may cause changes, interested parties are encouraged to watch the website: [http://www.fdhc.state.fl.us/Medicaid/Prescribed\\_Drug](http://www.fdhc.state.fl.us/Medicaid/Prescribed_Drug). Procedures for speakers to follow are also available on the website.

A copy of the agenda may be obtained by contacting: Mark Gibson at [Mark.Gibson@ahca.myflorida.com](mailto:Mark.Gibson@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: April 23, 2010, 1:30 p.m.

PLACE: 4075 Esplanade Way, Conference Room 152, 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 Request for Proposal (Number: 12-991-268-H) for IT Disaster Recovery 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](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Lori Potts at (850)487-4196 or [lori.potts@dms.myflorida.com](mailto:lori.potts@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: Lori Potts at (850)487-4196 or [lori.potts@dms.myflorida.com](mailto:lori.potts@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: Lori Potts at (850)487-4196 or email: [lori.potts@dms.myflorida.com](mailto:lori.potts@dms.myflorida.com).

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The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2010, 10:00 (EST)

PLACE: 4075 Esplanade Way, Betty Easley Conference Center, Room 152, 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 (Number: 618-001-10-1) for Office and Educational Consumable. 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](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Danielle Kosberg at (850)413-0474 or email: [danielle.kosberg@dms.myflorida.com](mailto:danielle.kosberg@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: Danielle Kosberg at (850)413-0474 or [danielle.kosberg@dms.myflorida.com](mailto:danielle.kosberg@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: Danielle Kosberg at (850)413-0474 or [danielle.kosberg@dms.myflorida.com](mailto:danielle.kosberg@dms.myflorida.com).

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The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2010, 2:00 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 Evaluation Scoring Session is hereby noticed within the timeline for the Request for Proposal (Number: 20-600-000-Q) for Multifunction Products, Printers, Facsimile Equipment, Scanners, Related Software, Supplies, and 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](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Michelle MacVicar at (850)414-6131 or email: [michelle.macvicar@dms.myflorida.com](mailto:michelle.macvicar@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: Michelle MacVicar at (850)414-6131 or [michelle.macvicar@dms.myflorida.com](mailto:michelle.macvicar@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: Michelle MacVicar at (850)414-6131 or [michelle.macvicar@dms.myflorida.com](mailto:michelle.macvicar@dms.myflorida.com).

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The **Agency for Workforce Innovation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: The Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-4120 and via WebEx. Instructions for participating via WebEx are available from the contact person listed below and online at the following web address: <http://www.floridajobs.org/earlylearning/index.html>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff from Brookes Publishing Co., the publisher of the Ages and Stages Questionnaires® -3rd edition, and ASQ:SE, will be presenting an overview of the product. The presentation will feature components of the ASQ-Pro, the data management component of the screening system. This session will also address questions formulated by the Early Learning Partners Initiative Workgroup focused on Developmental Screening. There will be a short question and answer period at the end of the presentation.

A copy of the agenda may be obtained by contacting: Noelle Bee at Noelle.Bee@flaawi.com or (850)921-3180.

The **State Retirement Commission** announces a hearing to which all persons are invited.

DATE AND TIME: April 19, 2010, 8:30 a.m.

PLACE: The Hilton, 350 South North Lake Blvd., Altamonte Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410. If you are 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: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: April 27, 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.

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The **Division of Certified Public Accounting** announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Conference Code: 3332505#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Continuing Professional Education Committee to consider items for CPE credit.

A copy of the agenda may be obtained by contacting: Karan Lee, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Florida Real Estate Appraisal Board**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 2010, 9:00 a.m. or soon thereafter

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Real Estate Appraisal Board**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2010, 9:00 a.m. or soon thereafter

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Real Estate Appraisal Board**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 9:00 a.m. or soon thereafter

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Probable Cause Panel of the **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, April 8, 2010, 9:30 a.m. or soonest thereafter as possible

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an emergency private meeting to review cases to determine probable cause.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

The Florida **Greenways and Trails Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Conference Room 170, Carr Building, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399-3000

DATE AND TIME: May 6, 2010, 8:30 a.m. – 12:00 Noon

PLACE: Alford Arm Greenway, 2500 South Pedrick Road, Tallahassee, Florida. Members of the public who wish to join the site visit on May 6, 2010, should notify the contact shown below in advance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business and staff will give a presentation regarding the process to designate lands as components of the Florida Greenways and Trails System. In addition, the Council may consider designation of the Apalachicola Paddling Trails System in Franklin County, Ft. Braden Hiking and Equestrian Trails in Leon County, Chipola River Greenway-City of Marianna in Jackson County, PCB "Gayle's Trails" – Panama City Beach in Bay County, Montverde Greenway Trail-Town of Montverde in Lake County, Putnam County Blueways in Putnam County, Fort Fraser Trail in Polk County, and Bagdad Mill Site in Santa Rosa County, as components of the Florida Greenways and Trails System.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone at (850)245-2052 or by email: [Cynthia.Radford@dep.state.fl.us](mailto:Cynthia.Radford@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 3 days before the workshop/meeting by contacting: Cindy Radford at (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

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

Welcome "Mix and Mingle"

DATE AND TIME: Tuesday, April 27, 2010, 6:00 p.m.

PLACE: Level 8 Rooftop Lounge, The Hotel Duval, 415 North Monroe Street, Tallahassee, Florida 32301

Fitness Day at the Capitol

DATE AND TIME: Wednesday, April 28, 2010, 9:00 a.m. – 1:00 p.m.

PLACE: Florida State Capitol, 400 South Monroe Street, Tallahassee, Florida 32399

Governor's Council on Physical Fitness Meeting

DATE AND TIME: Thursday, April 29, 2010, 9:00 a.m. – 3:00 p.m.

PLACE: Florida State Capitol, 400 South Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: On April 28, 2010, the Fitness Day at the Capitol activities will take place throughout the morning in and around the Capitol Complex. The Council will be meeting during the afternoon of April 28, 2010, and the morning of April 29, 2010. The Council will be discussing the Governor's Council on Physical Fitness' recommendations and plan for 2010 – specific to subject matter.

These are public meetings. If you would like to participate, have questions, or require further information, please contact: Jenna Lockwood at (850)245-4259 or email: [FitnessCouncil@doh.state.fl.us](mailto:FitnessCouncil@doh.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jenna Lockwood at (850)245-4259 or email: [FitnessCouncil@doh.state.fl.us](mailto:FitnessCouncil@doh.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jenna Lockwood at (850)245-4259 or email: [FitnessCouncil@doh.state.fl.us](mailto:FitnessCouncil@doh.state.fl.us).

The **Board of Medicine**, PCP North Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 30, 2010, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email: [susan\\_chase@doh.state.fl.us](mailto:susan_chase@doh.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email: [susan\\_chase@doh.state.fl.us](mailto:susan_chase@doh.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Department of Health, Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, May 1, 2010, 8:00 a.m.

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)204-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Reginald Colston, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Team, 4052 Bald Cypress Way, Bin #C-76, Tallahassee, Florida 32399-3251.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Reginald Colston at (850)245-4268, ext. 3546. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Reginald Colston at (850)245-4268, ext. 3546.

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The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 12:00 Noon (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or [www.Gwyn\\_Willis@doh.state.fl.us](mailto:www.Gwyn_Willis@doh.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or [www.Gwyn\\_Willis@doh.state.fl.us](mailto:www.Gwyn_Willis@doh.state.fl.us). If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Nursing Home Administrators**, Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 30, 2010, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida, Conference Call: 1(888)808-6959, Conference Code: 9849329103#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the Administrators in Training and Preceptor programs.

A copy of the agenda may be obtained by contacting: Sherra Causey, Profession Regulation Specialist II, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing [www.doh.state.fl.us/mqa/nurshome/index.html](http://www.doh.state.fl.us/mqa/nurshome/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 by contacting: Sherra Causey at (850)245-4444, ext. 3617. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Optometry**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 13, 2010, 5:30 p.m.

PLACE: Marriott Tampa Airport, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Sherra Causey at (850)245-4444, ext. 3617. If you are 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 Optometry** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 14, 2010, 9:00 a.m.

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: Sharon Guilford, Acting Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: [www.doh.state.fl.us/mqa/optometry/index.html](http://www.doh.state.fl.us/mqa/optometry/index.html).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra Causey at (850)245-4444, ext. 3617. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 27, 2010, 2:00 p.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, after dialing the meet me number, when prompted, enter Conference Code 1022351047 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation and Training of new Physical Therapy Board members.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3472 or by visiting our website: [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa).

Pursuant to the provisions of 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: Board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Department of Health**, Bureau of Radiation Control announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Santa Rosa Room, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Advisory Council on Radiation Protection to discuss and make recommendations on or issues relating to the following: radiation protection; radiation dose; recommendations of national radiation organizations and professional societies; radiation requirements of federal agencies; radiation machines; radioactive materials; medical physicists; radiologic technologists and other radiological personnel including scope of practice; educational programs and training courses; authorized operator/user/physicist requirements; emergency response and preparedness; radiation incidents/accidents; environmental monitoring; food irradiation; radiation therapy; electronic brachytherapy; fees; forms; licensure, certification, registration, and examinations; Chapters 64E-3, 64E-4, 64E-5, F.A.C., including medical use of radionuclides and other changes required by the U.S. Nuclear Regulatory Commission; and other business.

A copy of the agenda may be obtained by contacting: Janice Livingston, Bureau of Radiation Control, Bin #C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, [Janice\\_Livingston@doh.state.fl.us](mailto:Janice_Livingston@doh.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by

contacting: Janice Livingston, Bureau of Radiation Control, Bin #C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Janice\_Livingston@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janice Livingston, Bureau of Radiation Control, Bin #C21, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1741, (850)245-4266, Janice\_Livingston@doh.state.fl.us.

The **Drug Wholesale Distributor Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2010, 9:30 a.m. or soon thereafter  
PLACE: Conference Call: 1(888)808-6959, Conference Code: 9766152#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General Business.

A copy of the agenda may be obtained by contacting: The agenda will be placed on the Drug, Devices, and Cosmetics website at [www.doh.state.fl.us/mqa/ddc](http://www.doh.state.fl.us/mqa/ddc) seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Drug, Devices, and Cosmetics Program at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Drug, Devices, and Cosmetics Program at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3256, (850)245-4292.

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Shared Service Alliance of Okeechobee and the Treasure Coast** announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2010, 8:30 a.m. – 10:30 a.m.  
PLACE: Children's Service Council St. Lucie County, 546 N. W. University Blvd., Suite 201, Port St. Lucie, FL 34986  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Bi-Monthly meeting.

A copy of the agenda may be obtained by contacting: Linda Poston at (772)467-4177.

The **Shared Services Alliance of Okeechobee and the Treasure Coast** announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2010, 8:30 a.m. – 10:30 a.m.  
PLACE: Children's Services Council, 546 N. W. University Blvd., Suite 201, Port St. Lucie, FL 34986  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Public meeting.

A copy of the agenda may be obtained by contacting: Linda Poston, AAI at (772)467-4177.

For more information, you may contact: Linda Poston AAI at (772)467-4177.

The **Department of Children and Families** announces a meeting of the state's Council on Homelessness to which all interested persons are invited

DATE and TIME: Tuesday, May 11, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Roberts Building Auditorium, 5929 Arlington Expressway, Jacksonville, FL 32211. Conference Call: 1(888)808-6959, Conference Code: 922-9760#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Quarterly meeting of the Council to finalize the Council's recommendations for its 2010 Report to the Legislature.

A copy of the agenda for the meeting can be obtained from the Office on Homelessness by calling (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 the Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: 9393 N. Florida Avenue, Tampa, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Redesign of Services to Young Adults Formerly in Foster Care.

A copy of the agenda may be obtained by contacting: Gay Frizzell, DCF Family Safety Program Office at (850)921-3005, Gay\_Frizzell@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Gay Frizzell, DCF Family Safety Program Office at (850)921-3005, Gay\_Frizzell@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).

For more information, you may contact: Gay Frizzell, DCF Family Safety Program Office at (850)921-3005, Gay\_Frizzell@dcf.state.fl.us.

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The **Agency for Persons with Disabilities** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: April 23, 2010, 10:00 a.m. – 12:00 Noon, 2:00 p.m. – 4:00 p.m.; April 26, 2010, 10:00 a.m. – 12:00 Noon, 2:00 p.m. – 4:00 p.m.; April 27, 2010, 10:00 a.m. – 12:00 Noon, 2:00 p.m. – 4:00 p.m.; April 28, 2010, 10:00 a.m. – 12:00 Noon, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of stakeholders to discuss the agency's plan for individual budgets.

An agenda and telephone conference call numbers will be posted seven (7) days prior to the meeting at: <http://apdmf.florida.com/ibudget/meetings-and-schedules.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Stephanie Rogers, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-6558. If you are 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: Hilary Brazell, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)488-4877.

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The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2010, 6:00 p.m. – 9:00 p.m.

PLACE: Stuart Center, 1710 Hwy. 17 South, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Guardianship Forum, by Daniel Medina, Attorney at Law, (Guest Speaker) for persons with developmental disabilities who are on the Waiting list to receive services through the Home and Community Based Medicare Waiver.

A copy of the agenda may be obtained by contacting: Agency for Persons with Disabilities at (863)413-3360.

Pursuant to the provisions of 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: Agency for Persons with Disabilities at (863)413-3360. If you are 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: Agency for Persons with Disabilities at (863)413-3360.

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The **Agency for Persons with Disabilities** announces a workshop to which all persons are invited.

DATE AND TIME: May 7, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing on proposed rules addressing Behavior Analysis services. The proposed amended Rules are 69G-4.001, 65G-4.0011, 65G-4.002, 65G-4.003 and 65G-4.004, 65G-4.005, 65G-4.006, 65G-4.007, 65G-4.008, 65G-4.009, 65G-4.010, 65G-4.011 and 65G-4.012, F.A.C. The Notice of Proposed Rule was published in the F.A.W. on March 26, 2010.

A copy of the agenda may be obtained by contacting: Steve Coleman, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8695.

Pursuant to the provisions of 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: Steve Coleman, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8695. If you are 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: Steve Coleman, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8695.

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#### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2010, 4:30 p.m. – adjournment

PLACE: Hyatt Regency Airport, 9300 Airport Boulevard, Orlando, FL 33801



GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the 2009 Audited Financial Statements with the Florida Housing Finance Corporation Board of Directors and respond to any comments or questions of the Florida Housing Finance Corporation Board of Directors.

A copy of the agenda may be obtained by contacting: Juanita Boothe-Thompson at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Juanita Boothe-Thompson at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission (FWCC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2010, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: Marion County Extension Auditorium, 2232 N. E. Jacksonville Road, Ocala, Florida 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), as part of its deer management strategic plan and in response to input received from the public is considering changes to hunting season timing on public hunting areas to align more closely with recent changes to hunting zones. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission (FWCC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: Edison State College Conference Center, Building J, Rooms 103 and 104, 7007 Lely Cultural Parkway, Naples, Florida 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), as part of its deer management strategic plan and in response to input received from the public is considering changes to hunting season timing on public hunting areas to align more closely with recent changes to hunting zones. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission (FWCC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: International Game Fish Association Headquarters, 300 Gulf Stream Way, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), as part of its deer management strategic plan is considering implementing a deer harvest reporting system to gather information needed to develop future harvest management goals. This meeting is being held to invite members of the public to learn about a proposed deer harvest reporting system and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

The Florida **Fish and Wildlife Conservation Commission (FWCC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 6:00 p.m. – 8:00 p.m. (EDT)

PLACE: Tallahassee Automobile Museum, 6800 Mahan Drive, Tallahassee, Florida 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), as part of its deer management strategic plan and in response to input received from the public is considering changes to hunting season timing on public hunting areas to align more closely with recent changes to hunting zones. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

The Florida **Fish and Wildlife Conservation Commission** announces a final public hearing to which all persons are invited.

DATES AND TIME: Wednesday and Thursday, April 28-29, 2010, 8:30 a.m. daily

PLACE: Florida Public Safety Institute, 215 Academy Street, Havana, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final public hearing on proposed amendments to the manatee protection rule for Sarasota County. This hearing will be a part of the regular 2-day meeting held by the Commission. The Commission is expected to make a final decision on the rule at the meeting. The agenda for the full 2-day meeting can be viewed on-line at: [http://myfwc.com/COMMISSION/2010/Comm\\_10\\_AgendaApr.htm](http://myfwc.com/COMMISSION/2010/Comm_10_AgendaApr.htm).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 5 calendar days before the meeting by contacting: Commission's ADA Coordinator at (850)488-6411. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Scott Calleson, FWC Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

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## AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 26, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: 4030 Esplanade Way, Room 225A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the technical workgroup to discuss the short list of ideas.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at [Damu.Kuttikrishnan@aeit.myflorida.com](mailto:Damu.Kuttikrishnan@aeit.myflorida.com) or (850)410-2954.

Pursuant to the provisions of 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: Damu Kuttikrishnan at [Damu.Kuttikrishnan@aeit.myflorida.com](mailto:Damu.Kuttikrishnan@aeit.myflorida.com) or (850)410-2954. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 6, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: R. A. Gray Building Auditorium, 500 S. Bronough St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide centralized, coordinated communication and feedback across state entities regarding enterprise Information Technology initiatives.

A copy of the agenda may be obtained by contacting: AEIT by e-mail: [contactaeit@aeit.myflorida.com](mailto:contactaeit@aeit.myflorida.com) or by phone at (850)922-7502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: AEIT at (850)922-7502. If you are 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 MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION**

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2010, 4:00 p.m.

PLACE: Killlearn Inn, Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims and Underwriting Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 2010, 9:00 a.m.

PLACE: Killlearn Inn, Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

**NORTHWOOD SHARED RESOURCE CENTER**

The **Northwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Finance Matters.

A copy of the agenda may be obtained by contacting: monica\_cash@nsr.myflorida.com.

**JUSTICE ADMINISTRATIVE COMMISSION**

The **Justice Administrative Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2010, 10:00 a.m. (EST) (Contingent upon the needs of the Commission)

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 1(866)355-7902 or email: 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 by contacting: Jessica Kranert at 1(866)355-7902 or email: jessicak@jac.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Kranert at 1(866)355-7902 or email: jessicak@jac.state.fl.us.

**SMALL BUSINESS REGULATORY ADVISORY COUNCIL**

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIME: April 23, 2010, 9:00 a.m. (Eastern Time); continued to April 30, 2010 if needed

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801#

GENERAL SUBJECT MATTER TO BE CONSIDERED: general Council business, rule reviews, and legislative updates. A copy of the agenda may be obtained by contacting: Vicky Baker at vicky.baker@floridasbrac.org or (850)473-7816.

## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Teresa Birney, Unit Owner/Petitioner, In Re: Grand Central at Kennedy Residences, A Condominium on January 18, 2010. The following is a summary of the agency's declination of the petition:

The Division closed the Petition for Declaratory Statement as the petitioner withdrew her petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by John Reed, Fire Chief, City of Venice, on February 16, 2010. The following is a summary of the agency's disposition of the petition:

The Petition asks which edition of the Florida Fire Prevention Code applies to specified one and two family dwellings that were licensed by the Department of Business and Professional Regulations as resort dwellings in 2003, and whether the structures are required to be protected throughout by an automatic sprinkler system. The answer is that the applicable Code is that which was in place by rule when the structures were licensed as resort dwellings in 2003. The 2003 iteration, in effect at the time, does not require an automatic sprinkler system.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: [Lesley.Mendelson@myfloridacfo.com](mailto:Lesley.Mendelson@myfloridacfo.com).

**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:**

**DEPARTMENT OF EDUCATION**

**NOTICE OF PETITION**

The Florida Education Association vs. Florida State Board of Education, and Florida Department of Education; Case No.: DOE-2010-2048; Rule No.: 6A-1.099811.

A petition was filed by the Florida Education Association to invalidate proposed Rule 6A-1.099811, Differentiated Accountability State System of School Improvement, on March 30, 2010. The petition is filed on the grounds that the challenged portion of the rule constitutes an invalid exercise of delegated legislative authority and is vague, arbitrary and capricious, fails to establish adequate standards for agency determination, and vests unbridled discretion in the Agency.

A copy of the petition may be obtained by contacting: Lynn Abbott, Agency Clerk, at (850)245-9661 or [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org). a copy may also be obtained from the Department's website at [https://app1.fldoe.org/DOE\\_Calendar/default.aspx?WhichCalendar=4](https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4).

**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

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-151, JHMHC DSB Basement Fire Sprinkler System, estimated budget: \$300,000, to be opened May 19, 2010, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes: to provide sprinkler system in the basement of the JHMHC Dental Sciences Building and all related work. New tamper switches and flow switches will be connected to existing fire alarm system. Mandatory pre-bid meeting will be held May 5, 2010, 10:00 a.m., in the in the Communicore Building Room C1-9, Gainesville, FL. Questions should be directed to: Mercedes Bongiovanni at moongio@ufl.edu or (352)392-1331. For more information visit [www.purchasing.ufl.edu](http://www.purchasing.ufl.edu).

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact: Purchasing, [purchasing@ufl.edu](mailto:purchasing@ufl.edu) or (352)392-1331 within three (3) days of the event.

#### NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering for Total Building Commissioning will be required for the project listed below:

Project: UF-357, Clinical Translational Research Building (University of Florida Main Campus)

This new facility will be designed to host the field operations and coordination of large phase 3 behavioral and pharmacological multicenter trials in the area of aging and disability. It will serve as the home for a number of active research training programs on aging, with a primary focus on assessing the long-term effects of proposed interventions, which specifically include moderate physical exercise and health education. This facility is currently programmed at 39,500 GSF and will house primarily clinical, support, and office spaces. 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 consultant shall also support project efforts to achieve higher-than-normal energy efficiency and attain Platinum LEED certification.

Blanket professional liability insurance will be required for this 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 program, Project Fact Sheet 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 & 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, May 14, 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

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

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

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### **DEPARTMENT OF CORRECTIONS**

New River Work Camp and Pride Facility Improvements  
**PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS (experienced in site preparation and utility installation) BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:**

**PROJECT NO:** GL-37 (ST)

**PROJECT NAME AND LOCATION:** NEW RIVER WORK CAMP AND PRIDE FACILITY IMPROVEMENTS AT NEW RIVER CORRECTIONAL INSTITUTION, 7819 N. W. 228th Street, Raiford, Florida 32026.

**FOR:** STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

**PREQUALIFICATION:** Each bidder, whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification, must submit prequalification data of their eligibility to submit proposals as soon as possible. Bidders must receive confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact: Ms. Sandra Rogers at (850)922-8855, for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

**DATE AND TIME:** May 20, 2010, 2:00 p.m. (Eastern Time)

**PLACE:** Offices of George F. Young, Inc., 1905 South Main Street, Gainesville, Florida 32601

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

**ARCHITECT-ENGINEER:** George F. Young, Inc., 1905 South Main Street, Gainesville, Florida 32601, (352)378-1444  
Drawings and specifications may be purchased for a Non-refundable price of \$300.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on April 28, 2010, 10:00 a.m. (Eastern Time), at the Union Correctional Institution's Administration Building, Conference Room, 7819 N. W. 228th Street, Raiford, Florida. Contractors are **STRONGLY** encouraged to attend to inspect the site and familiarize themselves with the project conditions. A brief walk-through of the work area(s) will be available as part of the pre-bid conference. Contractors shall contact: Mr. Quinton C. Ford, CPC II, (904)368-3043, no later than April 26, 2010, to obtain clearance to visit the site. Everyone attending the Pre-Bid conference must have a valid Driver's License or a valid Photo ID; and must sign in and out at the Union Correctional Institution's Administrative Office.

**CONTRACT AWARD:** Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry",

the contract will be awarded by the Secretary, Department of Corrections. RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

Everglades Re-entry Center

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS (experienced in site preparation and utility installation), BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: HG-50

PROJECT NAME AND LOCATION: EVERGLADES RE-ENTRY CENTER AT EVERGLADES CORRECTIONAL INSTITUTION, 1601 S. W. 187th Avenue, Miami, Florida 33185.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification, must submit prequalification data of their eligibility to submit proposals as soon as possible. Bidders must receive confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact: Ms. Sandra Rogers at (850)922-8855, for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: May 18, 2010, 2:00 p.m. (Eastern Time)

PLACE: Elements Architects, 1699 Coral Way, Suite 503, Miami, Florida 33145

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Elements Architects, 1699 Coral Way, Suite 503, Miami, Florida 33145, (305)858-5858

Drawings and specifications may be purchased for a Non-refundable price of \$200.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on May 6, 2010, 8:30 a.m. (Eastern Time), at the Everglades Correctional Institution's Training Building. A brief walk-through of the work area(s) will be available as part of the pre-bid conference. Everyone attending the Pre-Bid conference must have a valid Driver's License or a valid Photo ID; and must sign in and out at the Everglades CI's Administrative Office.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

**METROPOLITAN PLANNING ORGANIZATIONS**

NOTICE TO PROFESSIONAL CONSULTANTS  
HILLSBOROUGH COUNTY METROPOLITAN  
PLANNING ORGANIZATION (MPO)

AND

STATE OF FLORIDA  
FLORIDA DEPARTMENT OF TRANSPORTATION  
DISTRICT VII

The Hillsborough County Metropolitan Planning Organization (MPO), in conjunction with the Florida Department of Transportation (FDOT), District VII, is reissuing its request seeking professional consultant services on the projects listed in this advertisement. Consideration will be given only to those firms that are qualified pursuant to the law and that have been prequalified to perform these tasks by the FDOT. Any firm not prequalified by the FDOT and desiring consideration for these projects must obtain and

submit a complete Request for Qualification Package, to the Procurement Office, Tallahassee, FL, (850)414-4485, by the advertised Letter of Response Deadline Date.

MAJOR TYPE OF WORK: 13.3, 13.4, 13.5, 13.6 and 13.7 Planning

DESCRIPTION: General Transportation Planning Consultants  
 REQUESTED SERVICES: General planning services to include all or part of the following: long range transportation planning and travel demand modeling, data collection activities, financial planning, major investment and corridor studies, congestion and other management systems planning, air quality and greenhouse gas reduction planning, bicycle and pedestrian planning, transit services and facilities planning, transportation disadvantaged planning, traffic circulation and crash mitigation studies, socioeconomic data forecasting, goods movement planning, transportation and land use coordination planning, and public information and participation in transportation planning. The services to be rendered by the Consultant(s) shall be for a period of 24 months (extendable by mutual agreement up to an additional 36 months) or until a total accumulated fee is reached, whichever occurs first.

SUBCONSULTANT OPPORTUNITY: Consultants who are not pre-qualified by the Florida Department of Transportation for lack of independent CPA Certified overhead audit may be utilized to provide services for these projects, providing that compensation to the subconsultant will not exceed \$250,000. Before work may commence, any such consultant utilized must also be technically qualified and approved by the MPO.

EQUAL OPPORTUNITY STATEMENT: The MPO in accordance with the provisions of Title VI of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities in any contract for consultant services. Disadvantaged business enterprises (DBE) will be afforded full opportunity to submit proposals in response to advertisements and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award. The MPO has a DBE participation policy statement and participates in FDOT's statewide goal.

RESPONSE PROCEDURE: Qualified consultants who are interested in these projects are required to submit a Letter of Response to the MPO indicating their desire to be considered for this project. The letter must be brief (no more than two pages, one-sided) and shall as a minimum, include the following information:

1. Consultant's Name and Address.
2. Responsible Office for the Consultant Firm.
3. Contact Person for the Project and Telephone Number.
4. Statement regarding prequalification of the consultant firm and any proposed subconsultants in the advertised type of work.

5. Key Personnel including their Titles and Proposed Role (do not include resumes).
6. Name(s) of subconsultant(s) that may be used and the type of services to be performed.
7. Relevant past MPO/planning experience.

THE CONSULTANT MUST BE ABLE TO MEET THE FOLLOWING CONDITION WHICH WILL BE PART OF THE CONTRACT BETWEEN THE MPO AND THE CONSULTANT:

No member, officer or employee of the (Planning) Commission or the MPO of the locality during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any firm which has a member, officer or employee that this provision speaks to, must demonstrate in its Letter of Response that this provision can be met by segregating the affected person from the project and from receiving any proceeds from the contract. For the purpose of the contract, an employee of the consultant includes any subconsultant, independent agent contracting with the consultant, or anyone having a service contract with the consultant.

FEDERAL DEBARMENT: By submitting a Letter of Response, the consultant certifies that no principal (which includes officers, directors or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

SELECTION PROCESS: The listed projects are covered by the selection process detailed in Rule Chapter 14-75, Florida Administrative Code. Some or all of the responding firms may be requested to provide written or oral technical proposals, or both, for the final ranking process. The schedule is listed below. All meetings are open to the public and will be held in: The Planning Commission Boardroom, 601 East Kennedy Boulevard, 18th Floor, unless otherwise noted. The selected consultants contract and fees will be negotiated in accordance with Section 287.055, Florida Statutes. The Consultants that are included on the shortlist and those that are ultimately selected as well as any changes to the selection schedule will be advertised only on the MPO's Webpage, at [www.hillsboroughmpo.org](http://www.hillsboroughmpo.org).

SELECTION SCHEDULE:

First scoping meeting, Thursday May 6, 2010, 2:00 p.m.

Letter of Response due, Friday, May 14, 2010, 5:00 p.m.

Shortlist, Wednesday, May 26, 2010, 2:00 p.m.

Shortlist announced on website, Thursday, May 27, 2010, 9:00 a.m.

Second scoping meeting, Wednesday, June 2, 2010, 2:00 p.m.

Written technical proposals due, Thursday, June 24, 2010, 5:00 p.m.

Oral presentations, Tuesday/Wednesday, July 20-21, 2010, 8:00 a.m.



Staff presentation at Policy Committee, Tuesday, July 27, 2010, 9:00 a.m.

Consultant selection, Tuesday, August 3, 2010, 9:00 a.m. (MPO meeting, BOCC Boardroom, 601 E. Kennedy Blvd., 2nd Floor)

REQUESTING UNIT: Hillsborough County Metropolitan Planning Organization

LETTER OF RESPONSE ADDRESS:

Three (3) Copies To:

Ramond Chiaramonte, Executive Director

Hillsborough County Metropolitan Planning Organization

601 E. Kennedy Blvd., 18th Floor

Tampa, Florida 33602-5117

LETTERS OF RESPONSE DEADLINE: 5:00 p.m. (EST), Friday, May 14, 2010

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

Notice of Quote Solicitation for Investment Accounting and Management Software

The FWCJUA is issuing a Quote Solicitation (QS) for the purpose of potentially purchasing an investment accounting and management software that provides a complete database for all investment instruments, specifically relevant to insurance companies utilizing both statutory accounting and GAAP accounting principles, to assist the FWCJUA in managing its investment portfolio.

The FWCJUA is searching for an investment accounting and management software solution to be utilized for investment accounting, financial reporting, portfolio management, and compliance monitoring. The software must be flexible, allow for both an individual segment view as well as a comprehensive view of all investments. Individual segment view would consist of either the type of investment (fixed income, certificate of deposits, money market funds, cash, etc.) or by subsidiary (FWCJUA currently has five but would like room for expansion if needed). The software would automate the calculations of both interest accruals and amortization on a single investment basis as well as include full reporting capabilities (both standard and adhoc reports that can be exported into excel or pdf format). Ideally, the software would interface with a statutory reporting software package, preferably TCP – Booke Seminars, and Microsoft Dynamics Great Plains General Ledger software. The software must be

able to run in a Microsoft Windows Citrix/Terminal Server (2008R2) environment. The database should be able to utilize the FWCJUA's existing dedicated Microsoft SQL server.

The FWCJUA is not a state agency. Accordingly, the QS process is not governed by the contracting procedures applicable to state agencies set forth in Florida Statutes and Rules. Any entity which responds to the QS must expressly acknowledge in its response its understanding that the contracting procedure requirements which apply to state agencies do not apply to the FWCJUA. Interested parties may obtain the QS on or after April 16, 2010 by written request to: Laura Torrence, Executive Director, FWCJUA, P. O. Box 48957, Sarasota, FL 34230 or by facsimile: (941)487-2525. Responses to the QS will be due at 12:00 p.m. (Eastern Time), May 6, 2010.

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLID-08-2009-002
DATE RECEIVED:	March 12, 2010
DEVELOPMENT NAME:	Hopewell Mine Extension
DEVELOPER/AGENT:	Mosaic Fertilizer
DEVELOPMENT TYPE:	28-24.019, F.A.C.
LOCAL GOVERNMENT:	Hillsborough County

Poinciana Newtowship M09-004

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIM-06-2009-004
DATE RECEIVED:	April 4, 2010
DEVELOPMENT NAME:	Poinciana New Township
DEVELOPER/AGENT:	Crane Cove Corporation/CM Arrington & Associates, Inc.
DEVELOPMENT TYPE:	28-24.023, 28-24.031 F.A.C.
LOCAL GOVERNMENT:	Osceola County

DCA Order No.: DCA10-OR-060

In Re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY ISLAMORADA, VILLAGE OF  
ISLANDS ORDINANCE NO. 10-01

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2009), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On February 17, 2010, the Department received for review Islamorada, Village of Islands Ordinance No. 10-01 (“Ord. No. 10-01”) adopted by the Village on January 14, 2010.
3. Ord. No. 10-01 amends Chapter 30 Land Development Regulations, Article II, Rules of Construction and Definitions, Section 30-32 Specific Definitions; Article IV Administrative Procedures, Division 2 Development Review Process; Article V Schedule of District Use and Development Standards, Division 2 Zoning Districts, Division 3 Nonconformities, Division 6 Landscaping Standards, and Division 7 Off Street Parking, Loading and Driveway Standards; Article VI Specific Use Restrictions, Division 9 Outdoor Seating Areas and Division 10 Signs of the Village Code of Ordinances.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Sections 380.05(6) and 380.0552(9), Florida Statutes (2009).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2009), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-01 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in Section 380.0552(7),

- Florida Statutes (2009). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 10-01 promotes and furthers the following Principles:
    - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
    - (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
  9. Ord. 10-01 is not inconsistent with the remaining Principles. Ord. 10-01 is consistent with the Principles for Guiding Development as a whole.
  10. Ord. 10-01 is consistent with the Village Comprehensive Plan and furthers Objective 1-4.2.: Manage and Coordinate Future Land Use Decisions.

WHEREFORE, IT IS ORDERED that Ord. 10-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT

WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY

RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

/s/ \_\_\_\_\_  
CHARLES GAUTHIER, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 6th day of April, 2010.

/s/ \_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Don Achenberg, Mayor  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Beverly Raddatz, Village Clerk  
Islamorada, Village of Islands  
Post Office Box 568  
Islamorada, FL 33036

Nina Boniske, Esq.  
James White, Esq.  
Weiss Serota Helfman Pastoriza  
Guedes Cole & Boniske, P.A.  
2525 Ponce De Leon Blvd., Suite 700  
Coral Gables, Florida 33134-6045

By Hand Delivery or Interagency Mail:  
Rebecca Jetton, ACSC Administrator  
Richard E. Shine, Assistant General Counsel

**DEPARTMENT OF REVENUE**

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the Address/Jurisdiction Database, as posted on April 4, 2010, becomes effective on July 1, 2010. The database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2011, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2011, update no later than September 3, 2010.

Additional information concerning procedures for requesting changes and additions to the database is available from: Department of Revenue, Local Government Unit at (850)921-9181 or by e-mail: [local-govt-unit@dor.state.fl.us](mailto:local-govt-unit@dor.state.fl.us). Persons with hearing or speech impairments may call the TDD line at 1(800)367-8331 or (850)922-1115.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

## Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Central Florida Golf Cars, Inc., d/b/a Orlando Golf Cars as a dealership for the sale of low-speed vehicle manufactured by Tomberlin Automotive Group (TOMB) at 155 North Goldenrod Road, Orlando (Orange County), Florida 32807, on or after April 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Central Florida Golf Cars, Inc., d/b/a Orlando Golf Cars are dealer operator(s): William Fierro, 155 North Goldenrod, Orlando, Florida 32807; principal investor(s): William Fierro, 155 North Goldenrod, Orlando, Florida 32807.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, 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: Elinore Hollingsworth, 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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Fairplay Electric Cars, LLC, intends to allow the establishment of Electric Cart Company, LLC, as a dealership for the sale of low-speed vehicle manufactured by Fairplay Electric Cars, LLC (FPEC) at 5480 US Highway 98 West, Santa Rosa Beach (Walton County), Florida 32459, on or after May 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Electric Cart Company, LLC are dealer operator(s): Thomas B. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; Jonathan C. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; principal investor(s): Thomas B. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; Jonathan C. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459.

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: James Wilson, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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.

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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 Fairplay Electric Cars, LLC, intends to allow the establishment of Golf Cart Connection, Inc., as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC (FPEC) at 1220 Camp Avenue, Mount Dora (Lake County), Florida 32757, on or after April 2, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Golf Cart Connection, Inc., are dealer operator(s): Jason Levy, 1220 Camp Avenue, Mount Dora, Florida 32757, principal investor(s): Jason Levy, 1220 Camp Avenue, Mount Dora, Florida 32757.

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: James Wilson, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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.

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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 Lida Trading USA, Inc., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for

the sale of motorcycles manufactured by Taizhou Chual Motorcycles (CHUA) at 2801 North State Road 7, Hollywood (Broward County), Florida 33021, on or after April 5, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc., are dealer operator(s): Isidro Ley-Acosta, 12 Main Street, Hollywood, Florida 33023; principal investor(s): Isidro Ley-Acosta, 12 Main Street, Hollywood, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Chungo Hu, Lida Trading USA, Inc., 8830 Northwest 102nd Street, Miami, Florida, 33178.

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.

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

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

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**WATER MANAGEMENT DISTRICTS**

**NOTICE OF INTENDED AGENCY ACTION**

Pursuant to the requirements of Section 120.60 and 373.413(4), Florida Statutes, the South Florida Water Management District gives notice of its intended agency action to issue the following Permit with conditions:

Permit No.: 50-00610-S-24 (Application No: 090427-7) The David Minkin Florida Realty Trust, Richard Thall, Robert Thall, Peter L Briger, Paul H Briger, and The Lester Family Investments LP, c/o Howard Lester, 44 Cocconut Row, Palm Beach, FL 33480 and Palm Beach County – Environmental Resource Management, 2300 N. Jog Road, 4th Floor, West Palm Beach, FL 33411-2743, for conceptual authorization of a

surface water management system to serve 681.69 acres of mixed use development and 193.92 acres of off-site wetland mitigation at the Palm Beach County Pine Glades Natural Area and additional off-site mitigation at the Loxahatchee Mitigation Bank, known as Scripps Florida Phase II/Briger. The project is located in Palm Beach County, Sections 26, 35, Township 41 South, Range 42 East.

The applicant has provided reasonable assurances to demonstrate that it has met the conditions for issuance of a permit under Rules 40E-4.301 and 40E-4.302, F.A.C. The Staff Report setting forth the staff recommendation, including conditions, can be obtained by contacting the Environmental Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, e-mail: [permits@sfwmd.gov](mailto:permits@sfwmd.gov) or, by accessing the Staff Report directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

**Right to Request Administrative Hearing -** A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written

notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

**Filing Instructions -** The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to: SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

**Initiation of an Administrative Hearing -** Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.

2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

**Mediation** – The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

**Right to Seek Judicial Review** – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of

Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

##### **Oak Hill Hospital Emergency Service Exemption**

The Agency for Health Care Administration has received an application for an emergency service exemption from Oak Hill Hospital located at 11375 Cortez Blvd., Brooksville, FL 34613, 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 and Oral/Maxillo-Facial Surgery. 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: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4360 or by e-mail: youngj@ahca.myflorida.com.

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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##### **NOTICE OF INTENT TO GRANT VARIANCE**

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of sub-subparagraph 62-343.040(2)(c)2.a., Florida Administrative Code (F.A.C.), to Larry Lipman, (FFD-MEPD) located off Corkscrew Road, Estero, Florida 33928, File No.: 0291030-002-EV and OGC No.: 09-3814. The project area is comprised of approximately 5,209 ± acres, of which 3,290 ± acres are currently used for agricultural purposes, 117 ± acres are used for agricultural related roads and drainage and 1,566 ± acres are wetlands and other surface waters of the state. As part of the onsite operations, approximately 142 miles of agricultural ditches were created. The petitioner is requesting a variance from sub-subparagraph 62-343.040(2)(c)2.a., F.A.C., requiring field located boundary points for wetlands and other surface waters delineated using the approximate delineation methodology in subparagraph 62-343.040(2)(c)2., F.A.C. Due to the mostly linear shape and treeless nature of these ditches, the placement of field located boundary points to verify the accuracy of the

aerial approximated delineation is not necessary. The variance shall allow the petitioner to delineate wetlands and other surface waters within agricultural ditches identified by the Department without meeting the above referenced criteria for formal determinations set forth in sub-subparagraph 62-343.040(2)(c)2.a., F.A.C. These Department identified agricultural ditches shall have sufficient aerial signatures to allow delineation from aerial photography without the aid of field located boundary points every 1,000 feet. All other wetland and other surface water boundaries shall be delineated using either subparagraph 62-343.040(2)(c)1. or 62-343.040(2)(c)2., F.A.C., without deviation from the respective criteria. If the Department determines that any portion of the subject area is not accurately represented by the rectified aerial photographs, including ditches that are irregular in shape or obscure on rectified aerials, the petitioner shall survey and stake the affected area as provided in paragraph 62-340(2)(c), F.A.C.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, Room 524, Tallahassee, Florida 32399.

Under this intent to grant, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to grant automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be granted as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered.

Mediation is not available.

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, F.S. 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.

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 shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a 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.

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. Any intervention will be 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 subsection 28-106.111(2) and paragraph 62-110.106(3)(a), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

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 person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.



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 that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of the order before the Land and Water Adjudicatory Commission under

Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

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#### MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification (COC) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (F.S.), for the New Hope Power Partnership Okeelanta Siting Application No.: PA04-46, OGC Case No.: 08-1593. On May 28, 2008, the Department received a petition from New Hope Power Company to modify the Conditions of Certification (COC) for Okeelanta, pursuant to Section 403.516(1)(c), F.S., for the addition of an ash monofill and the temporary storage of cachaza in the existing percolation ponds. The Department proposes to modify the COC for construction and operation of the new ash monofill and to incorporate Department initiated updates. The Department also proposes to modify the COCs to reflect the change in ownership of the Okeelanta site from New Hope Power Partnership to New Hope Power Company. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those

portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

**FLORIDA STATE CLEARINGHOUSE**

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at [http://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**CPI Grant Applications Included in the  
FCMP 2010-11 NOAA Application**

The Department of Environmental Protection, Florida Coastal Management Program (FCMP), announces the results of the Coastal Partnership Initiative (CPI) Evaluation Committee that met on December 15, 2009. All eligible CPI applications were reviewed by the evaluation committees using the information included in each application and according to the evaluation criteria listed in Rule 62S-4.007, Florida Administrative Code. The following table lists the applications that will be included in the FCMP's annual cooperative application to the National Oceanic and Atmospheric Administration pursuant to subsection 62S-4.008(4), F.A.C. The final decision whether or not to fund these projects is made by NOAA, in or around July 2010.

**Project/Applicant**

Sea Level Rise Model, Apalachee Bay/Nature Conservancy  
Pinellas Co. Post-Disaster Redevelopment Plan/Pinellas Co.  
Coastal Stewardship, BIEC/Caribbean Conservation Corp.

Volusia Co. Stewardship/Marine Discovery Center  
Coastal Focus Stewardship & Education/Coastal Wildlife Club  
Bella Vista Park/City of Sunny Isles Beach  
Bagdad Mill Park Design/Santa Rosa County  
Wonders of Wakulla Ecotourism Campaign/Wakulla County  
Bagdad Waterfront Economic Study/Bagdad WF Partnership

Any person whose substantial interests are affected may request a hearing pursuant to Section 120.569, Florida Statutes, within 21 days of publication of this notice. Failure to request a hearing within the applicable time period shall constitute a waiver of the right to a hearing. Questions regarding the CPI evaluation process should be directed to Susan Goggin at (850)245-2161 or by sending an email: [Susan.Goggin@dep.state.fl.us](mailto:Susan.Goggin@dep.state.fl.us).

**DEPARTMENT OF HEALTH**

On April 1, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Bobbie Sue Karniewicz, L.P.N., License #PN 5154704. 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.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN March 29, 2010  
 and April 2, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF STATE**  
**Division of Library and Information Services**

1B-2.011	4/1/10	4/21/10	35/51	36/6
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**DEPARTMENT OF CORRECTIONS**

33-208.504	3/31/10	4/20/10	36/8	
33-501.301	3/30/10	4/19/10	36/8	
33-601.101	3/30/10	4/19/10	36/8	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

59C-1.008	4/1/10	4/21/10	34/48	35/9
59C-1.010	4/1/10	4/21/10	34/48	35/9
59C-1.012	4/1/10	4/21/10	34/48	35/9
59C-1.013	4/1/10	4/21/10	34/48	35/9
59C-1.030	4/1/10	4/21/10	34/48	35/9

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Board of Pilot Commissioners**

61E14-2.001	4/1/10	4/21/10	36/3	
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**DEPARTMENT OF HEALTH**

**Board of Optometry**

64B13-3.009	4/1/10	4/21/10	36/5	
64B13-4.001	4/2/10	4/22/10	36/6	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64B13-5.002	4/1/10	4/21/10	36/6	
64B13-18.002	4/1/10	4/21/10	36/2	36/9

**Board of Speech-Language Pathology and Audiology**

64B20-2.001	3/29/10	4/18/10	35/50	36/8
64B20-2.003	3/29/10	4/18/10	35/50	36/3
64B20-4.001	3/29/10	4/18/10	35/50	36/8

**Division of Emergency Medical Operations**

64J-2.011	3/31/10	4/20/10	36/2	
64J-2.012	3/31/10	4/20/10	36/2	
64J-2.013	3/31/10	4/20/10	36/2	
64J-2.014	3/31/10	4/20/10	36/2	
64J-2.015	3/31/10	4/20/10	36/2	
64J-2.016	3/31/10	4/20/10	36/2	
64J-2.017	3/31/10	4/20/10	36/2	

**DEPARTMENT OF FINANCIAL SERVICES**

**Funeral and Cemetery Services**

69K-1.001	3/29/10	4/18/10	36/3	36/9
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**OIR Insurance Regulation**

69O-170.0155	4/1/10	4/21/10	35/47	36/7
69O-170.0155	4/1/10	4/21/10	35/47	36/7