

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09422 Florida Comprehensive Assessment
 Test Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to replace current Florida Comprehensive Assessment Test (FCAT) requirements with new requirements based on new assessments aligned to the Next Generation Sunshine State Standards. The effect will be the proposed adoption of revised assessment requirements based on new comprehensive assessments and new end-of-course assessments.

SUBJECT AREA TO BE ADDRESSED: Florida Comprehensive Assessment Test (FCAT).

RULEMAKING AUTHORITY: 1001.02, 1008.22(12) FS.

LAW IMPLEMENTED: 1001.02, 1001.11, 1008.22, 1008.25, 1008.34 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: Kris Ellington, Assistant Deputy Commissioner, Office of Assessment, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:
25-30.0371 Acquisition Adjustments

PURPOSE AND EFFECT: The draft amendments clarify circumstances under which positive acquisition adjustments shall be included in rate base. With regard to negative acquisition adjustments, the draft revisions are aimed at avoiding unintended consequences of negative acquisition adjustments in certain circumstances where inequities would result to the ratepayers. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Water and wastewater acquisition adjustments.

RULEMAKING AUTHORITY: 350.127(2), 367.121(1)(f) FS.

LAW IMPLEMENTED: 367.081(2)(a), 367.121(1)(a), (b) FS.

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

DATE AND TIME: May 20, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center Room 148, 4075 Esplanade Way, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770, (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Division of Economic Regulation, JoAnn Chase, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6978, jchase@psc.state.fl.us. The draft rule proposal will be available on the agency web site, www.floridapsc.com, after April 30, 2010

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:
33-302.105 Probation and Parole – Use of Force

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate Form DC3-210, Community Corrections Report of Force Used, and Form DC3-225, Community Corrections Incident Report.

SUBJECT AREA TO BE ADDRESSED: Probation and Parole – Use of Force.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.35 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.105 Probation and Parole – Use of Force.

(1) Physical force shall not be used on offenders under supervision in the performance of duty unless required:

(a) In self-defense or the protection of others; ~~or~~

(b) To prevent damage to property owned or leased by the department; ~~or~~

(c) To quell a disturbance on property owned or leased by the department; ~~or~~

(d) To overcome physical resistance to application of handcuffs or authorized restraining devices; ~~or~~

(e) through (f) No change.

(2) No change.

(3) Whenever force is used, the highest ranking official involved or the most senior highest ranking official shall inform the circuit administrator immediately. Whenever force is used, except as provided in paragraph (4)(e), a detailed written report of force used shall be prepared, dated, and signed by the initial employee using force. This report shall be completed within one working day (Monday through Friday) of the incident.

(4) through (7) No change.

(8) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) DC3-210, Community Corrections Report of Force Used, effective _____.

(b) DC3-225, Community Corrections Incident Report, effective _____.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.35 FS. History—New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended 10-2-01, 2-19-03, 8-13-03, 12-6-04, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-3.001 Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of this proposed rule development is to clarify the requirements for the sanitation notice to guests; remove the requirement that newly constructed or extensively remodeled public lodging establishments comply with the more stringent and costly Food Code sanitation requirements relating to glassware, tableware, and utensils; and adopt minimum requirements for approved

locking devices. The proposed rule development will allow public lodging establishments to continue to comply with sanitation requirements by using ordinary household dishwashers in lieu of installing commercial dishwashers or three-compartment sinks.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address requirements for the notice to guests; minimum sanitation requirements for glassware, tableware, and utensils in newly constructed or extensively remodeled public lodging establishments; and minimum requirements for approved locking devices.

RULEMAKING AUTHORITY: 509.032, 509.2112 FS.

LAW IMPLEMENTED: 509.032, 509.211, 509.2112, 509.221 FS.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.020 Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect of the rule development is to adopt disciplinary guidelines to specify the range of penalties applicable for each offense subject to disciplinary action that may be imposed by the Division of Hotels and Restaurants under Chapter 399, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule development will address disciplinary guidelines for the offenses subject to disciplinary action under Chapter 399, F.S.

RULEMAKING AUTHORITY: 399.10, 455.2273 FS.

LAW IMPLEMENTED: 399.03, 399.049, 399.105, 399.11, 399.125 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, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.:	RULE TITLE:
64B18-16.006	Registration Requirements of Podiatric Residents

PURPOSE AND EFFECT: The purpose of this proposed rule change is to update the Podiatric Resident Registration Form DH-MQA 1139 (revised 04/09) to include the questions required by Section 465.0635, F.S.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements of Podiatric Residents.

RULEMAKING AUTHORITY: 461.005, 461.014(3) FS.

LAW IMPLEMENTED: 461.014(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon Guilford, Acting Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.:	RULE TITLE:
64B18-24.001	Initial Certification for Podiatric X-Ray Assistants

PURPOSE AND EFFECT: The purpose of this proposed rule change is to update the Application for Certified Podiatric X-Ray Assistant Form DH-MQA 1026 (06/08) to include the questions required by Section 465.0635, Fla. Stat.

SUBJECT AREA TO BE ADDRESSED: Initial Certification for Podiatric X-Ray Assistants.

RULEMAKING AUTHORITY: 461.005, 461.0135 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 461.003(2), 461.0135 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: Sharon Guilford, Acting Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-26.001	Applicability
65E-26.002	Enrollment and Eligibility Requirements

PURPOSE AND EFFECT: The purpose of the rule development is to create a new rule to incorporate statutory changes in priority populations and services as they relate to enrollment and eligibility requirements. This rule shall apply to all community mental health providers and licensed mental health residential treatment facilities under contract with the department or the agency to provide treatment services to the Substance Abuse and Mental Health Program Offices.

SUBJECT AREA TO BE ADDRESSED: Those sections related to priority populations and services as they relate to enrollment and eligibility requirements.

RULEMAKING AUTHORITY: 394.674(4) FS.

LAW IMPLEMENTED: 394.674 FS.

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

DATE AND TIME: Friday, May 14, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Department of Children and Families, Mental Health Program Office, Building 6, Conference Room 335, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Denise L. Barber, Governmental Operation Consultant III, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room

207, Tallahassee, Florida 32399. If you are 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: Denise L. Barber, Governmental Operation Consultant III, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 207, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-26.001 Applicability.

This chapter establishes standards for identifying individuals who are eligible for publicly funded substance abuse and mental health services and for enrolling these individuals into the department’s priority populations as referenced in Section 394.674, Florida Statutes.

Rulemaking Authority 394.674(4) FS. Law Implemented 394.674 FS. History–New _____.

65E-26.002 Enrollment and Eligibility Requirements.

(1) To be eligible for substance abuse and mental health services funded by the Department of Children and Families (DCF), an individual must be enrolled in one of the department’s priority populations as referenced in Section 394.674, Florida Statutes.

(2) To meet this enrollment requirement, the provider must submit enrollment data and service event data in the department’s database system as follows:

(a) Every service event funded by the department must have a corresponding enrollment record showing the priority population of the person served.

(b) Service event records funded by the department that do not have corresponding enrollment records will not be accepted in the department’s database system.

(3) Each service provider under contract with the Department of Children and Families (DCF) to provide substance abuse and/or mental health services must establish written policies and procedures describing the process for enrolling eligible persons into the department’s priority populations, and for reporting enrollment data elements into the department’s database system.

(4) For eligible persons who meet the department’s priority population criteria and who are admitted into the service provider agency to receive these services, the provider must do the following.

(a) Enroll the person into the most appropriate priority population at the time of admission.

(b) Collect and submit the enrollment data element(s) as part of the “initial admission” record reported in the department’s database system.

(c) Review the enrollment record of each active client as part of the ongoing case review process to determine if the person’s priority population criteria have changed and, if necessary, re-enrolled the person as follows:

1. Re-enroll the person in the most appropriate priority population to reflect the change.

2. Collect and submit the enrollment data element(s) as part of the “priority population update” record reported in the department’s database system. This record shall include only the key fields and the required enrollment data elements.

(5) For eligible persons who meet the department’s priority population criteria but are not admitted into the provider agency because these persons are seen on a brief emergency basis and are immediately discharged or because needed services are unavailable within the provider agency, the provider must also:

(a) Enroll the person into the most appropriate priority population at the time of admission and

(b) Collect and submit the enrollment data element(s) as part of the “immediate discharge” record reported in the department’s database system.

(6) For eligible persons who do not meet the above conditions in subsections 65E-26.002(4) and (5), F.A.C., the providers may, but are not required to, collect and submit the admission records or immediate discharge records in the department’s database system.

Rulemaking Authority 394.674(4) FS. Law Implemented 394.674 FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.:	RULE TITLE:
69A-3.012	Standards of the National Fire Protection Association and Other Standards Adopted

PURPOSE AND EFFECT: To discuss whether NFPA 1-13.3.2.18.1, and NFPA 101-24.3.5.1 should be redacted from the rules.

SUBJECT AREA TO BE ADDRESSED: Sprinkler systems in 1 and 2 family residential dwellings.

RULEMAKING AUTHORITY: 633.01(1), 633.022, 633.0215, 633.025, 633.027 FS.

LAW IMPLEMENTED: 633.01, 633.022, 633.0215, 633.025, 633.027 F.S.

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

DATES AND TIMES: Thursday, May 27, 2010, 1:30 p.m. and Friday, May 28, 2010, 9:00 a.m.

PLACE: Thursday, Miami Beach Convention Center, Meeting Room C 223/224, 1901 Convention Center Drive, Miami Beach, Florida 33139 and Friday at Department of Environmental Protection, Main Conference Room, 13051 N. Telecom Pkwy, Temple Terrace, FL 33637-0926

Pursuant to the provisions of 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: Jim Goodloe, Chief, Bureau of Fire Prevention, (850)413-3620; Jim.Goodloe@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, (850)413-3620; Jim.Goodloe@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: 69A-60.003
 RULE TITLES: Standards of the National Fire Protection Association, NFPA 1, the Uniform Fire Code, Florida 2006 Edition, Adopted

69A-60.004 Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Florida 2006 Edition, Adopted

PURPOSE AND EFFECT: To discuss whether NFPA 1-13.3.2.18.1, and NFPA 101-24.3.5.1 should be redacted from the rules.

SUBJECT AREA TO BE ADDRESSED: Sprinkler systems in 1 and 2 family residential dwellings.

RULEMAKING AUTHORITY: 633.01(1), 633.022, 633.0215, 633.025, 633.027 FS.

LAW IMPLEMENTED: 633.01, 633.022, 633.0215, 633.025, 633.027 FS.

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

DATES AND TIMES: Thursday, May 27, 2010, 1:30 p.m. and Friday, May 28, 2010, 9:00 a.m.

PLACE: Thursday, Miami Beach Convention Center, Meeting Room C 223/224, 1901 Convention Center Drive, Miami Beach, Florida 33139 and Friday at Department of Environmental Protection, Main Conference Room, 13051 N. Telecom Parkway, Temple Terrace, Florida 33637-0926

Pursuant to the provisions of 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: Jim Goodloe, Chief, Bureau of Fire Prevention, (850)413-3620; Jim.Goodloe@myfloridacfo.com. If you are

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, (850)413-3620; Jim.Goodloe@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-221.010
 RULE TITLE: Temporary Orders of Suspension of Bail Bond Agents

PURPOSE AND EFFECT: Section 648.45, Florida Statutes allows a bail bond agent under a temporary order of suspension to discharge liability on bonds effected before the order is issued. The statute is not specific as to what activities a bail bond agent may perform under a suspended license.

The proposed rule identifies specific activities a bail bond agent whose license is suspended may perform with regard to discharging liability on previously effected bonds.

SUBJECT AREA TO BE ADDRESSED: Temporary orders of suspension of bail bond agents and the clarification of what activities are permitted to be performed by bail bond agents under a temporary order of suspension.

RULEMAKING AUTHORITY: 624.307, 624.308, 648.26(1) FS.

LAW IMPLEMENTED: 624.307(1), 648.285, 648.45(1), 648.49, 648.50 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, 9:30 a.m.
 PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Richard Brinkley, (850)413-5654 or Richard.Brinkley@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Brinkley, Government Analyst II, Bureau of Investigation,

Division of Insurance Agent & Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319; (850)413-5654

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

200 East Gaines Street, Tallahassee, FL 32399-0354, (850)413-5712 or Justin.Young@myfloridacfo.com. <http://www.myfloridacfo.com/LegalServices/RuleHearing/>

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.:	RULE TITLES:
69I-69.001	Definitions
69I-69.002	Statement of Revenues, Expenditures and Allocation of Funds
69I-69.003	Additional Auditing Procedures
69I-69.004	Priority for Allocation of Funds

PURPOSE AND EFFECT: Section 29.0085, F.S., requires counties to annually submit to the Chief Financial Officer (CFO) a statement of revenues and expenditures that identifies the total county expenditures on each service outlined in Sections 29.008 and 29.0085, F.S., authorizes the CFO to prescribe the form and manner of the statement. Counties are also required to submit a statement of compliance from their independent certified public accountant certifying that the statement of expenditures is in compliance with Sections 29.008 and 29.0085, F.S. The proposed rule amendments implement the CFO's duties under Sections 29.008 and 29.0085, F.S., and adopt the Statement of County Funded Court-Related Functions form.

SUBJECT AREA TO BE ADDRESSED: Annual statement of county funded court-related functions.

RULEMAKING AUTHORITY: 17.29, 29.0085(3) FS.

LAW IMPLEMENTED: 29.008, 29.0085 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 10, 2010, 3:00 p.m.

PLACE: Room 430, Fletcher Building, 101 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Justin Young (850)413-5712 or Justin.Young@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Justin Young, Financial Administrator, Bureau of Local Government,

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-48.005	Program Requirements

PURPOSE AND EFFECT: Amendment updating rules to reflect new location information of the Florida Department of Citrus.

SUMMARY: Official location information of the Florida Department of Citrus.

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: 601.15 FS.

LAW IMPLEMENTED: 601.15 FS.

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

DATE AND TIME: June 9, 2010, 1:30 p.m.

PLACE: Hyatt Regency Coconut Point, 5001 Coconut Road, Bonita Springs, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us or www.fdocgrower.com under Legal

THE FULL TEXT OF THE PROPOSED RULE IS:

20-48.005 Program Requirements.

A Targeted VAP may be established in one of two ways:

- (1) through (2) No change.

(3) Upon establishing a promotional agreement with a retailer, the shipper will notify the Department of Citrus by submitting the appropriate Targeted VAP Agreement Form, incorporated herein by reference:

(a) No change.

(b) Targeted VAP Agreement Form CIT/MKTG/153/EFF.10/20/99 for a media/demo promotion, incorporated herein by reference, to the Department of Citrus ~~Bartow Lakeland~~ office VAP Administrator. All promotions established by participant require 10 days lead time.

Rulemaking Specific Authority 601.15 FS. Law Implemented 601.15 FS. History—New 11-17-97, Amended 12-6-98, 2-3-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth O. Keck, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth O. Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2010

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

DEPARTMENT OF CITRUS

RULE NO.: 20-68.002
 RULE TITLE: Inspection of Official Tables

PURPOSE AND EFFECT: Amendment updating rules to reflect new location information of the Florida Department of Citrus.

SUMMARY: Official location information of the Florida Department of Citrus.

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: 601.10(1),(7), 601.11, 601.25 FS.

LAW IMPLEMENTED: 601.02(4),(5), 601.10(7), 601.11, 601.25 FS.

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

DATE AND TIME: June 9, 2010, 1:30 p.m.

PLACE: Hyatt Regency Coconut Point, 5001 Coconut Road, Bonita Springs, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us or www.fdocgrower.com under Legal

THE FULL TEXT OF THE PROPOSED RULE IS:

20-68.002 Inspection of Official Tables.

An official copy of the table adopted by Section 20-68.001 is on file in the office of the Secretary of State and at the headquarters office of the Florida Department of Citrus, ~~Bartow Lakeland~~, Florida, and may be inspected by any interested person during business hours.

Rulemaking Specific Authority 601.10(1),(7), 601.11, 601.25 FS. Law Implemented 601.02(4),(5), 601.10(7), 601.11, 601.25 FS. History—Formerly 105-1.36(2), Revised 1-1-75, Formerly 20-68.02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth O. Keck, Executive Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth O. Keck, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2010

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

DEPARTMENT OF CITRUS

RULE NOS.: 20-100.001
 RULE TITLES: Statement of Agency Organization and Operation

20-100.003
 Management and Indexing of Final Orders

20-100.004
 Official Forms Used by Agency

PURPOSE AND EFFECT: Amendment updating rules to reflect new location information of the Florida Department of Citrus.

SUMMARY: Official location information of the Florida Department of Citrus.

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: 120.54(5), 120.53, 601.10(1), (15) FS.

LAW IMPLEMENTED: 120.54(5), 120.53, 601.10(15) FS.

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

DATE AND TIME: June 9, 2010, 1:30 p.m.

PLACE: Hyatt Regency Coconut Point, 5001 Coconut Road, Bonita Springs, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department

of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us or www.fdocgrower.com under Legal

THE FULL TEXT OF THE PROPOSED RULES IS:

20-100.001 Statement of Agency Organization and Operation.

The Department of Citrus operates under the specific authority of Chapter 601, Florida Statutes. A Statement of Agency Organization and Operation is available to any person upon request by contacting the Agency Clerk at the Department of Citrus headquarters office 605 E. Main Street ~~1115 East Memorial Boulevard~~, Post Office Box 9010 148, ~~448~~, Bartow Lakeland, Florida 33831-0910 ~~33802-0148~~, phone (863)537-3999 ~~(941)499-2500~~.

Rulemaking Specific Authority 120.54(5) FS. Law Implemented 120.54(5) FS. History—Adopted 12-18-74, Effective 12-31-74, Formerly 20-100.01, Amended 2-2-98,_____.

20-100.003 Management and Indexing of Final Orders.

(1) through (4) No change.

(5) The Agency Clerk of the Florida Citrus Commission shall be responsible for publishing, maintaining and indexing of final orders and shall assist the public in obtaining information pertaining to final orders, between 8 a.m. and 5 p.m., Monday – Friday except on holidays, at the headquarters of the Department of Citrus, at 605 E. Main Street ~~1115 E. Memorial Blvd.~~ in Bartow Lakeland, Florida.

Rulemaking Specific Authority 120.53 FS. Law Implemented 120.53 FS. History—New 6-15-92, Formerly 20-102.007, Amended 2-2-98,_____.

20-100.004 Official Forms Used by Agency.

In its licensing, regulatory, taxation, marketing and other operational functions the Florida Department of Citrus requires use of the forms listed below. All of these forms are available for inspection by any interested party during regular business hours at the headquarters office located at 605 E. Main Street, ~~1115 East Memorial Boulevard~~, Bartow Lakeland, Florida or may be received upon request by writing the Florida Department of Citrus, P. O. Box 9010 148, Bartow Lakeland, Florida 33831-9010 ~~33802-0148~~ or by telephone (863)537-3999 ~~(863)499-2500~~.

(1) through (52) No change.

Rulemaking Specific Authority 601.10(1), (15) FS. Law Implemented 601.10(15) FS. History—New 1-1-75, Amended 8-31-83, 2-26-84, Formerly 20-102.05, Amended 12-20-95, Formerly 20-102.005, Amended and Transferred 12-6-98, Amended 5-28-00, 9-20-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kenneth O. Keck, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth O. Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2009

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.101 Care of Inmates

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

SUMMARY: The proposed rule clarifies that inmates are permitted to wear authorized athletic shoes, such as canteen-purchased athletic shoes, as part of the Class A uniform except for the purposes of visitation.

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, 945.215 FS.

LAW IMPLEMENTED: 944.09, 945.215 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:

33-602.101 Care of Inmates.

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

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

(a) Class Uniforms will be as follows:

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

a. through g. No change.

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

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

a. through d. No change.

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

3. through 5. No change.

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

1. through 5. No change.

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

7. through 8. No change.

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

10. No change.

(c) through (h) No change.

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

(j) through (k) No change.

(3) The warden or Officer-in-Charge shall give each inmate a receipt for any personal clothing in his possession other than that allowed by the Department of Corrections. In addition, inmates shall be permitted to send such clothing to their families, residences or other persons approved by the warden or Officer-in-Charge at no expense to the Department

of Corrections. Enclosed with such clothing sent from the institution shall be an itemized list thereof, a signed copy of the inmate's written request that it be sent to the addressee to whom the clothing is forwarded. A copy of such list and a signed copy of such written request shall be placed in the inmate's record jacket, along with a notation showing the date of mailing. If the inmate does not send his clothing out of the institution or gives it to the institution within 30 days after his arrival at the institution, it shall be considered forfeited and may be placed in a "clothes closet" for later use by inmates, donated to charity, or disposed of by the institution. Notice of such forfeiture shall be given to the inmate in writing by the warden or designee and a copy of such notice shall be filed in the inmate's property file. (Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(4) through (10) No change.

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

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

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 8, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.023
 RULE TITLE: Food Protection Manager Certification and Public Food Service Employee Training

PURPOSE AND EFFECT: The purpose of the proposed rule development is to correctly identify the location of the adopted basic food protection practices and update the adopted Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs. The effect of the proposed rule development is to comply with the statutory requirement to adopt standards consistent with the standards

adopted by the Conference for Food Protection and ensure food manager certification programs meet the current standards.

SUMMARY: The proposed rule corrects the reference to the adopted food protection practices required for food manager certification and updates the accreditation standards for organizations providing food manager certification by adopting the 2008 version of the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs.

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: 509.032, 509.039, 509.049 FS.

LAW IMPLEMENTED: 509.039, 509.049 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-4.023 Food Protection Manager Certification and Public Food Service Employee Training.

(1) All managers who are responsible for the storage, preparation, display, and serving of foods to the public shall have passed a certification test approved by the division demonstrating a basic knowledge of food protection practices as adopted by the division in this chapter. Those managers who successfully pass an approved certification examination shall be issued a certificate by the certifying organization, which is valid for a period of five years from the date of issuance. Each licensed establishment shall have a minimum of one certified food protection manager responsible for all periods of operation. The operator shall designate in writing the certified food protection manager or managers for each location. A current list of certified food protection managers shall be available upon request in each establishment. When four or more employees, at one time, are engaged in the storage, preparation or serving of food in a licensed establishment, there shall be at least one certified food protection manager present at all times when said activities are taking place. The certified food protection manager or managers need not be

present in the establishment during those periods of operation when there are three or fewer employees engaged in the storage, preparation, or serving of foods. It shall be the responsibility of the certified food protection manager or managers to inform all employees under their supervision and control who engage in the storage, preparation, or serving of food, to do so in accordance with acceptable sanitary practices as described in this chapter.

(2) No change.

(3) The Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs, as adopted by the Conference for Food Protection on ~~August 4, 2008~~ ~~April 12, 2009~~ and herein adopted by reference, shall be the division standard for the recognition of certifying organizations who provide food manager certification examinations. A copy of the Standards for Accreditation of Food Protection Manager Certification Programs is available on the Conference for Food Protection website at www.foodprotect.org. The Division of Hotels and Restaurants shall accept all certification examinations approved by the Conference for Food Protection. Certifying organizations that are accredited by a Conference for Food Protection sanctioned accreditor shall be recognized by the division as approved providers of a Food Protection Manager Certification Program.

(4) No change.

Rulemaking Specific Authority 509.032, 509.039, 509.049 FS. Law Implemented 509.039, 509.049 FS. History—New 2-21-91, Amended 5-12-92, Formerly 10D-13.037, 7C-4.023, Amended 3-31-94, 10-9-95, 1-18-98, 2-7-01, 8-12-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill L. Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Interim Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 25, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.004 **RULE TITLE:** Final Orders

PURPOSE AND EFFECT: The purpose of this proposed rule change is to remove the requirement that the Chair sign all final orders.

SUMMARY: The rule will remove the requirement that the Chair sign all final orders

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

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

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.225, 455.227, 468.621 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-5.004 Final Orders.

(1) Final orders shall be effective upon filing with the Clerk of the Board.

~~(2) The Chair of the Board shall sign all final orders.~~

~~(2)(3)~~ Administrative fines shall be paid within thirty (30) days of the final order at the Board address listed in subsection 61G19-1.002(1), F.A.C.

~~(3)(4)~~ In cases where the Board imposes a civil penalty for violation of Chapter 455 or Part XIII of Chapter 468, F.S., or of the rules promulgated thereunder, the penalty shall be paid within thirty (30) days of its imposition by order of the Board, unless a later time for payment is specified in the Board's Order. Moreover, unless otherwise addressed by the Board at hearings held pursuant to Section 120.57(2), F.S., whenever a fine is levied at said hearing the respondent who is fined shall have all certification to practice suspended with the imposition of the suspension being stayed for thirty (30) days. If the ordered fine is paid within said thirty (30) day period, the suspension imposed shall not take effect. Upon payment of the fine after the thirty (30) days, the suspension imposed shall be lifted. If the certificate holder does not pay the fine, within said period, then immediately upon expiration of the stay, he shall surrender his certificate(s) to an investigator of the Department of Business and Professional Regulation or shall mail said certificate(s) to the Board offices.

~~(4)(5)~~ Failure to pay the penalty within the time specified in this rule or in the Board's Order shall constitute grounds for disciplinary action against the certificate holder.

~~(5)(6)~~ An action against any certificate issued within the purview of the board affects all certificates issued by the board.

~~(6)(7)~~ The Board may reinstate a suspended certificate, or recertify a person whose certificate has been revoked, after review pursuant to Rule 61G19-5.005, F.A.C.

Rulemaking Specific Authority 468.606 FS. Law Implemented 120.59, 455.224, 455.227, 468.621 FS. History--New 5-23-94, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 14, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 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:
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters
62-302.530	Table: Surface Water Quality Criteria

PURPOSE AND EFFECT: On July 20, 2009, the Department of Environmental Protection (Department) received a petition to initiate rulemaking from the Florida Stormwater Association to establish a more refined surface water classification system. The existing surface water classification system has been in effect for over three decades. The Department initiated rulemaking and conducted four public workshops: August 18, 2009; November 18, 2009; January 7, 2010; and February 22, 2010 to receive comments from the public regarding the revision of the existing surface water classification system. The proposed revisions establish a new sub-classification of Class III waters titled Class III-Limited that is intended to recognize that some artificial or altered waters cannot fully support a Class III use due to human-induced physical or habitat conditions. No waters are reclassified as part of this rulemaking nor are there any changes to water quality criteria.

SUMMARY: The Department is amending Chapter 62-302, F.A.C., to revise the existing surface water classification system by adding a new sub-classification under Class III waters titled Class III-Limited. The new Class III-Limited sub-classification is intended to address some artificial or altered waters that cannot fully support a Class III use due to physical or habitat conditions. Any future reclassification of a waterbody to the new Class III-Limited use will require a Use Attainability Analysis as well as the relevant Site Specific Alternative Criteria appropriate for that waterbody. Reclassification requirements are described in Rule 62-302.400, F.A.C., and the document "Process for

Reclassifying the Designated Uses of Florida Surface Waters” (DEP-SAS-001/10), which is incorporated by reference into the rule. Petitioners for a reclassification to Class III-Limited must demonstrate that existing uses of both the reclassified water and downstream water are fully protected, and no classification action or change in designated use shall result in degradation of water quality in Outstanding Florida Waters or Outstanding National Resource Waters.

Chapter 62-302 and Rule 62-302.400, F.A.C., are referenced by a number of other rules. The proposed amendments will have no effect on the following referenced rules, other than to authorize the Department to create a Class III-Limited sub-classification for surface waters to which alternative surface water quality criteria for certain limited parameters may apply in the future: Rules 62-4.242, 62-4.246, 62-25.001, 62-25.025, 62-25.080, 62-29.050, 62-40.120, 62-40.210, 62-113.200, 62-301.100, 62-302.300, 62-302.400, 62-303.100, 62-303.200, 62-303.430, 62-304.310, 62-304.335, 62-304.500, 62-312.050, 62-312.340, 62-312.816, 62-312.819, 62-330.100, 62-330.200, 62-341.486, 62-341.490, 62-341.494, 62-346.051, 62-346.301, 62-528.610, 62-528.630, 62-600.120, 62-600.200, 62-600.300, 62-600.400, 62-600.430, 62-600.440, 62-600.500, 62-600.520, 62-610.200, 62-610.300, 62-610.310, 62-610.650, 62-610.670, 62-610.850, 62-611.110, 62-611.200, 62-611.450, 62-611.500, 62-611.600, 62-611.650, 62-611.700, 62-620.320, 62-620.400, 62-620.620, 62-620.800, 62-624.800, 62-625.300, 62-673.340, 62-673.610, 62-701.200, 62-701.300, 62-709.500, 62-711.540, 62-761.200, 62-762.201, 62-770.200, 62-771.100, 62-777.150, 62-777.170, 62-780.200, 62-782.200, 62-785.200, and 62B-49.012, F.A.C.

Rule 62-302.530, F.A.C., is referenced by a number of other rules. The proposed amendments will have no effect on the following referenced rules other than to authorize the Department to create a Class III-Limited sub-classification for surface waters to which alternative surface water quality criteria for certain limited parameters may apply in the future: Rules 62-302.244, 62-302.200, 62-302.400, 62-302.500, 62-302.530, 62-303.320, 62-303.330, 62-303.370, 62-661.500, 62-611.600, and 62B-49.008, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This rule establishes a new sub-classification of waters (Class III-Limited) and describes the requirements for waterbody reclassifications. This rule establishes the classification structure and process for moving a waterbody into a Class III-Limited classification, but it does not actually move any waters from their existing classification. Because no waters are reclassified under this rulemaking, the proposed rule does not have any direct economic effect on small businesses or any other regulated entities. Any subsequent rulemaking to reclassify waters to a lower classification would also not be expected to have any net adverse economic effect on small counties, small businesses, or any regulated entity that applies for a reclassification

because reclassifications will only be sought when there would be an economic advantage to do so. The Department has been advised by industry representatives that any regulated entity, after conducting a cost-benefit analysis, would not seek reclassification unless the short term cost of the reclassification process was offset by the long term economic benefits of the resulting regulatory relief. Reclassifications will also not have any adverse economic impacts on small counties, small businesses, or other entities that use the waters addressed by a reclassification because reclassifications will not be allowed to lower existing water quality or remove existing uses in the reclassified water or downstream waters. The Department prepared a SERC to evaluate the potential future costs associated with future rulemaking triggered by a petition for reclassification (e.g., costs for water quality sampling, hiring a consultant, applying for a Site Specific Alternative Criterion).

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: 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708 FS.

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

DATE AND TIME: Thursday, May 20, 2010, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us. Copies of the draft rule as well as further information also may be obtained from the Department’s internet site at: <http://www.dep.state.fl.us/secretary/designateduse.htm>. (OGC No. 09-3372)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-302.400 Classification of Surface Waters, Usage, Reclassification, Classified Waters.

(1) All surface waters of the State have been classified according to designated uses as follows:

- | | |
|--------------------------|--|
| CLASS I | Potable Water Supplies |
| CLASS II | Shellfish Propagation or Harvesting |
| CLASS III | <u>Fish Consumption; Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife</u> |
| <u>CLASS III-Limited</u> | <u>Fish Consumption; Recreation or Limited Recreation; and/or Propagation and Maintenance of a Limited Population of Fish and Wildlife</u> |
| CLASS IV | Agricultural Water Supplies |
| CLASS V | Navigation, Utility and Industrial Use |

(2) Classification of a waterbody ~~water body~~ according to a particular designated use or uses does not preclude use of the water for other purposes.

(3) The specific water quality criteria corresponding to each surface water classification are listed in Rules 62-302.500 and 62-302.530, F.A.C.

(4) Water quality classifications are arranged in order of the degree of protection required, with Class I water having generally the most stringent water quality criteria and Class V the least. However, Class I, II, and III surface waters share water quality criteria established to protect fish consumption, recreation and the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

(5) Class III-Limited surface waters share the same water quality criteria as Class III except for any site specific alternative criteria that have been established for the waterbody under Rule 62-302.800, F.A.C. Class III-Limited waters are restricted to waters with human-induced physical or habitat conditions that prevent attainment of Class III uses and do not include waterbodies that were created for mitigation purposes. Class III-Limited waters are restricted to:

(a) Wholly artificial waterbodies that were constructed consistent with regulatory requirements under Part I or Part IV of Chapter 373 or Part V of Chapter 403, F.S.; or

(b) Altered waterbodies that were dredged or filled prior to November 28, 1975. For purposes of this section, "altered waterbodies" are those portions of natural wetlands and other surface waters that were dredged or filled prior to November 28, 1975, to such an extent that they exhibit separate and distinct hydrologic and environmental conditions from any waters to which they are connected.

(6)(5) No change.

(7)(6) Any person regulated by the Department or having a substantial interest in a surface waterbody ~~this Chapter~~ may seek reclassification of waters of the State by filing a petition with the Department in accordance with Rule 28-103.006, F.A.C. ~~Secretary in the form required by Section 120.57, F.S.~~

(8)(7) A petition for reclassification shall reference and be accompanied by the information necessary to support the affirmative findings required in this ~~s~~Section, as described in the DEP document titled, "Process for Reclassifying the Designated Uses of Florida Surface Waters" (DEP-SAS-001/10), incorporated by reference herein. Copies of the Process document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400 ~~to support the proposed reclassification.~~

(9)(8) All reclassifications of waters of the State shall be adopted, after public notice (including notification to affected local governments and sovereign American Indian tribes) and public hearing, only upon ~~an~~ affirmative findings by the Environmental Regulation Commission that:

(a) The proposed reclassification will establish the present and future most beneficial use of the waters; ~~and~~

(b) Such a reclassification is clearly in the public interest after considering public input, including special consideration of input submitted by elected city or county governing bodies and sovereign American Indian tribes, who represent the public interest where the waters, and affected upstream and downstream waters, are located;

(c) The proposed reclassification does not allow for the lowering of existing water quality nor result in the nonattainment of water quality standards in downstream waters;

(d) The demonstrations required under subsections (10)-(12) below are met as applicable; and

(e) The requirements contained in Rule 62-302.400, F.A.C., are satisfied.

(10)(9) Reclassification of waters of the State which establishes more stringent criteria than presently established by this cChapter shall be adopted, only upon additional affirmative finding by the Environmental Regulation Commission that the proposed designated use is attainable, upon consideration of environmental, technological, social, economic, and institutional factors. The assessment of attainability shall address upstream effects of reclassification.

(11) If rulemaking is initiated for a less stringent classification, the petitioner or the Department shall include in the reclassification documentation appropriate and scientifically defensible water quality, biological, hydrological, and habitat studies and analyses, as well as environmental, technological, social, and economic studies, including costs to

small businesses and local governments, as necessary to establish the present and future most beneficial use by demonstrating that:

(a) No existing uses are being removed and the less stringent criteria associated with the designation will not result in the nonattainment of water quality standards in downstream waters;

(b) The designated uses being removed cannot be attained by implementing effluent limits required by sections 301(b) and 306 of the Federal Clean Water Act in conjunction with implementation of cost-effective and reasonable best management requirements for nonpoint source pollution control; and

(c) One or more of the following situations occur:

1. Concentrations of naturally occurring substances prevent the attainment of the use;

2. Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating State water conservation requirements to enable uses to be met;

3. Human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place;

4. Dams, diversions, or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the waterbody to its original condition or to operate such modification in a way that would result in the attainment of the use;

5. Physical conditions related to the natural features of the waterbody, such as the lack of a proper substrate, cover, flow, depth, pool, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or

6. Controls more stringent than those required by sections 301(b) and 306 of the Federal Clean Water Act would result in substantial and widespread economic and social impact.

(12) The petition for a Class III-Limited classification shall include appropriate Site Specific Alternative Criteria proposals that are protective of the most beneficial use as determined by the demonstration in subsection (9) above. Site Specific Alternative Criteria established to support the Class III-Limited designated use are restricted to numeric criteria for any or all of the following parameters: nutrients (including nutrient response variables), bacteria, dissolved oxygen, alkalinity, specific conductance, transparency, turbidity, biological integrity, or pH. Site Specific Alternative Criteria for these parameters shall not be set at levels less stringent than water quality conditions at the time of reclassification. Proposed Site Specific Alternative Criteria for other parameters must fully protect Class III uses.

(13) Nothing contained in subsections (8) through (12) above shall be deemed to pre-empt or prohibit the regulatory implementation, adoption, continuation or enforcement of more stringent criteria that are established by a local government through a local pollution control program.

(14)(40) The surface waters of the State of Florida are classified as Class III – Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife, except for certain waters which are described in subsection 62-302.400(16), F.A.C. Rule 62-302.400(12); F.A.C. A waterbody water body may also be designated as an Outstanding Florida Water or an Outstanding National Resource Water in addition to being classified as Class I, Class II, or Class III. Outstanding Florida Waters and Outstanding National Resource Waters are not designated use classifications. A waterbody water body may also have special standards applied to it. However, notwithstanding any provision of this section, no classification action or change in designated use shall result in degradation of water quality in Outstanding Florida Waters or Outstanding National Resource Waters. Outstanding Florida Waters and Outstanding National Resource Waters are listed in Rule 62-302.700, F.A.C.

(15)(41) No change.

(16)(42) Exceptions to Class III:

(a) No change.

(b) The following listed waterbodies water bodies are classified as Class I, Class II, Class III-Limited, or Class V:

1. through 67. No change.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708 FS. History—Formerly 28-5.06, 17-3.06, Amended and Renumbered 3-1-79, Amended 1-1-83, 2-1-83, Formerly 17-3.081, Amended 4-25-93, Formerly 17-302.400, Amended 12-26-96, 8-24-00, 12-7-06,_____.

62-302.530 Table: Surface Water Quality Criteria.

The following table contains both numeric and narrative surface water quality criteria to be applied except within zones of mixing. The left-hand column of the Table is a list of constituents for which a surface water criterion exists. The headings for the water quality classifications are found at the top of the Table. Applicable criteria lie within the Table. The individual criteria should be read in conjunction with other provisions in water quality standards, including Rule 62-302.500, F.A.C. The criteria contained in Rule 62-302.500, F.A.C., also apply to all waters unless alternative or more stringent criteria are specified in Rule 62-302.530, F.A.C. Unless otherwise stated, all criteria express the maximum not to be exceeded at any time. In some cases, there are separate or additional limits, which apply independently of the maximum not to be exceeded at any time. For example, annual average (denoted as “annual avg.” in the Table) means the maximum concentration at average annual flow conditions (see

subsection 62-302.200(2), F.A.C.). In applying the water quality standards, the Department shall take into account the variability occurring in nature and shall recognize the statistical variability inherent in sampling and testing procedures. The Department's assessment methodology, set forth in Chapter 62-303, F.A.C., accounts for such natural and

statistical variability when used to assess ambient waters pursuant to sections 305(b) and 303(d) of the Federal Clean Water Act.

Criteria for Surface Water Quality Classifications							
Parameter	Units	Class I: Potable Water Supply	Class II: Shellfish Propagation or Harvesting	Class III and Class III-Limited (see Note 4): Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife		Class IV: Agricultural Water Supplies	Class V: Navigation, Utility, and Industrial Use
				Predominantly Fresh Waters	Predominantly Marine Waters		
(1) through (70) No change.							

Notes: (1) "ln H" means the natural logarithm of total hardness expressed as milligrams/L of CaCO₃. For metals criteria involving equations with hardness, the hardness shall be set at 25 mg/L if actual hardness is < 25 mg/L and set at 400 mg/L if actual hardness is > 400 mg/L; (2) This criterion is protective of human health not of aquatic life. (3) For application of dissolved metals criteria see paragraph 62-302.500(2)(d), F.A.C. (4) Class III-Limited waters have at least one Site Specific Alternative Criterion as established under Rule 62-302.800, F.A.C.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History--New 1-28-90, Formerly 17-3.065, Amended 2-13-92, 6-17-92, Formerly 17-302.540, 17-302.550, 17-302.560, 17-302.570, 17-302.580, Amended 4-25-93, Formerly 17-302.530, Amended 1-23-95, 1-15-96, 5-15-02, 7-19-04, 12-7-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Brooks
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 RULE NO.: 62-302.800
 RULE TITLE: Site Specific Alternative Criteria
 PURPOSE AND EFFECT: On January 30, 2009, the Department received a petition from Buckeye Florida, L.P. (Buckeye) to establish Site Specific Alternative Criteria (SSAC) for transparency in the lower Fenholloway River and near-shore waters, pursuant to Rule 62-302.800(2) of the Florida Administrative Code. All of the waters covered in the

petition are classified as Class III marine waters with a designated use of "recreation, propagation and maintenance of a healthy, well-balanced population of fish and wildlife" (Rule 62-302.400, F.A.C.) The proposed SSAC for transparency establishes alternative transparency criteria to protect both phytoplankton and submerged aquatic vegetation and fully protect the designated use of the waters.

SUMMARY: The Department is amending Rule 62-302.800, F.A.C., to establish Site Specific Alternative Criteria for transparency in the lower Fenholloway River and near-shore waters. The SSAC fully protects the designated use of the waters and will replace the default transparency criteria in Rule 62-302.530, F.A.C., for these waters.

Chapter 62-302 or Rule 62-302.800, F.A.C., is referenced by a number of other rules. The proposed amendments will have no effect on the following referenced rules other than to allow a discharger to meet a less stringent criterion for transparency than the criterion listed in the Table in Rule 62-302.530, F.A.C.: Rules 62-4.246, 62-25.001, 62-25.025, 62-25.080, 62-29.050, 62-40.120, 62-40.210, 62-110.106, 62-113.200, 62-301.100, 62-302.300, 62-302.500, 62-302.800, 62-303.100, 62-303.200, 62-303.430, 62-304.310, 62-304.335, 62-304.500, 62-312.050, 62-312.340, 62-312.816, 62-330.100, 62-330.200, 62-341.486, 62-346.051, 62-346.301, 62-528.610, 62-528.630, 62-600.120, 62-600.200, 62-600.300, 62-600.400, 62-600.430, 62-600.440, 62-600.500, 62-600.520, 62-610.200, 62-610.300, 62-610.310, 62-610.650, 62-610.670, 62-610.850, 62-611.200, 62-611.450, 62-611.500, 62-611.600, 62-611.650, 62-611.700, 62-620.320, 62-620.400, 62-620.620, 62-620.800, 62-624.800, 62-625.300, 62-673.340, 62-673.610, 62-701.200, 62-701.300, 62-709.500, 62-711.540, 62-761.200, 62-762.201, 62-770.200, 62-771.100, 62-777.150, 62-777.170, 62-780.200, 62-782.200, 62-785.200, and 62B-49.012, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. Thus, 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: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.502 FS.

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

DATE AND TIME: Thursday, May 20, 2010, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us. Copies of the draft rule as well as further information also may be obtained from the Department's internet site at: <http://www.dep.state.fl.us/water/wqssp/surface.htm>

THE FULL TEXT OF THE PROPOSED RULE IS:

62-302.800 Site Specific Alternative Criteria.

(1) through (4) No change.

(5) Site specific alternative criteria apply to the water bodies, or portions of the water bodies, listed below. For dissolved oxygen site specific alternative criteria, normal daily and seasonal fluctuations above the levels listed in the table below shall be maintained.

(a) through (b) No change.

Water Body and Class	Site Specific Alternative Criteria	County(s)
<u>(c) Fenholloway River from river mile -0.1 to river mile 3.5. Class III.</u>	<u>The annual average compensation depth for photosynthetic activity for phytoplankton shall not be decreased greater than 44.3 percent from background conditions as determined by an annual average compensation depth of at least 0.66 meters at river mile 0.53 (station F06). This value must be based on a minimum of 12 measurements during times when the average flow at Coeey Island Bridge at river mile 7.15 measures less than 200 cubic feet per second.</u>	<u>Taylor</u>
<u>(d) Fenholloway River coastal waters (Apalachee Bay) as spatially defined by the coordinates (83° 49' 29.95" W, 29° 59' 38.70" N), (83° 45' 3.61" W, 29° 57' 22.10" N), (83° 47' 23.50" W, 29° 54' 5.01" N), and (83° 51' 45.47" W, 29° 56' 25.71" N). Class III.</u>	<u>The annual average down-welling light at 1 m depth at stations F10 (83° 47' 6.60" W, 29° 57' 4.20" N) and F11 (83° 48' 27.00" W, 29° 57' 38.40" N) shall be 27 percent or more of surface values based on a minimum of 12 measurements using a 2 pi sensor during times when the average flow at Coeey Island Bridge at river mile 7.15 measures less than 200 cubic feet per second.</u>	<u>Taylor</u>

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.502 FS History-Formerly 17-3.05(4), Amended 3-1-79, 10-2-80, 2-1-83, Formerly 17-3.031, Amended 6-17-92, Formerly 17-302.800, Amended 5-15-02, 1-9-06, 6-28-06, 12-7-06, 8-5-07,_____.

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Brooks

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-30.004
 RULE TITLE: Citations

PURPOSE AND EFFECT: To make the timeframes for compliance with citations consistent.

SUMMARY: The rule amendment approves making timeframes for compliance with citations consistent.

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

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

RULEMAKING AUTHORITY: 456.072, 456.077 FS.

LAW IMPLEMENTED: 456.072, 456.077 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-30.004 Citations.

(1) through (2) No change.

(3) The Board hereby designates the following as citation violations, which shall result in a penalty as specified below:

(a) through (g) No change.

(h) First-time failure of the licensee to satisfy continuing education requirements established by the Board; Fine of \$250.00, and one hour of continuing education for each hour not completed or completed late. These continuing education hours are to be completed within 90 days ~~three months~~ of the date of citation issuance.

(i) through (3)(m) No change.

(4) No change.

(5) All fines and costs imposed in a citation shall be paid within 30 days of the date the citation is filed.

Rulemaking Specific Authority 456.072, 456.077 FS. Law Implemented 456.072, 456.077 FS. History--New 1-1-92, Amended 11-15-92, Formerly 21L-30.004, Amended 9-30-93, 12-12-93, 4-21-97, Formerly 61G11-30.004, Amended 8-16-98, 7-18-99, 7-27-00, 10-12-03, 8-9-04, 5-1-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: 64B8-9.0131
 RULE TITLES: Standards of Practice for Physicians Practicing in Pain Management Clinics

64B8-9.0132
 Requirement for Pain Management Clinic Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The proposed Rule 64B8-9.0131, F.A.C., is intended to set forth the appropriate standards for physicians who practice in pain management clinics pursuant to Section 458.309, Florida Statutes. The proposed Rule 64B8-9.0132, F.A.C., is intended to set forth the requirements for registration and inspection or accreditation of pain clinics.

SUMMARY: The proposed Rule 64B8-9.0131, F.A.C., sets forth standards for physicians practicing in pain management clinics pursuant to Section 458.309, F.S. Specifically, the rule addresses facility operations, physical operations, infection control requirements, health and safety requirements, quality assurance requirements, patient records, training requirements, and data collection. The proposed Rule 64B8-9.0132, F.A.C., sets forth the requirements necessary to register a pain management clinic; the requirements for inspection of pain management clinics; and provisions for pain clinics accredited by nationally recognized accrediting agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared two Statements of Estimated Regulatory Costs for these rules. With regard to Rule 64B8-9.0131, F.A.C., at least 968 pain management clinics will be impacted by the rule. The rule will require clinic owners to comply with facility and physical operations including signage, telephones, emergency lighting, etc. In addition, the rule requires drug testing of patients and depending on the collection and testing method utilized, there may be an increased cost associated with the required drug testing in those clinics which are not already testing as required by the proposed rule. It is estimated that the required risk management review of pain management clinics will cost approximately \$2,500 per clinic. The rule also requires training and continuing education for physicians working in pain management clinics and although the training and continuing education courses have not been developed, they are expected to cost between \$20 – \$102 per hour, based upon currently available continuing medical education courses. With regard to Rule 64B8-9.0132, to date 968 pain management clinic applications have been received by the Department of Health. The rule requires all clinics to undergo an annual inspection by

the Department which is estimated to be \$1,500 per inspection. Once accrediting agencies have been approved, it is anticipated that the number of departmental inspections will decrease as some clinics will elect national accreditation.

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

RULEMAKING AUTHORITY: 458.309 (5) FS.

LAW IMPLEMENTED: 458.309 (4), (5) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0131 Standards of Practice for Physicians Practicing in Pain Management Clinics.

THESE RULES ARE APPLICABLE ONLY TO PHYSICIANS WHO ARE TREATING PATIENTS BY PRESCRIBING OR DISPENSING CONTROLLED SUBSTANCES FOR THE TREATMENT OF CHRONIC NONMALIGNANT PAIN AT A PAIN MANAGEMENT CLINIC. FOR PURPOSES OF THIS RULE, IT IS PRESUMED THAT THE PREVAILING STANDARD OF CARE FOR THE TREATMENT OF CHRONIC NONMALIGNANT PAIN IS A MULTI-DISCIPLINARY APPROACH AND IS NOT PRESCRIPTION-BASED ONLY.

(1) Definitions.

(a) Controlled Substance. A “controlled substance” is any substance named or described in Schedules I-V of Section 893.03, Florida Statutes.

(b) Adverse Incidents. An “adverse incident” is any incident set forth in Sections 458.351(4)(a)-(e), Florida Statutes.

(c) “Board-certified pain management physician” means a physician who possesses Board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) and holds a sub-specialty certification in pain medicine; or Board certification in pain medicine by the American Board of Pain Medicine (ABPM).

(d) “Addiction medicine specialist” means a board certified psychiatrist with a subspecialty certification in addiction medicine or who is eligible for such subspecialty certification in addiction medicine or an addiction medicine physician currently certified or eligible for certification by the American Society of Addiction Medicine (ASAM).

(e) “Mental health addiction facility” means a facility licensed pursuant to Chapter 394 or 397, Florida Statutes.

(2) Standards of Practice in Pain Management Clinics.

(a) Evaluation of Patient and Medical Diagnosis. A complete medical history and a physical examination must be conducted prior to commencement of any treatment and documented in the medical record. The exact components of the physical examination shall be left to the judgment of the clinician who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of prior medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance.

(b) Treatment Plan. The written individualized treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the physician shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) Informed Consent and Agreement for Treatment. The physician shall discuss the risks and benefits of the use of controlled substances including the risks of abuse/addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or with the patient’s surrogate or guardian if the patient is incompetent. The physician shall employ the use of a written controlled substance agreement between physician and patient outlining patient responsibilities, including, but not limited to:

1. To assure the medical necessity and safety of any controlled substances that the physician may consider prescribing as part of the patient’s treatment plan, drug testing shall be conducted and the results reviewed prior to the initial issuance or dispensing of a controlled substance prescription, and thereafter, on a random basis at least twice a year and when requested by the treating physician;

2. Number and frequency of all prescription refills;

3. Patient compliance and reasons for which drug therapy may be discontinued (i.e., violation of agreement); and

4. Agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating physician unless otherwise authorized by the treating physician and documented in the medical record.

(d) Periodic Review. The patient shall be seen by the physician at regular intervals, not to exceed three months, to assess the efficacy of treatment, assure that controlled substance therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects and review the etiology of the pain. Continuation or modification of therapy shall depend on the physician's evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the physician shall reevaluate the appropriateness of continued treatment. The physician shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of three-month intervals.

(e) Consultation. The physician shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those pain patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation, and requires consultation with or referral to an expert in the management of such patients.

(f) Patient Drug Testing. To assure the medical necessity and safety of any controlled substances that the physician may consider prescribing as part of the patient's treatment plan, patient drug testing shall be performed in accordance with one of the collection methods set forth below and shall be conducted and the results reviewed prior to the initial issuance or dispensing of a controlled substance prescription, and thereafter, on a random basis at least twice a year and when requested by the treating physician. Nothing in this rule shall preclude a pain-management clinic from employing additional measures to assure the integrity of the urine specimens provided by patients.

1. Referral to an outside laboratory. A physician shall send the patient to a Clinical Laboratory Improvement Amendments (CLIA)-certified laboratory:

2. Specimen collected in the pain-management clinic and sent to an outside laboratory for testing. A physician shall collect in the office the patient specimen to be used for drug testing in a device that measures pH, specific gravity, and temperature and then the specimen shall be sent to a CLIA-certified laboratory. The physician shall follow the collection procedures required by the agreement the pain-management clinic has entered into with the CLIA-certified laboratory it uses.

3. Specimen collected and tested in office. A physician shall collect and test in the office the specimen to be used for drug testing using CLIA-waived point-of-care test or

CLIA-certified test that uses a device that measures the pH, specific gravity, and temperature. Results of the drug test shall be read according to the manufacturer's instructions.

(g) Patient Medical Records. The physician is required to keep accurate and complete records to include, but not be limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence;

2. Diagnostic, therapeutic, and laboratory results;

3. Evaluations and consultations;

4. Treatment objectives;

5. Discussion of risks and benefits;

6. Treatments;

7. Medications (including date, type, dosage, and quantity prescribed);

8. Instructions and agreements;

9. Periodic reviews;

10. Drug testing results;

11. A photocopy of the patient's government issued photo identification; and

12. If a written prescription for a controlled substance is given to the patient, a duplicate of said prescription must be maintained in the patient's medical record.

13. Each pain management clinic physician's medical record shall contain the physician's full name presented in a legible manner. In addition, each clinic must maintain a log on the premises which shall contain the full name, presented in a legible manner, along with a corresponding sample signature and initials of every physician, anesthesiologist assistant, and physician assistant working in the clinic.

14. Medical records must remain current, they must be maintained in an accessible manner and readily available for review and must be in full compliance with Rule 64B8-9.003, F.A.C., and Section 458.331(1)(m), F.S.

(h) Denial or Termination of Controlled Substance Therapy.

1. If a patient's initial drug testing reflects the adulteration of the specimen or the presence of illegal or controlled substances, (other than medications with approved prescriptions) or when the testing result is questioned by either the patient or the physician, the specimen will be sent to a CLIA-certified laboratory for gas or liquid chromatography/mass spectrometry (GC or LC/MS) confirmation. If the result of the GC or LC/MS testing is positive, the physician shall refer the patient for further consultation with a board-certified pain management physician, an addiction medicine specialist, or from a mental health addiction facility as it pertains to drug abuse or addiction. After consultation is obtained, the physician shall document in the medical record the results of the consultation. The treating physician shall not prescribe or dispense any controlled substances until there is written concurrence of

medical necessity of continued controlled substance therapy provided by a board-certified pain management physician an addiction medicine specialist, or from a mental health addiction facility. If the treating physician is a board-certified pain management physician, or an addiction specialist, the physician does not need to refer the patient for further consultation. If the physician suspects diversion, then the patient shall be discharged and all results of testing and actions taken by the physician shall be documented in the patient's medical record.

2. For patients currently in treatment by the physician or any other physician in the same pain management clinic, patients with signs or symptoms of substance abuse, shall be immediately referred to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the physician is board-certified or board-eligible in pain management. Throughout the period of time prior to receiving the consultant's report, a prescribing physician shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to assure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing physician will incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record.

3. For patients currently in treatment by the physician or any other physician in the same pain management clinic, evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy and the patient shall be discharged and all results of testing and actions taken by the physician shall be documented in the patient's medical record.

(i) Facility and Physical Operations.

1. A pain management clinic shall be located and operated at a publicly accessible fixed location and shall contain the following:

a. A sign that can be viewed by the public that contains the clinic name, hours of operations, and a street address;

b. A publicly listed telephone number and a dedicated phone number to send and receive faxes with a fax machine that shall be operational twenty-four hours per day;

c. Emergency lighting and communications;

d. Reception and waiting area;

e. Restroom;

f. Administrative area including room for storage of medical records, supplies and equipment;

g. Private patient examination room(s);

h. Treatment room(s) if treatment is being provided to the patient;

i. A printed sign located in a conspicuous place in the waiting room viewable by the public disclosing the name and contact information of the clinic Medical Director or Designated Physician, and the names of all physicians practicing in the clinic;

j. Storage and handling of prescription drugs. Clinics that store and dispense prescription drug shall comply with Section 499.0121, Florida Statutes, Section 893.07, Florida Statutes, and Rule 64F-12.012, Florida Administrative Code.

2. Nothing in this subsection shall excuse a physician from providing any treatment or performing any medical duty without the proper equipment and materials as required by the standard of care.

(j) Infection Control.

1. The clinic shall maintain equipment and supplies to support infection prevention and control activities.

2. The clinic shall identify infection risks based on the following:

a. Geographic location, community, and population served;

b. The care, treatment and services it provides; and

c. An analysis of its infection surveillance and control data.

3. The clinic shall maintain written infection prevention policies and procedures that address the following:

a. Prioritized risks;

b. Limiting unprotected exposure to pathogen;

c. Limiting the transmission of infections associated with procedures performed in the clinic; and

d. Limiting the transmission of infections associated with the clinics use of medical equipment, devices, and supplies.

(k) Health and Safety.

1. The clinic, including its grounds, buildings, furniture, appliances and equipment shall be structurally sound, in good repair, clean, and free from health and safety hazards.

2. The clinic shall have evacuation procedures in the event of an emergency which shall include provisions for the evacuation of disabled patients and employees.

3. The clinic shall have a written facility-specific disaster plan which sets forth actions that will be taken in the event of clinic closure due to unforeseen disasters which shall include provisions for the protection of medical records and any controlled substances.

4. Each clinic shall have at least one employee on the premises during patient care hours that is certified in Basic Life Support and is trained in reacting to accidents and medical emergencies until emergency medical personnel arrive.

(l) Quality Assurance. Each pain management clinic shall have an ongoing quality assurance program that objectively and systematically monitors and evaluates the quality and appropriateness of patient care, evaluates methods to improve patient care, identifies and corrects deficiencies within the

facility, alerts the Medical Director or Designated Physician to identify and resolve recurring problems, and provides for opportunities to improve the facility's performance and to enhance and improve the quality of care provided to the public. The Medical Director or Designated Physician shall establish a quality assurance program that includes the following components:

1. The identification, investigation, and analysis of the frequency and causes of adverse incidents to patients.
2. The identification of trends or patterns of incidents.
3. The development of measures to correct, reduce, minimize, or eliminate the risk of adverse incidents to patients, and
4. The documentation of these functions and periodic review no less than quarterly of such information by the medical director or designated physician.
5. The Quality Assurance program must be reviewed annually by a Florida-licensed risk manager and documentation of said annual review must be provided to the Department together with any corrective action plan within 30 days of the annual review and maintained for inspection purposes.

(m) Data Collection and Reporting.

1. Reporting of adverse incidents. The Medical Director or Designated Physician for each pain-management clinic shall report all adverse incidents to the Department of Health as set forth in Section 458.351, Florida Statutes.
2. The Medical Director or Designated Physician shall also report to the Board of Medicine/Department, in writing, on a quarterly basis the following data:
 - a. Number of new and repeat patients seen and treated at the clinic, including the number of those prescribed controlled substances;
 - b. The number of patients discharged due to drug abuse;
 - c. The number of patients discharged due to drug diversion;
 - d. The outcomes of patient referral or discharge; and
 - e. The number of patients treated at the pain clinic whose domicile is located somewhere other than in Florida. A patient's domicile is the patient's fixed or permanent home to which he intends to return even though he may temporarily reside elsewhere.
3. All physicians practicing in pain-management clinics shall advise the Board of Medicine/Department in writing, within 15 days of beginning or ending his or her practice at a pain-management clinic.

(n) Training Requirements.

Physicians prescribing or dispensing controlled substance medications in pain-management clinics registered pursuant to Section 458.309(4), Florida Statutes, shall be required to successfully complete 20-hours of CME addressing any of the

subject areas set forth in subparagraph 6. below once every licensure biennium, and also must meet one of the following qualifications:

1. Board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) and holds a sub-specialty certification in pain medicine;
2. Board certification in pain medicine by the American Board of Pain Medicine (ABPM);
3. Successful completion of a post graduate training program in Pain Medicine/Management accredited by the Accreditation Council for Graduate Medical Education (ACGME) within the previous three years;
4. Current staff privileges at a Florida-licensed hospital to practice pain medicine or perform pain medicine procedures;
5. Until January 2012, three (3) years of full-time practice in pain-management and within six months of the effective date of this rule, attendance and successful completion of 40 hours of in-person, live-participatory AMA Category I CME courses in pain management that include a post-course test or examination and address all the following subject areas:
 - a. The goals of treating both short term and ongoing pain treatment;
 - b. Controlled substance prescribing rules, including controlled substances agreements;
 - c. Drug screening or testing, including usefulness and limitations;
 - d. The use of controlled substances in treating short-term and ongoing pain syndromes, including usefulness and limitations;
 - e. Evidenced-based non-controlled pharmacological pain treatments;
 - f. Evidenced-based non-pharmacological pain treatments;
 - g. A complete pain medicine history and a physical examination;
 - h. Appropriate progress note keeping;
 - i. Comorbidities with pain disorders, including psychiatric and addictive disorders;
 - j. Drug abuse and diversion, and prevention of same;
 - k. Risk management; and
 - l. Medical ethics.

In addition to the CME set forth in subparagraph 5. above, physicians must be able to document hospital privileges at a Florida-licensed hospital; practice under the direct supervision of a physician who is qualified in subparagraph 1. or 2. above; or have the practice reviewed by a Florida-licensed risk manager and document compliance with all recommendations of the risk management review.

6. After January 2012, for physicians not qualifying under subparagraphs 1. through 4. above, successful completion prior to working in a pain management clinic and every 2 years thereafter, of a pain-management course that is between 80 and 120-hours offered by a Florida accredited allopathic or

osteopathic medical school that addresses the subject areas listed below. This completion of this course will satisfy the requirement for the 20 hours of CME set forth subsection (n) above. The course shall contain the following subject areas:

a. Overview

I. Definitions

II. Statistics

III. Ethical implications

IV. Societal implications

b. Anatomy and Physiology of Pain

I. Nociception

A. Inflammatory

B. Nociceptive

C. Neuropathic

II. Nociceptive pathways

A. Peripheral Nociceptor

B. Spinal cord

i. Ascending

ii. Descending modulatory

C. Brainstem

D. Supraspinal

III. Classification of Pain

A. Acute/subacute/chronic

B. Nociceptive versus neuropathic

C. Cancer related versus non-cancer related

D. Somatic versus visceral

E. Psychosomatic versus organic/physical

IV. Pain Pharmacology

A. Pharmacokinetics

B. Pharmacodynamics

V. Peripheral and Central sensitization

c. Nociceptive Time Course

I. Acute

II. Subacute

III. Chronic/Persistent

d. Common Pain Syndromes

I. Axial Neck/Back Pain

A. Mechanical

B. Discogenic

II. Radicular Pain

III. Spinal Stenosis

IV. Failed back surgical syndrome/Post-laminectomy pain

V. Headache

A. Migraine

B. Occipital

C. Cluster

D. Tension

VI. Myofascial pain and Fibromyalgia

VII. Neuropathic Pain

A. Diabetic peripheral neuropathy

B. Post-herpetic neuralgia

C. Complex regional pain syndrome

D. Idiopathic

VII. Abdominal pain

VIII. Cancer-related pain

IX. Pain Palliation – End of life

e. Treatment Goals

I. Short term

II. Long term

f. The Pain Medicine History and Physical Examination

g. Imaging

I. Xrays

II. CT

III. MRI

IV. Indications for plain and contrast images

V. Diagnostic usefulness and limitations of imaging

h. EMG/NCS

i. Rheumatologic Tests

j. Drug Testing

I. Urine

II. Serum

III. Other

IV. Usefulness

V. Limitations

k. Appropriate Documentation

l. Pharmacological Therapy

I. Opioids

A. Structural classification of opioids

B. Routes of administration

C. Pharmacokinetics

D. Mechanism of action

E. Equivalency

F. Indications

i. Short term

ii. Long term

G. Efficacy

H. Side effects

I. Interactions

II. Non-opiate analgesics

A. Acetaminophen

i. Mechanism of action

ii. Indications

(A) Short term

(B) Long term

iii. Efficacy

iv. Side effects

v. Interactions

B. Cyclooxygenase Inhibitors

- i. Classification and implications of the classifications of cyclooxygenase inhibitors
 - (A) Carboxylic acids
 - (B) Pyrazoles
 - (C) Oxicams
 - (D) Coxibs
 - (E) Acetylsalicylic acids
 - (F) Acetic acids
 - (G) Propionic acids
 - (H) Anthranilic acids
- ii. Mechanism of action
- iii. Indications
 - (A) Short term
 - (B) Long term
- iv. Efficacy
- v. Side effects
- vi. Interactions
- C. Mixed Serotonergic-Noradrenergic and Mu Agonists
 - i. Mechanism of action
 - ii. Indications
 - (A) Short term
 - (B) Long term
 - iii. Efficacy
 - iv. Cautions and contraindications
 - v. Side effects
 - vi. Interactions
- III. Membrane Stabilizers
 - A. Mechanism of action
 - B. Indications
 - i. Short term
 - ii. Long term
 - C. Efficacy
 - D. Side effects
 - E. Interactions
- IV. Local anesthetics
 - A. Mechanism of action
 - B. Structural classification and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side effects
 - F. Interactions
 - G. Pharmacokinetics
- V. Tricyclic antidepressants (TCAs) / Selective Serotonin Reuptake Inhibitors (SSRIs) / Serotonin Norepinephrine Reuptake Inhibitors (SNRIs)
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- VI. Muscle relaxants
 - A. History
 - B. Structural characteristics and implications
 - C. Mechanism of action
 - D. Indications
 - i. Short term
 - ii. Long term
 - F. Efficacy
 - G. Side effects
 - H. Interactions
- I. Benzodiazepines
- VII. Viscosupplementation Agents
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side effects
 - F. Interactions
- VIII. Toxins for Pain
 - A. Botulinum toxins
 - i. Type A
 - ii. Type B
 - B. Ziconotide
 - C. Mechanism of action
 - D. Indications
 - i. Short term
 - ii. Long term
 - E. Efficacy
 - F. Side effects
 - G. Interactions
- IX. Alpha 2 Agonists
 - A. Alpha 2 Receptor Subtypes
 - B. Mechanism of action
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side effects
 - F. Interactions
- X. Cannabinoids (Endogenous/Exogenous)
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications

- i. Short term
- ii. Long term
- D. Efficacy
- E. Side affects
- F. Interactions
- XI. NMDA Antagonists
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side affects
 - F. Interactions
 - XII. Neurolytics
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side affects
 - F. Interactions
 - XIII. Glucocorticosteroids
 - A. Mechanism of action
 - B. Indications
 - i. Short term
 - ii. Long term
 - C. Efficacy
 - D. Side affects
 - E. Interactions
 - XIV. NMDA antagonists (Ketamine, dextromethorphan, memantine...)
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side effects
 - F. Interactions
 - m. Non-Pharmacological Approaches
 - I. Physical Modalities
 - A. Osteopathic Manipulative Treatment (OMT)
 - B. Chiropractic
 - C. Massage therapy
 - D. Physical therapy
 - E. Transcutaneous Electrical Nerve Stimulation (TENS)
 - II. Cognitive Modalities
 - A. Biofeedback
 - B. Pain coping skills
- C. Cognitive behavioral therapy
- D. Relaxation therapy
- III. Integrative Modalities
 - A. Acupuncture
 - B. Laser therapy
 - C. Cranial electronic stimulation
 - D. Herbal therapies
 - IV. Interventional Modalities
 - A. Evidence for diagnostic injections
 - B. Evidence for therapeutic injections
 - C. Basics of fluoroscopy
 - D. Radiation safety
 - E. Basics of ultrasonography
 - F. Trigger point injections
 - G. Prolotherapy
 - H. Nerve blocks
 - i. Peripheral nerve blocks
 - ii. Medial and lateral branch nerve blocks
 - I. Joint injections
 - J. Facet joint injections
 - K. Epidural steroid injections (ESIs)
 - i. Interlaminar
 - ii. Transforaminal
 - iii. Caudal
 - iv. Cervical/Thoracic/Lumbar
 - L. Selective nerve root injections
 - M. Sympathic/Ganglion blocks
 - N. Neuraxial Adhesiolysis Procedures
 - O. Procedures
 - P. Continuous and Pulsed Radiofrequency treatments
 - Q. Intrathecal drug delivery
 - R. Spinal cord stimulators
 - S. Peripheral nerve stimulators
 - T. Diagnostic discography
 - U. Intradiscal electrothermal therapies
 - V. Percutaneous discetomy (>=4 types)
 - W. Neurosurgical interventions
 - n. Psychosocial Aspects of Pain
 - I. Treatment of pain in individuals with a history of substance abuse or addiction
 - II. Screening, evaluation, and treatment of mood disorders in individuals affected by pain
 - III. Assessment of risk for dependence and addiction
 - IV. Strategies for managing patients who develop addiction or an abusive pattern of medication use
 - V. Addiction in the health care professional
 - VI. Detoxification
 - o. Legal Aspects of Pain Medicine
 - I. Controlled substance prescribing rules

- II. Controlled substance ordering rules
- III. Dispensing practitioner rules
- IV. Prescribing rules
- V. Penalties for violations of rules
- VI. Pain management agreements
- VII. Requirements for reporting
- VIII. Drug abuse and diversion
 - A. Recognition
 - B. Treatment
 - C. Termination of prescriptions
- IX. Online prescribing
- X. Consultation requirements
- XI. Patient termination letters

At the conclusion of the course, each physician must pass a course test or examination. Completion of the course and passage of the test or examination shall be considered evidence of compliance with the educational component of this subparagraph 6. Course completion shall not be considered or held out to be a certification or attestation of a physician's specific medical skills or capabilities.

(o) After the effective date of this rule, any newly registering pain management clinic shall assure that at any time the clinic is open and patients are being seen, there is at least one board-certified pain management physician on the premises.

Rulemaking Authority 458.309(5) FS. Law Implemented 458.309(4), (5) FS. History—New _____.

64B8-9.0132 Requirement for Pain Management Clinic Registration; Inspection or Accreditation.

(1) Registration.

(a) Every Medical Director or designated physician of a pain management clinic, as defined in Sections 458.309(4) and (5), Florida Statutes, shall register the clinic with the Department of Health. It is the Medical Director's or Designated Physician's responsibility to ensure that the clinic is registered, regardless of whether other physicians are practicing in the same office or whether the office is non-physician owned.

(b) In order to register a pain management clinic, the Medical Director or Designated Physician must comply with Department Rules 64B-4.005 and 64B-4.006, F.A.C., and provide documentation to support compliance with Rule 64B8-9.0131, F.A.C.

(c) The Medical Director or Designated Physician must notify the Department within 7 calendar days, in writing, of any changes to the registration information.

(d) Documentation of registration shall be posted in a conspicuous place in the waiting room viewable by the public.

(2) Inspection.

(a) Unless the Medical Director or Designated Physician has previously provided written notification of current accreditation by a nationally recognized accrediting agency approved by the Board the clinic shall submit to an annual inspection by the Department. All nationally recognized accrediting organizations shall be held to the same Board-determined practice standards for registering Florida pain management clinic sites.

(b) The Department shall conduct unannounced annual inspections of pain clinics pursuant to this rule.

(c) The Medical Director or Designated Physician shall cooperate with the inspector(s), make medical records available to the inspector, and be responsive to all reasonable requests.

(d) The inspector(s) shall determine compliance with the requirements of Rule 64B8-9.0131, F.A.C. This shall include review of between 25 and 50 patient records for patients who are treated for pain, selected by the inspector(s) at random for each physician practicing in the clinic or who has practiced in the clinic during the past six months.

(e) If the clinic is determined to be in noncompliance, the Medical Director or Designated Physician shall be notified and shall be given a written statement at the time of inspection. Such written notice shall specify the deficiencies. Unless the deficiencies constitute an immediate and imminent danger to the public, the Medical Director or Designated Physician shall be given 30 days from the date of inspection to correct any documented deficiencies and notify the Department of corrective action. Upon written notification from the Medical Director or Designated Physician that all deficiencies have been corrected, the Department is authorized to re-inspect for compliance. If the Medical Director or Designated Physician fails to submit a corrective action plan within 30 days of the inspection, the Department is authorized to re-inspect the office to ensure that the deficiencies have been corrected.

(f) The written results of the inspection, deficiency notice and any subsequent documentation shall be forwarded to the Department. This shall include:

1. Whether the deficiencies constituted an immediate and serious danger to the public;

2. Whether the Medical Director or Designated Physician provided the Department with documentation of correction of all deficiencies within 30 days from the date of inspection; and

3. The results of any reinspection.

(g) The Department shall review the results of the inspection(s) and determine whether action against the clinic registration is merited.

(h) Nothing herein shall limit the authority of the Department to investigate a complaint without prior notice.

(i) If the clinic is accredited by a nationally recognized accrediting agency approved by the Board, the Medical Director or Designated Physician shall submit written

notification of the current accreditation survey of his or her office(s) in lieu of undergoing an inspection by the Department.

(j) The Medical Director or Designated Physician shall submit, within thirty (30) days of accreditation, a copy of the current accreditation survey of the clinic and shall immediately notify the Board of Medicine of any accreditation changes that occur. For purposes of initial registration, the Medical Director or Designated Physician shall submit a copy of the most recent accreditation survey of the clinic in lieu of undergoing an inspection by the Department.

(k) If a provisional or conditional accreditation is received, the Medical Director or Designated Physician shall notify the Board of Medicine in writing and shall include a plan of correction.

Rulemaking Authority 458.309(4) FS. Law Implemented 458.309(4) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine and Board of Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-14.0051	Standards of Practice for Physicians Practicing in Pain Management Clinics
64B15-14.0052	Requirement for Pain Management Clinic Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The proposed Rule 64B15-14.0051, F.A.C., is intended to set forth the appropriate standards for physicians who practice in pain management clinics pursuant to Section 459.005, Florida Statutes. The proposed Rule 64B15-14.0052, F.A.C., is intended to set forth the requirements for registration and inspection or accreditation of pain clinics.

SUMMARY: The proposed Rule 64B15-14.0051, F.A.C., sets forth standards for physicians practicing in pain management clinics pursuant to Section 459.005, F.S. Specifically, the rule addresses facility operations, physical operations, infection control requirements, health and safety requirements, quality assurance requirements, patient records, training requirements, and data collection. The proposed Rule 64B15-14.0052, F.A.C., sets forth the requirements necessary to register a pain

management clinic; the requirements for inspection of pain management clinics; and provisions for pain clinics accredited by nationally recognized accrediting agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared two Statements of Estimated Regulatory Costs for these rules. With regard to Rule 64B15-14.0051, F.A.C., at least 968 pain management clinics will be impacted by the rule. The rule will require clinic owners to comply with facility and physical operations including signage, telephones, emergency lighting, etc. In addition, the rule requires drug testing of patients and depending on the collection and testing method utilized, there may be an increased cost associated with the required drug testing in those clinics which are not already testing as required by the proposed rule. It is estimated that the required risk management review of pain management clinics will cost approximately \$2,500 per clinic. The rule also requires training and continuing education for physicians working in pain management clinics and although the training and continuing education courses have not been developed, they are expected to cost between \$20 – \$102 per hour, based upon currently available continuing medical education courses. With regard to Rule 64B15-14.0052, F.A.C., to date 968 pain management clinic applications have been received by the Department of Health. The rule requires all clinics to undergo an annual inspection by the Department which is estimated to be \$1,500 per inspection. Once accrediting agencies have been approved, it is anticipated that the number of departmental inspections will decrease as some clinics will elect national accreditation.

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: 459.005 (4) FS.

LAW IMPLEMENTED: 459.005 (3), (4) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B15-14.0051 Standards of Practice for Physicians Practicing in Pain Management Clinics.

THESE RULES ARE APPLICABLE ONLY TO PHYSICIANS WHO ARE TREATING PATIENTS BY PRESCRIBING OR DISPENSING CONTROLLED SUBSTANCES FOR THE TREATMENT OF CHRONIC NONMALIGNANT PAIN AT A PAIN MANAGEMENT CLINIC. FOR PURPOSES OF THIS RULE, IT IS PRESUMED THAT THE PREVAILING STANDARD OF

CARE FOR THE TREATMENT OF CHRONIC NONMALIGNANT PAIN IS A MULTI-DISCIPLINARY APPROACH AND IS NOT PRESCRIPTION-BASED ONLY.

(1) Definitions.

(a) Controlled Substance. A “controlled substance” is any substance named or described in Schedules I-V of Section 893.03, Florida Statutes.

(b) Adverse Incidents. An “adverse incident” is any incident set forth in Sections 459.026(4)(a)-(e), Florida Statutes.

(c) “Board-certified pain management physician” means a physician who possesses Board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) and holds a sub-specialty certification in pain medicine; or Board certification in pain medicine by the American Board of Pain Medicine (ABPM); or a Certificate of Added Qualification in Pain Management by the American Osteopathic Association (AOA).

(d) “Board-eligible in pain management” means a physician that has successfully completed the training or educational requirements to be a board certified pain management physician and can provide documentation that he or she is eligible to take the certification examination but has not done so yet.

(e) “Addiction medicine specialist” means a board certified psychiatrist with a subspecialty certification in addiction medicine or who is eligible for such subspecialty certification in addiction medicine or an addiction medicine physician currently certified or eligible for certification by the American Society of Addiction Medicine (ASAM), or who holds a Certificate of Added Qualification in Addiction Medicine from the AOA.

(f) “Mental health addiction facility” means a facility licensed pursuant to Chapters 394 or 397, Florida Statutes.

(2) Standards of Practice in Pain Management Clinics.

(a) Evaluation of Patient and Medical Diagnosis. A complete medical history and a physical examination must be conducted prior to commencement of any treatment and documented in the medical record. The exact components of the physical examination shall be left to the judgment of the clinician who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of prior medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance.

(b) Treatment Plan. The written individualized treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical

and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the physician shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) Informed Consent and Agreement for Treatment. The physician shall discuss the risks and benefits of the use of controlled substances including the risks of abuse/addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or with the patient’s surrogate or guardian if the patient is incompetent. The physician shall employ the use of a written controlled substance agreement between physician and patient outlining patient responsibilities, including, but not limited to:

1. To assure the medical necessity and safety of any controlled substances that the physician may consider prescribing as part of the patient’s treatment plan, drug testing shall be conducted and the results reviewed prior to the initial issuance or dispensing of a controlled substance prescription, and thereafter, on a random basis at least twice a year and when requested by the treating physician;

2. Number and frequency of all prescription refills;

3. Patient compliance and reasons for which drug therapy may be discontinued (i.e., violation of agreement); and

4. Agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating physician unless otherwise authorized by the treating physician and documented in the medical record.

(d) Periodic Review. The patient shall be seen by the physician at regular intervals, not to exceed three months, to assess the efficacy of treatment, assure that controlled substance therapy remains indicated, evaluate the patient’s progress toward treatment objectives, consider adverse drug effects and review the etiology of the pain. Continuation or modification of therapy shall depend on the physician’s evaluation of the patient’s progress. If treatment goals are not being achieved, despite medication adjustments, the physician shall reevaluate the appropriateness of continued treatment. The physician shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of three-month intervals.

(e) Consultation. The physician shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those pain patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a

comorbid psychiatric disorder requires extra care, monitoring, and documentation, and requires consultation with or referral to an expert in the management of such patients.

(f) Patient Drug Testing. To assure the medical necessity and safety of any controlled substances that the physician may consider prescribing as part of the patient's treatment plan, patient drug testing shall be performed in accordance with one of the collection methods set forth below and shall be conducted and the results reviewed prior to the initial issuance or dispensing of a controlled substance prescription, and thereafter, on a random basis at least twice a year and when requested by the treating physician. Nothing in this rule shall preclude a pain-management clinic from employing additional measures to assure the integrity of the urine specimens provided by patients.

1. Referral to an outside laboratory. A physician shall send the patient to a Clinical Laboratory Improvement Amendments (CLIA)-certified laboratory;

2. Specimen collected in the pain-management clinic and sent to an outside laboratory for testing. A physician shall collect in the office the patient specimen to be used for drug testing in a device that measures pH, specific gravity, and temperature and then the specimen shall be sent to a CLIA-certified laboratory. The physician shall follow the collection procedures required by the agreement the pain-management clinic has entered into with the CLIA-certified laboratory it uses.

3. Specimen collected and tested in office. A physician shall collect and test in the office the specimen to be used for drug testing using CLIA-waived point-of-care test or CLIA-certified test that uses a device that measures the pH, specific gravity, and temperature. Results of the drug test shall be read according to the manufacturer's instructions.

(g) Patient Medical Records. The physician is required to keep accurate and complete records to include, but not be limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence;

2. Diagnostic, therapeutic, and laboratory results;

3. Evaluations and consultations;

4. Treatment objectives;

5. Discussion of risks and benefits;

6. Treatments;

7. Medications (including date, type, dosage, and quantity prescribed);

8. Instructions and agreements;

9. Periodic reviews;

10. Drug testing results;

11. A photocopy of the patient's government issued photo identification; and

12. If a written prescription for a controlled substance is given to the patient, a duplicate of said prescription must be maintained in the patient's medical record.

13. Each pain management clinic physician's medical record shall contain the physician's full name presented in a legible manner. In addition, each clinic must maintain a log on the premises which shall contain the full name, presented in a legible manner, along with a corresponding sample signature and initials of every physician, anesthesiologist assistant, and physician assistant working in the clinic.

14. Medical records must remain current, they must be maintained in an accessible manner and readily available for review and must be in full compliance with Rule 64B15-15.004, F.A.C., and Section 459.015(1)(o), F.S.

(h) Denial or Termination of Controlled Substance Therapy.

1. If a patient's initial drug testing reflects the adulteration of the specimen or the presence of illegal or controlled substances, (other than medications with approved prescriptions) or when the testing result is questioned by either the patient or the physician, the specimen will be sent to a CLIA-certified laboratory for gas or liquid chromatography/mass spectrometry (GC or LC/MS) confirmation. If the result of the GC or LC/MS testing is positive, the physician shall refer the patient for further consultation with a board-certified pain management physician, an addiction medicine specialist, or from a mental health addiction facility as it pertains to drug abuse or addiction. After consultation is obtained, the physician shall document in the medical record the results of the consultation. The treating physician shall not prescribe or dispense any controlled substances until there is written concurrence of medical necessity of continued controlled substance therapy provided by a board-certified pain management physician, an addiction medicine specialist, or from a mental health addiction facility. If the treating physician is a board-certified pain management physician, or an addiction specialist, the physician does not need to refer the patient for further consultation. If the physician suspects diversion, then the patient shall be discharged and all results of testing and actions taken by the physician shall be documented in the patient's medical record.

2. For patients currently in treatment by the physician or any other physician in the same pain management clinic, patients with signs or symptoms of substance abuse, shall be immediately referred to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the physician is board-certified or board-eligible in pain management. Throughout the period of time prior to receiving the consultant's report, a prescribing physician shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to

assure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing physician will incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record.

3. For patients currently in treatment by the physician or any other physician in the same pain management clinic, evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy and the patient shall be discharged and all results of testing and actions taken by the physician shall be documented in the patient's medical record.

(i) Facility and Physical Operations.

1. A pain management clinic shall be located and operated at a publicly accessible fixed location and shall contain the following:

a. A sign that can be viewed by the public that contains the clinic name, hours of operations, and a street address;

b. A publicly listed telephone number and a dedicated phone number to send and receive faxes with a fax machine that shall be operational twenty-four hours per day;

c. Emergency lighting and communications;

d. Reception and waiting area;

e. Restroom;

f. Administrative area including room for storage of medical records, supplies and equipment;

g. Private patient examination room(s);

h. Treatment room(s) if treatment is being provided to the patient;

i. A printed sign located in a conspicuous place in the waiting room viewable by the public disclosing the name and contact information of the clinic Medical Director or Designated Physician, and the names of all physicians practicing in the clinic;

j. Storage and handling of prescription drugs. Clinics that store and dispense prescription drug shall comply with Section 499.0121, Florida Statutes, Section 893.07, Florida Statutes, and Rule 64F-12.012, Florida Administrative Code.

2. Nothing in this subsection shall excuse a physician from providing any treatment or performing any medical duty without the proper equipment and materials as required by the standard of care.

(j) Infection Control.

1. The clinic shall maintain equipment and supplies to support infection prevention and control activities.

2. The clinic shall identify infection risks based on the following:

a. Geographic location, community, and population served;

b. The care, treatment and services it provides; and

c. An analysis of its infection surveillance and control data.

3. The clinic shall maintain written infection prevention policies and procedures that address the following:

a. Prioritized risks;

b. Limiting unprotected exposure to pathogen;

c. Limiting the transmission of infections associated with procedures performed in the clinic; and

d. Limiting the transmission of infections associated with the clinics use of medical equipment, devices, and supplies.

(k) Health and Safety.

1. The clinic, including its grounds, buildings, furniture, appliances and equipment shall be structurally sound, in good repair, clean, and free from health and safety hazards.

2. The clinic shall have evacuation procedures in the event of an emergency which shall include provisions for the evacuation of disabled patients and employees.

3. The clinic shall have a written facility-specific disaster plan which sets forth actions that will be taken in the event of clinic closure due to unforeseen disasters which shall include provisions for the protection of medical records and any controlled substances.

4. Each clinic shall have at least one employee on the premises during patient care hours that is certified in Basic Life Support and is trained in reacting to accidents and medical emergencies until emergency medical personnel arrive.

(l) Quality Assurance. Each pain management clinic shall have an ongoing quality assurance program that objectively and systematically monitors and evaluates the quality and appropriateness of patient care, evaluates methods to improve patient care, identifies and corrects deficiencies within the facility, alerts the Medical Director or Designated Physician to identify and resolve recurring problems, and provides for opportunities to improve the facility's performance and to enhance and improve the quality of care provided to the public. The Medical Director or Designated Physician shall establish a quality assurance program that includes the following components:

1. The identification, investigation, and analysis of the frequency and causes of adverse incidents to patients,

2. The identification of trends or patterns of incidents,

3. The development of measures to correct, reduce, minimize, or eliminate the risk of adverse incidents to patients, and

4. The documentation of these functions and periodic review no less than quarterly of such information by the medical director or designated physician.

5. The Quality Assurance program must be reviewed annually by a Florida-licensed risk manager and documentation of said annual review must be provided to the

Department together with any corrective action plan within 30 days of the annual review and maintained for inspection purposes.

(m) Data Collection and Reporting.

1. Reporting of adverse incidents. The Medical Director or Designated Physician for each pain-management clinic shall report all adverse incidents to the Department of Health as set forth in Section 459.026, Florida Statutes.

2. The Medical Director or Designated Physician shall also report to the Board of Medicine/Board of Osteopathic Medicine/Department, in writing, on a quarterly basis the following data:

a. Number of new and repeat patients seen and treated at the clinic, including the number of those prescribed controlled substances;

b. The number of patients discharged due to drug abuse;

c. The number of patients discharged due to drug diversion;

d. The outcomes of patient referral or discharge; and

e. The number of patients treated at the pain clinic whose domicile is located somewhere other than in Florida. A patient's domicile is the patient's fixed or permanent home to which he intends to return even though he may temporarily reside elsewhere.

3. All physicians practicing in pain-management clinics shall advise the Board of Osteopathic Medicine/Department in writing, within 15 days of beginning or ending his or her practice at a pain-management clinic.

(n) Training Requirements. Physicians prescribing or dispensing controlled substance medications in pain-management clinics registered pursuant to Section 459.005(4), Florida Statutes, shall be required to successfully complete 20-hours of CME addressing any of the subject areas set forth in subparagraph 6. below once every licensure biennium, and also must meet one of the following qualifications:

1. Board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) and holds a sub-specialty certification in pain medicine; or a Certificate of Added Qualification in Pain Management by the American Osteopathic Association;

2. Board certification in pain medicine by the American Board of Pain Medicine (ABPM);

3. Successful completion of a post graduate training program in Pain Medicine/Management accredited by the Accreditation Council for Graduate Medical Education (ACGME)/American Osteopathic Association (AOA) within the previous three years;

4. Current staff privileges at a Florida-licensed hospital to practice pain medicine or perform pain medicine procedures;

5. Until January 2012, three (3) years of full-time practice in pain-management and within six months of the effective date of this rule, attendance and successful completion of 40 hours of in-person, live-participatory AMA Category I or AOA Category IA CME courses in pain management that include a post-course test or examination and address all the following subject areas:

a. The goals of treating both short term and ongoing pain treatment;

b. Controlled substance prescribing rules, including controlled substances agreements;

c. Drug screening or testing, including usefulness and limitations;

d. The use of controlled substances in treating short-term and ongoing pain syndromes, including usefulness and limitations;

e. Evidenced-based non-controlled pharmacological pain treatments;

f. Evidenced-based non-pharmacological pain treatments;

g. A complete pain medicine history and a physical examination;

h. Appropriate progress note keeping;

i. Comorbidities with pain disorders, including psychiatric and addictive disorders;

j. Drug abuse and diversion, and prevention of same;

k. Risk management; and

l. Medical ethics.

In addition to the CME set forth in subparagraph 5. above, physicians must be able to document hospital privileges at a Florida-licensed hospital; practice under the direct supervision of a physician who is qualified in subsection 1. or 2. above; or have the practice reviewed by a Florida-licensed risk manager and document compliance with all recommendations of the risk management review.

6. After January 2012, for physicians not qualifying under subparagraphs 1. through 4. above, successful completion prior to working in a pain management clinic and every 6 years thereafter, of a pain-management course that is between 80 and 120-hours offered by a Florida accredited allopathic or osteopathic medical school that addresses the subject areas listed below. This completion of this course will satisfy the requirement for the 20 hours of CME set forth paragraph (n) above. The course shall contain the following subject areas:

a. Overview

I. Definitions

II. Statistics

III. Ethical implications

IV. Societal implications

b. Anatomy and Physiology of Pain

I. Nociception

A. Inflammatory

B. Nociceptive

<u>C. Neuropathic</u>	<u>II. CT</u>
<u>II. Nociceptive pathways</u>	<u>III. MRI</u>
<u>A. Peripheral Nociceptor</u>	<u>IV. Indications for plain and contrast images</u>
<u>B. Spinal cord</u>	<u>V. Diagnostic usefulness and limitations of imaging</u>
<u>i. Ascending</u>	<u>h. EMG/NCS</u>
<u>ii. Descending modulatory</u>	<u>i. Rheumatologic Tests</u>
<u>C. Brainstem</u>	<u>j. Drug Testing</u>
<u>D. Supraspinal</u>	<u>I. Urine</u>
<u>III. Classification of Pain</u>	<u>II. Serum</u>
<u>A. Acute/subacute/chronic</u>	<u>III. Other</u>
<u>B. Nociceptive versus neuropathic</u>	<u>IV. Usefulness</u>
<u>C. Cancer related versus non-cancer related</u>	<u>V. Limitations</u>
<u>D. Somatic versus visceral</u>	<u>k. Appropriate Documentation</u>
<u>E. Psychosomatic versus organic/physical</u>	<u>l. Pharmacological Therapy</u>
<u>IV. Pain Pharmacology</u>	<u>I. Opioids</u>
<u>A. Pharmacokinetics</u>	<u>A. Structural classification of opioids</u>
<u>B. Pharmacodynamics</u>	<u>B. Routes of administration</u>
<u>V. Peripheral and Central sensitization</u>	<u>C. Pharmacokinetics</u>
<u>c. Nociceptive Time Course</u>	<u>D. Mechanism of action</u>
<u>I. Acute</u>	<u>E. Equivalency</u>
<u>II. Subacute</u>	<u>F. Indications</u>
<u>III. Chronic/Persistent</u>	<u>i. Short term</u>
<u>d. Common Pain Syndromes</u>	<u>ii. Long term</u>
<u>I. Axial Neck/Back Pain</u>	<u>G. Efficacy</u>
<u>A. Mechanical</u>	<u>H. Side effects</u>
<u>B. Discogenic</u>	<u>I. Interactions</u>
<u>II. Radicular Pain</u>	<u>II. Non-opiate analgesics</u>
<u>III. Spinal Stenosis</u>	<u>A. Acetaminophen</u>
<u>IV. Failed back surgical syndrome/Post-laminectomy pain</u>	<u>i. Mechanism of action</u>
<u>V. Headache</u>	<u>ii. Indications</u>
<u>A. Migraine</u>	<u>(A) Short term</u>
<u>B. Occipital</u>	<u>(B) Long term</u>
<u>C. Cluster</u>	<u>iii. Efficacy</u>
<u>D. Tension</u>	<u>iv. Side effects</u>
<u>VI. Myofascial pain and Fibromyalgia</u>	<u>v. Interactions</u>
<u>VII. Neuropathic Pain</u>	<u>B. Cyclooxygenase Inhibitors</u>
<u>A. Diabetic peripheral neuropathy</u>	<u>i. Classification and implications of the classifications of cyclooxygenase inhibitors</u>
<u>B. Post-herpetic neuralgia</u>	<u>(A) Carboxylic acids</u>
<u>C. Complex regional pain syndrome</u>	<u>(B) Pyrazoles</u>
<u>D. Idiopathic</u>	<u>(C) Oxicams</u>
<u>VII. Abdominal pain</u>	<u>(D) Coxibs</u>
<u>VIII. Cancer-related pain</u>	<u>(E) Acetylsalicylic acids</u>
<u>IX. Pain Palliation – End of life</u>	<u>(F) Acetic acids</u>
<u>e. Treatment Goals</u>	<u>(G) Propionic acids</u>
<u>I. Short term</u>	<u>(H) Anthranilic acids</u>
<u>II. Long term</u>	<u>ii. Mechanism of action</u>
<u>f. The Pain Medicine History and Physical Examination</u>	<u>iii. Indications</u>
<u>g. Imaging</u>	<u>(A) Short term</u>
<u>I. Xrays</u>	<u>(B) Long term</u>

- iv. Efficacy
- v. Side effects
- vi. Interactions
- C. Mixed Serotonergic-Noradrenergic and Mu Agonists
- i. Mechanism of action
- ii. Indications
- (A) Short term
- (B) Long term
- iii. Efficacy
- iv. Cautions and contraindications
- v. Side effects
- vi. Interactions
- III. Membrane Stabilizers
- A. Mechanism of action
- B. Indications
- i. Short term
- ii. Long term
- C. Efficacy
- D. Side effects
- E. Interactions
- IV. Local anesthetics
- A. Mechanism of action
- B. Structural classification and implications
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- G. Pharmacokinetics
- V. Tricyclic antidepressants (TCAs) / Selective Serotonin Reuptake Inhibitors (SSRIs) / Serotonin Norepinephrine Reuptake Inhibitors (SNRIs)
- A. Mechanism of action
- B. Structural characteristics and implications
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- VI. Muscle relaxants
- A. History
- B. Structural characteristics and implications
- C. Mechanism of action
- D. Indications
- i. Short term
- ii. Long term
- F. Efficacy
- G. Side effects
- H. Interactions
- I. Benzodiazepines
- VII. Viscosupplementation Agents
- A. Mechanism of action
- B. Structural characteristics and implications
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- VIII. Toxins for Pain
- A. Botulinum toxins
- i. Type A
- ii. Type B
- B. Ziconotide
- C. Mechanism of action
- D. Indications
- i. Short term
- ii. Long term
- E. Efficacy
- F. Side effects
- G. Interactions
- IX. Alpha 2 Agonists
- A. Alpha 2 Receptor Subtypes
- B. Mechanism of action
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- X. Cannabinoids (Endogenous/Exogenous)
- A. Mechanism of action
- B. Structural characteristics and implications
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions
- XI. NMDA Antagonists
- A. Mechanism of action
- B. Structural characteristics and implications
- C. Indications
- i. Short term
- ii. Long term
- D. Efficacy
- E. Side effects
- F. Interactions

- XII. Neurolytics
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side affects
 - F. Interactions
- XIII. Glucocorticosteroids
 - A. Mechanism of action
 - B. Indications
 - i. Short term
 - ii. Long term
 - C. Efficacy
 - D. Side affects
 - E. Interactions
- XIV. NMDA antagonists (Ketamine, dextromethorphan, memantine...)
 - A. Mechanism of action
 - B. Structural characteristics and implications
 - C. Indications
 - i. Short term
 - ii. Long term
 - D. Efficacy
 - E. Side effects
 - F. Interactions
 - m. Non-Pharmacological Approaches
 - I. Physical Modalities
 - A. Osteopathic Manipulative Treatment (OMT)
 - B. Chiropractic
 - C. Massage therapy
 - D. Physical therapy
 - E. Transcutaneous Electrical Nerve Stimulation (TENS)
 - II. Cognitive Modalities
 - A. Biofeedback
 - B. Pain coping skills
 - C. Cognitive behavioral therapy
 - D. Relaxation therapy
 - III. Integrative Modalities
 - A. Acupuncture
 - B. Laser therapy
 - C. Cranial electronic stimulation
 - D. Herbal therapies
 - IV. Interventional Modalities
 - A. Evidence for diagnostic injections
 - B. Evidence for therapeutic injections
 - C. Basics of fluoroscopy
 - D. Radiation safety
 - E. Basics of ultrasonography
- F. Trigger point injections
- G. Prolotherapy
- H. Nerve blocks
 - i. Peripheral nerve blocks
 - ii. Medial and lateral branch nerve blocks
- I. Joint injections
- J. Facet joint injections
- K. Epidural steroid injections (ESIs)
 - i. Interlaminar
 - ii. Transforaminal
 - iii. Caudal
 - iv. Cervical/Thoracic/Lumbar
- L. Selective nerve root injections
- M. Sympathic/Ganglion blocks
- N. Neuraxial Adhesiolysis Procedures
- O. Procedures
- P. Continuous and Pulsed Radiofrequency treatments
- Q. Intrathecal drug delivery
- R. Spinal cord stimulators
- S. Peripheral nerve stimulators
- T. Diagnostic discography
- U. Intradiscal electrothermal therapies
- V. Percutaneous discectomy (>=4 types)
- W. Neurosurgical interventions
 - n. Psychosocial Aspects of Pain
 - I. Treatment of pain in individuals with a history of substance abuse or addiction
 - II. Screening, evaluation, and treatment of mood disorders in individuals affected by pain
 - III. Assessment of risk for dependence and addiction
 - IV. Strategies for managing patients who develop addiction or an abusive pattern of medication use
 - V. Addiction in the health care professional
 - VI. Detoxification
 - o. Legal Aspects of Pain Medicine
 - I. Controlled substance prescribing rules
 - II. Controlled substance ordering rules
 - III. Dispensing practitioner rules
 - IV. Prescribing rules
 - V. Penalties for violations of rules
 - VI. Pain management agreements
 - VII. Requirements for reporting
 - VIII. Drug abuse and diversion
 - A. Recognition
 - B. Treatment
 - C. Termination of prescriptions
 - IX. Online prescribing
 - X. Consultation requirements
 - XI. Patient termination letters

At the conclusion of the course, each physician must pass a course test or examination. Completion of the course and passage of the test or examination shall evidence compliance with the educational component of this subparagraph 6. Course completion shall not be considered or held out to be a certification or attestation of a physician's specific medical skills or capabilities.

(o) After the effective date of this rule, any newly registering pain management clinic shall assure that at any time the clinic is open and patients are being seen, there is at least one board-certified pain management physician or a physician board-eligible in pain management on the premises.

Rulemaking Authority 459.005(4) FS. Law Implemented 459.005(3), (4) FS. History—New _____.

64B15-14.0052 Requirement for Pain Management Clinic Registration; Inspection or Accreditation.

(1) Registration.

(a) Every Medical Director or designated physician of a pain management clinic, as defined in Section 459.005(4) and (5), Florida Statutes, shall register the clinic with the Department of Health. It is the Medical Director's or Designated Physician's responsibility to ensure that the clinic is registered, regardless of whether other physicians are practicing in the same office or whether the office is non-physician owned.

(b) In order to register a pain management clinic, the Medical Director or Designated Physician must comply with Department Rules 64B-4.005 and 64B-4.006, F.A.C., and provide documentation to support compliance with Rule 64B15-14.012, F.A.C.

(c) The Medical Director or Designated Physician must notify the Department within 7 calendar days, in writing, of any changes to the registration information.

(d) Documentation of registration shall be posted in a conspicuous place in the waiting room viewable by the public.

(2) Inspection

(a) Unless the Medical Director or Designated Physician has previously provided written notification of current accreditation by a nationally recognized accrediting agency approved by the Board the clinic shall submit to an annual inspection by the Department. All nationally recognized accrediting organizations shall be held to the same Board-determined practice standards for registering Florida pain management clinic sites.

(b) The Department shall conduct unannounced annual inspections of pain clinics pursuant to this rule.

(c) The Medical Director or Designated Physician shall cooperate with the inspector(s), make medical records available to the inspector, and be responsive to all reasonable requests.

(d) The inspector(s) shall determine compliance with the requirements of Rule 64B15-14.0051, F.A.C. This shall include review of between 25 and 50 patient records for patients who are treated for pain, selected by the inspector(s) at random for each physician practicing in the clinic or who has practiced in the clinic during the past six months.

(e) If the clinic is determined to be in noncompliance, the Medical Director or Designated Physician shall be notified and shall be given a written statement at the time of inspection. Such written notice shall specify the deficiencies. Unless the deficiencies constitute an immediate and imminent danger to the public, the Medical Director or Designated Physician shall be given 30 days from the date of inspection to correct any documented deficiencies and notify the Department of corrective action. Upon written notification from the Medical Director or Designated Physician that all deficiencies have been corrected, the Department is authorized to re-inspect for compliance. If the Medical Director or Designated Physician fails to submit a corrective action plan within 30 days of the inspection, the Department is authorized to re-inspect the office to ensure that the deficiencies have been corrected.

(f) The written results of the inspection, deficiency notice and any subsequent documentation shall be forwarded to the Department. This shall include:

1. Whether the deficiencies constituted an immediate and serious danger to the public;

2. Whether the Medical Director or Designated Physician provided the Department with documentation of correction of all deficiencies within 30 days from the date of inspection; and

3. The results of any reinspection.

(g) The Department shall review the results of the inspection(s) and determine whether action against the clinic registration is merited.

(h) Nothing herein shall limit the authority of the Department to investigate a complaint without prior notice.

(i) If the clinic is accredited by a nationally recognized accrediting agency approved by the Board, the Medical Director or Designated Physician shall submit written notification of the current accreditation survey of his or her office(s) in lieu of undergoing an inspection by the Department.

(j) The Medical Director or Designated Physician shall submit, within thirty (30) days of accreditation, a copy of the current accreditation survey of the clinic and shall immediately notify the Board of Osteopathic Medicine of any accreditation changes that occur. For purposes of initial registration, the Medical Director or Designated Physician shall submit a copy of the most recent accreditation survey of the clinic in lieu of undergoing an inspection by the Department.

(k) If a provisional or conditional accreditation is received, the Medical Director or Designated Physician shall notify the Board of Osteopathic Medicine in writing and shall include a plan of correction.

Rulemaking Authority 459.005(3) FS. Law Implemented 459.005(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine and Board of Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-14.064 College Credit Dual Enrollment

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 50, December 18, 2009, 1st Notice of Change published Vol. 36, No. 2, January 15, 2010 issue of the Florida Administrative Weekly. Rule 6A-14.064 is amended to read:

6A-14.064 College Credit Dual Enrollment.

(1) To be eligible to receive college credit through dual enrollment:

(a) Students must meet the grade point average (GPA) requirements, as specified in Section 1007.271, Florida Statutes, for the degree or certificate program selected. Procedures for determining exceptions to the GPA requirements on an individual student basis must be noted in the District Interinstitutional Articulation Agreement as required by Section 1007.235, Florida Statutes.

(b) Students must satisfy the college preparatory testing requirements of Section 1008.30(4)(a), Florida Statutes, and Rule 6A-10.0315, F.A.C., which is hereby incorporated by reference. Students who have been identified as deficient in basic competencies in one of the areas of reading, writing or mathematics, as determined by scores on a postsecondary readiness assessment identified in Rule 6A-10.0315, F.A.C., shall not be permitted to enroll in college credit courses in curriculum areas precluded by the deficiency. Students may enroll in college credit courses that are not precluded by the deficiency; however, students may not earn more than twelve (12) college credit hours prior to the correction of all deficiencies. Exceptions to the twelve (12) college credit hour limitation may be granted by the postsecondary institution

provided that the dual enrollment student is concurrently enrolled in a secondary course(s) in the basic competency area(s) for which they have been deemed deficient by the postsecondary readiness assessment. In addition, the secondary student that has accumulated twelve (12) college credit hours and has not yet demonstrated proficiency in the basic competency areas of reading, writing and mathematics must be advised in writing by the school district of the requirements for associate degree completion and state university admission, including information about future financial aid eligibility and the potential costs of accumulating excessive college credit, as outlined in Section 1009.286, F.S. Before accumulating more than twelve (12) credit hours, students must either meet established minimum scores on all sections of a postsecondary readiness assessment or earn a passing score on the Basic Skills Exit Test as required by Section 1008.30, Florida Statutes, and complete each of the following high school courses with a grade of C or better: Mathematics for College Success (1200410), Reading for College Success (1008350) and Writing for College Success (1009370).

(c) For joint dual enrollment and Advanced Placement (AP) courses, as authorized in Section 1007.272, Florida Statutes, students must comply with the add/drop policies and deadlines of the postsecondary institution. A student who elects to enroll in an AP course that is jointly offered with a dual enrollment course may not earn postsecondary credit for that course through dual enrollment.

(d) In order to remain eligible for college credit coursework, students must maintain the high school grade point average ~~GPA~~ required for initial eligibility unless otherwise noted in the District Interinstitutional Articulation Agreement.

(e) Participation of exceptional student education (ESE) students must be in accordance with statutory eligibility requirements and with the procedural guidelines and district-college responsibilities delineated in the District Interinstitutional Articulation Agreement.

(f) Districts and colleges may agree to extend dual enrollment participation in Student Life Skills (designated as SLS course prefix in the Statewide Course Numbering System) courses to students who do not meet the statutory eligibility requirements, if alternate eligibility requirements are delineated in the District Interinstitutional Articulation Agreement.

(g) In order to be considered a full-time dual enrollment early admission student, the student must enroll in a minimum of twelve (12) college credit hours but may not be required to enroll in more than fifteen (15) college credit hours.

(2) The following requirements shall apply to faculty providing instruction in college credit dual enrollment courses:

(a) All full-time or adjunct faculty teaching dual enrollment courses must meet Southern Association of Colleges and Schools Commission on Colleges' Principles of

Accreditation: Foundations for Quality Enhancement, 2010 Edition, section 3.7.1, for postsecondary instructors in the course and discipline, which is hereby incorporated by reference. The document may be accessed at <http://www.sacsoc.org/pdf/2010principlesofaccreditation.pdf> ~~<http://www.sacsoc.org/pdf/2008PrinciplesofAccreditation.pdf>~~. These criteria apply to all faculty teaching postsecondary courses regardless of the physical location of the course being taught. The postsecondary institution awarding credit shall ensure faculty teaching dual enrollment courses meet these qualifications.

(b) Postsecondary transcripts of all full-time or adjunct faculty teaching dual enrollment courses must be filed with the postsecondary institution, regardless of who employs or pays the faculty member's salary. For dual enrollment courses taught on high school campuses, the faculty transcripts must be submitted to the postsecondary institution for filing.

(c) The postsecondary institution shall provide all full-time and adjunct faculty teaching dual enrollment courses with a copy of the current faculty or adjunct faculty handbook. ~~Faculty and~~ shall adhere to the professional guidelines, rules, and expectations therein. Any exceptions to such requirements must be noted in the District Interinstitutional Articulation Agreement.

(d) The postsecondary institution shall provide all full-time and adjunct faculty teaching dual enrollment courses with a current student handbook detailing information that includes, but is not limited to, add/drop and withdrawal policies, student code of conduct, grading policies, and critical dates. ~~Faculty and~~ shall adhere to the guidelines, rules, and expectations therein that apply to faculty. Any exceptions to such requirements must be noted in the District Interinstitutional Articulation Agreement.

(e) The postsecondary institution shall provide all adjunct faculty teaching dual enrollment courses with a full-time faculty contact or liaison in the same discipline.

(f) All full-time and adjunct faculty teaching dual enrollment courses, regardless of location of instruction, shall be observed by a designee of the college president and evaluated based on the same criteria used for all other full-time or adjunct faculty delivering college courses at that institution.

(g) The postsecondary institution shall provide all full-time and adjunct faculty teaching dual enrollment courses with a copy of course plans and objectives for the college course they are teaching. In addition, faculty shall be provided with information on additional requirements related to Rule 6A-10.030, F.A.C., if applicable. All course objectives and identified competencies must be included in the course plan and covered per the syllabus during the term.

(h) All full-time and adjunct faculty teaching dual enrollment courses shall file a copy of their current course syllabus with the college's discipline chair or department chair

prior to the start of each term. Content of the syllabus must meet the same criteria as required for all college courses offered at that institution.

(3) The following curriculum standards for content, syllabi, exams, and grades shall apply to college credit dual enrollment:

(a) Dual enrollment courses taught on the high school campus must meet all competencies expected and outlined in the postsecondary course plan. To ensure equivalent rigor with on-campus courses, the institution granting postsecondary credit shall be responsible for providing a comprehensive, cumulative end-of-course assessment or a series of assessments of all expected learning outcomes in accordance with the Southern Association of Colleges and Schools Commission on Colleges' Principles of Accreditation: Foundations for Quality Enhancement, 2010 Edition, sections 2.7.4 and 3.5.1, which are hereby incorporated by reference. The document may be accessed at <http://www.sacsoc.org/pdf/2010principlesofaccreditation.pdf>. Assessments shall be provided to the high school campus dual enrollment course instructor by the college in a timely manner to ensure availability prior to scheduled administration dates. Final examinations for all dual enrollment courses taught or delivered on the high school campus must be developed by full-time postsecondary faculty at the institution granting postsecondary credit and approved by the appropriate curriculum or department chair as a comprehensive assessment of expected learning outcomes. Final exams will be provided to the high school campus dual enrollment course instructor by the college in a timely manner to ensure availability prior to scheduled administration dates. Completed, scored exams will be returned to the postsecondary institution and held on file for a period of one (1) year.

(b) Textbooks and instructional materials used in dual enrollment courses must be the same or comparable with those used with other postsecondary courses at the postsecondary institution with the same course prefix and number. The postsecondary institution will advise the school district of instructional material requirements as soon as that information becomes available, but no later than one term prior to a course being offered.

(c) Course requirements such as tests, papers, or other assignments for dual enrollment students must be at the same level of rigor or depth as those for all non-dual enrollment postsecondary students. All full-time and adjunct faculty teaching dual enrollment courses must observe postsecondary institution procedures and deadlines for submission of grades in the appropriate format. All faculty will be advised of postsecondary institution-wide grading guidelines prior to teaching a dual enrollment course.

(d) Policies relating to dual enrollment course withdrawals and repeats shall be determined by the college and must be clearly delineated in the District Interinstitutional Articulation Agreement.

(4) The following environmental standards shall apply to college credit dual enrollment:

(a) Dual enrollment courses taught on a high school campus shall ensure minimal interruptions of instructional time. A student shall lose eligibility to participate in dual enrollment if the secondary institution where a course is being offered determines that a student is being disruptive to the learning process, such that the progress of other students and the efficient administration of the course are hindered.

(b) Dual enrollment courses may not be combined with other high school courses, except in accordance with Section 1007.272, Florida Statutes.

(c) A formalized process between the high school counselor and the college must be delineated in the District Interinstitutional Articulation Agreement for informing students and parents or guardians of college course-level expectations, including, but not limited to the following:

1. Any letter grade below a “C” will not count as credit toward satisfaction of the ~~General Education graduation requirement~~ and the requirements in Rule 6A-10.030, F.A.C.; however, all grades are calculated in a student’s GPA and will appear on their college transcript.

2. All grades, including “W” for withdrawal, become a part of the student’s permanent college transcript and may affect subsequent postsecondary admission.

3. While appropriate for college-level study, course materials and class discussions may reflect topics not typically included in secondary courses which some parents may object to for minors. Courses will not be modified to accommodate variations in student age and/or maturity.

4. The selection of courses to meet degree requirements, including approved program common prerequisite courses, in order to minimize student and state costs for excess hours.

5. The inclusion of dual enrollment course plans in their Electronic Personal Educational Planner (ePEP) using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org, as required by Section 1003.413(3)(i), Florida Statutes, to minimize enrollment in a random selection of college courses.

(5) The following accountability and assessment standards shall apply to college credit dual enrollment:

(a) Postsecondary institutions shall analyze student performance in dual enrollment to ensure that the level of preparation and future success is comparable with non-dual enrollment postsecondary students. Analyses and recommendations shall be shared and reviewed with the principal and local school district.

(b) High schools shall analyze course and instructor evaluations for dual enrollment courses on the high school campus. Analyses and recommendations shall be shared and reviewed by both the college and the high school.

(c) Any course-, discipline-, college-, or system-wide assessments that a postsecondary institution requires in non-dual enrollment sections of a course shall also be used in all dual enrollment sections of the course.

(d) Colleges shall compare student performance, to include final grade and exam, of dual enrollment course offerings on high school campuses and college campuses to ensure that results are comparable to non-dual enrollment sections. Results will be made available to the principal, local school district, the college president, and the Department of Education.

Rulemaking Authority 1001.02(2), (6), 1007.271(3), (9) FS. Law Implemented 1007.271 FS. History--New _____.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-100.005
 RULE TITLE: Tolls Enforcement
 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. 4, January 29, 2010 issue of the Florida Administrative Weekly.

In response to the Joint Administrative Procedures Committee Review, the Department is making the following changes:

In subsection 14-100.005(3), the terms “registered” and “unregistered,” in regard to customer accounts, are being removed, the telephone contact information for the TOLL-BY-PLATE program, 1(888)TOLL-FLA (1(888)865-5352) is being included, and the language “to pay the toll or” will be added to clarify a driver’s option to establish an account or pay the toll.

In subsection 14-100.005(9), the term “late payment notice” is being replaced with “second invoice.”

The rule will now define “Video Billing” as “TOLL-BY-PLATE.” Throughout the rule “TOLL-BY-PLATE” will replace the terms “video toll,” “video tolling,” and “video.”

As a result of these changes, and to be consistent with statute, the rule will be renamed “Video Billing.”

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 CITRUS

RULE NO.: RULE TITLE:
 20-48.005 Program Requirements
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
 20-68.002 Inspection of Official Tables
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
 20-100.001 Statement of Agency Organization
 and Operation
 20-100.003 Management and Indexing of Final
 Orders
 20-100.004 Official Forms Used by Agency
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:
 59A-35.040 License Required; Display
 59A-35.050 Fees Required; Adjustments
 59A-35.060 Licensure Application Process
 59A-35.062 Proof of Financial Ability to Operate
 59A-35.070 Change of Ownership
 59A-35.080 License Categories
 59A-35.090 Background Screening
 59A-35.100 Minimum License Requirements
 59A-35.110 Reporting Requirements; Electronic
 Submission
 59A-35.150 Moratorium; Emergency Suspension

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 6, February 12, 2010 issue of the Florida Administrative Weekly.

That notice changed the proposed rule that was published in the Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly. The February 12, 2009 Notice of Change included errors resulting from the incorrect submission of the text due to document review software features. This notice presents the rule text as it should have appeared in the February 12, 2009 and also reflects subsequent withdrawal of

three rules, Rules 59A-35.064 and 59A-35.140, Notice of Withdrawal published in Vol. 36, No. 9, on March 5, 2010, and Rule 59A-35.065, Notice of Withdrawal published in Vol. 36, No. 11, on March 19, 2010.

- Chapter 59A-35, Florida Administrative Code
- 59A-35.020 Applicability.
- No change.
- 59A-35.030 Definitions.
- No change.
- 59A-35.040 License Required; Display.
- (1) through (5) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.804, ~~408.810, 408.813~~, FS. History–New_____.

- 59A-35.050 Fees Required; Adjustments.
- (1) No change.
- (2) When payment for licensure fees has been dishonored, the licensee has 10 days from the date of notification to remit to the Agency the licensure fee plus any applicable fees as provided by law in the form of a money order or cashier’s check. In the event that the licensure fee is not paid, the license may be subject to revocation or suspension.
- (3) through (4) No change.

Rulemaking Authority 408.819 FS. Law Implemented ~~412.0455(17); 383.305(1); 390.14(3); 394.877; 395.044; 395.1097(3); 400.062(3); 400.471(5); 400.506(3); 400.605(2); 400.801(3); 400.805(2); 400.905(2); 400.931(5); 400.980(2); 400.9925(1); 429.07(4); 408.805~~ FS. History–New_____.

- 59A-35.060 Licensure Application Process.
- (1) (a) through (p) No change.
- (q) Home for Special Services as provided under Part V of Chapter 400, F.S.; AHCA Form 3110-3001, February 2010 ~~AHCA Recommended Form, July 2009~~.
- (r) through (z) No change.
- (aa) Clinical Laboratories, as provided under Part I of Chapter 483, F.S.; AHCA Form 3170-2004 (renewal), B (initial) or C (change of ownership), Rev. July 2009 or AHCA Form 3170-2004D, September 2009 (addition of specialty, ~~or subspecialty~~ or change in specialty).
- (bb) through (cc) No change.
- (2) through (4) No change.
- (5) Unresponsive applicant. If certified mail sent to the provider’s address of record, or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider’s address of record, or mailing address if applicable, with a copy to the applicant’s address if different from the provider. The applicant must respond to the request within 21 ~~14~~ days of the date of the letter sent by regular mail. If timely response is not received, the application will be subject to withdrawal or denial.

(6) No change.

(7) A licensure inspection will not be authorized until paragraphs ~~(6)(5)(a)~~ and ~~(6)(5)(b)~~ of this section have been satisfied.

(8) No change.

59A-35.062 Proof of Financial Ability to Operate.

(1) through (3) No change.

~~(4) All documents required under this section must be prepared in accordance with generally accepted accounting principles. All documents required under this section for Home health Agencies, Home Medical Equipment Providers and Health Care Clinics must be compiled and signed by a certified public accountant. All documents required under this section must be prepared in accordance with generally accepted accounting principles and must be compiled and signed by a certified public accountant.~~

(5) through (6) No change.

(7) An applicant for renewal of a license shall not be required to provide proof of financial ability to operate, unless the licensee or applicant has demonstrated financial instability. If an applicant or licensee has shown signs of financial instability, as provided in Section 408.810(9), F.S., at any time, the Agency may require the applicant or licensee to provide proof of financial ability to operate by submission of:

(a) through (b) No change.

59A-35.070 Change of Ownership.

(1) and (2) No change.

~~(3) If fines are not specified in authorizing statutes for the provider type as specified in Section 408.803(3), F.S., the failure to submit a change of ownership application and license fee at least 60 days prior to the change of ownership effective date will result in a \$50 per day late fee charged to the licensee up to a maximum of \$3,000.~~

~~(3)(4)~~ When a change of ownership application is submitted during the review of a renewal licensure application, the pending renewal will be administratively withdrawn from review if the change of ownership application is approved with an effective date prior to the expiration of the license.

~~(4)(5)~~ Expiration of a license prior to the approval of the change of ownership application, when no renewal application has been submitted, will result in the denial of a change of ownership application.

~~(5)(6)~~ If the applicant has not been issued the license on the effective date of the change of ownership, documentation must be submitted that provides for continuation of operation of the licensee for those days between the date of the change of ownership and the date the applicant is licensed by the Agency.

59A-35.080 License Categories.

(1) Provisional License. If a license expires while an action to deny or revoke the license is pending, ~~or while an action to withdraw a renewal application from further consideration is pending~~, and renewal applications are filed,

the Agency may issue a provisional license ~~for no more than two years~~. The provisional license shall identify the pending action. The provisional license will expire when the Agency action is final. The provisional license does not affect the revocation or denial action or constitute a defense on behalf of the licensee or applicant.

(2) Inactive License. An inactive license may be issued, as provided in Sections 408.808(3) ~~and 408.831(4)~~, F.S.

(a) through (c) No change.

Rulemaking Authority 408.819 FS. Law Implemented 408.808(2), (3), ~~408.831(4)~~ FS. History—New_____.

59A-35.090 Background Screening.

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

(c) “Disqualifying Offense” means any criminal offense prohibited in Section 435.03, ~~or~~ 435.04, or 408.809(5), F.S.

(d) through (f) No change.

(g) “Level 1 Screening” means an assessment of the criminal history record obtained from the FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.03 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(h) “Level 2 Screening” means an assessment of the criminal history record obtained through a fingerprint search through the FDLE and FBI to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.04 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(2) through (3) No change.

(4) Results of Screening and Notification.

(a) Final results ~~Results~~ of background screening requests will be provided to the requesting provider through the Agency’s secure web site.

(b) When the dispositional information of a potentially disqualifying offense is unclear or not present in a ~~Level 1~~ criminal history from a Level 1 request, a notice will be sent to the requesting licensee or entity to obtain the arrest report and dispositional information from the individual being screened. The information must then be forwarded to the Agency for a final determination or show such information cannot be obtained. If a Level 2 criminal history is incomplete, a certified letter will be sent to the individual being screened requesting the arrest report and dispositional information. If the letter is returned unclaimed, a copy of the letter will be sent by regular mail. For Level 1 and Level 2, the missing information must be filed with the Agency within 30 days of the Agency’s request, or the individual is subject to automatic disqualification in accordance with Section 435.05(1)(d), F.S.

(c) through (d) No change.

(5) through (6) No change.

Rulemaking Authority 408.819 FS. Law Implemented ~~394.4572, 400.215, 400.512, 400.6065, 400.935, 400.964, 400.980, 400.991, 408.809, 408.810, 429.174, 429.67, 429.919~~ FS. History—New_____.

59A-35.100 Minimum Licensure Requirements.

(+) Provider location.

(1)(+) A licensee must maintain proper authority for operation of the provider at the address of record. If such authority is denied, revoked or otherwise terminated by the local zoning or code enforcement authority, the Agency may deny or revoke an application or license, or impose sanctions.

(2)(+) With the exception of federally authorized clinical laboratories, more than one license will not be issued to operate the same provider types at the identical physical or street address. Existing licensees must comply with this paragraph upon license renewal.

~~(2) Discontinuance of operation; unresponsive licensee. If certified mail sent to the provider's address of record or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider's address of record or mailing address if applicable, with a copy to the licensee's address if different from the provider. The licensee must respond to the request within 14 days. If timely response is not received, the provider will be determined to have discontinued operation and the license shall be subject to revocation.~~

~~(3) If a licensee that is required to register or file with the Florida Secretary of State Division of Corporations is administratively dissolved, the licensee is presumed to have discontinued operation and shall be subject to revocation.~~

59A-35.110 Reporting Requirements; Electronic Submission.

(1) No change.

(2) Electronic submission of information.

(a) The following required information must be reported through the Agency's Internet site at ahca.myflorida.com/reporting/index.shtml:

1. Nursing homes:

a. Semi-annual staffing ratios required pursuant to Section 400.141(1)(o)(45), F.S., and Rule 59A-4.103, F.A.C.

b. Adverse incident reports required pursuant to Sections 400.147(7) and (8), F.S., and Rule 59A-4.123, F.A.C.

c. Liability claim reports required pursuant to Section 400.147(10)(9), F.S., and Rule 59A-4.123, F.A.C.

2. Assisted living facilities:

a. Adverse incident reports required pursuant to Sections 429.23(3) and (4), F.S., and Rule 58A-5.0241, F.A.C.

b. Liability claim reports required pursuant to Section 429.23(5), F.S., and Rule 58A-5.0242, F.A.C.

(b) through (c) No change.

59A-35.120 Inspections.

No change.

59A-35.150 Moratorium; Emergency Suspension.

In addition to other remedies permitted by law, violation of a moratorium issued by the Agency is considered a Class I violation and subject to a fine of \$500 per day until the violation is corrected.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

RULE TITLE:

59G-6.020

Payment Methodology for Inpatient Hospital Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 48, December 4, 2009 issue of the Florida Administrative Weekly.

Based upon written comments received by the Agency and comments received at public hearings held on January 14, 2010, February 23, 2010, and April 8, 2010, the Agency is making the following changes to the proposed rule and the Florida Title XIX Inpatient Hospital Reimbursement Plan as incorporated into this rule by reference:

Section I.J.

The proposed amendment to Section I.K. of the Inpatient Hospital Reimbursement Plan is withdrawn, and current language shall remain in the plan as follows:

“For cost reports received on or after October 1, 2003, all desk or onsite audits of these cost reports shall be final and shall not be reopened past three years of the date that the audit adjustments are noticed through a revised per diem rate completed by the Agency.”

Section IV.G(3) will be changed by the addition of the following new language:

“Effective October 1, 2013, for cost reports received prior to October 1, 2003, all desk or onsite audits of these cost reports shall be final and not subject to reopening.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

RULE TITLE:

59G-6.030

Payment Methodology for Outpatient Hospital Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 48, December 4, 2009 issue of the Florida Administrative Weekly.

The proposed amendment to Section I.K. of the Outpatient Hospital Reimbursement Plan is withdrawn, and current language shall remain in the plan as follows:

“For cost reports received on or after October 1, 2003, all desk or onsite audits of these cost reports shall be final and shall not be reopened past three years of the date that the audit adjustments are noticed through a revised per diem rate completed by the Agency.”

Section IV.G(3) will be changed by the addition of the following new language:

“Effective October 1, 2013, for cost reports received prior to October 1, 2003, all desk or onsite audits of these cost reports shall be final and not subject to reopening.”

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.0251	Definitions Relating to Emergency Unemployment Compensation
60BB-3.0252	Eligibility for Emergency Unemployment Compensation
60BB-3.0253	Emergency Unemployment Compensation Individual Accounts
60BB-3.0254	How to Apply for Emergency Unemployment Compensation

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. 36, September 11, 2009 issue of the Florida Administrative Weekly.

60BB-3.0251 Definitions Relating to Emergency Unemployment Compensation.

(1) Emergency Unemployment Compensation: A federally funded program created by Public Laws 110-252, 110-449, 111-5, 111-92, ~~and~~ 111-118, and 111-144, and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor which provides additional weeks of unemployment benefits to qualified individuals who have exhausted their rights to regular unemployment compensation on claims that were effective on or after May 2, 2006.

(2) Extended unemployment compensation: Benefits, including benefits payable to federal civilian employees and to ex-servicemembers under 5 U.S.C. ss. 8501-8525, that are payable to an individual under Sections 443.1115 or 443.1117, Florida Statutes.

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

(4) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to

ex servicemembers under 5 U.S.C. ss. 8501-8525, other than extended unemployment compensation under Section 443.1115, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.221(3) FS. History–New _____.

60BB-3.0252 Eligibility for Emergency Unemployment Compensation.

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

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

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

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

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

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

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

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

(3) Amount Payable.

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

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

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

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

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

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

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

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.111, 443.151(6), 443.221(3) FS. History—New_____.

60BB-3.0253 Emergency Unemployment Compensation Individual Accounts.

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

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

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

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

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

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

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

(3) Tier One.

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

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

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

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

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

(d) Tier One benefits may be paid only in cases in which an individual's regular unemployment compensation benefits are exhausted by the week ending March 27, 2010 ~~February 20, 2010~~.

(4) Tier Two.

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

1. The individual exhausts all Tier One benefits by the week ending April 3, 2010 ~~February 27, 2010~~;

2. The individual remains otherwise eligible.

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

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

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

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

(5) Tier Three.

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

1. The individual exhausts all Tier Two benefits by the week ending April 3, 2010 ~~February 27, 2010~~;

2. The individual remains otherwise eligible; and

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

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

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

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

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

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

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

(6) Tier Four.

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

1. The individual exhausts all Tier Three benefits by the week ending ~~April 3, 2010~~ February 27, 2010;

2. The individual remains otherwise eligible; and

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

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

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

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

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

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

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

(7) Termination of Emergency Unemployment Compensation. An individual who has a balance remaining in his or her individual account as of ~~April 3, 2010~~ February 27, 2010, will continue to receive emergency unemployment compensation from such balance for any week beginning after that date for which he or she meets the eligibility requirements of this rule, except that no compensation will be payable for any week beginning after ~~September 4, 2010~~ July 31, 2010.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.111, 443.191, 443.221(3) FS. History—New _____.

60BB-3.0254 How to Apply for Emergency Unemployment Compensation.

(1) Method of Application. Individuals whose regular unemployment compensation benefits are exhausted, whose benefit year expires between July 6, 2008 and ~~March 27, 2010~~ February 20, 2010, or who are entitled to an augmentation of their emergency unemployment compensation accounts pursuant to Rule 60BB-3.0253, F.A.C., will receive notice regarding their eligibility or ineligibility for emergency unemployment compensation. Individuals who qualify for augmentation under any of the provisions set forth in subsections 60BB-3.0253(4)-(6), F.A.C., will be deemed eligible to receive these benefits without filing an application as long as they comply with the continued claims reporting requirements set forth in Rule 60BB-3.015, F.A.C. All other individuals who wish to receive emergency unemployment compensation must submit an application for benefits to the Agency for Workforce Innovation. An application may be submitted:

(a) Online by clicking on the “Internet Unemployment Compensation Claim Application (Initial Claim)” link to the Online Internet Unemployment Compensation Claim Application (11/07), or by clicking on the “Solicitud de Reclamo de Compensacion por Desempleo en el Internet (Reclamo Inicial)” link to the Online Internet Unemployment Compensation Claim Application (Spanish version) (11/07), which are incorporated by reference in paragraphs 60BB-3.029(1)(yy) and (zz), F.A.C., and which are available at www.fluidnow.com; or

(b) In writing on one of the forms listed in subsection (2) of this rule, which are hereby incorporated by reference into this rule and which are available at www.floridajobs.org/unemployment/uc_emp_claims.html.

(2) Submitting Written Applications.

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

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

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

3. Form AWI-UC310EUC (C) (Rev 10/09), Aplikasyon pou Alokasyon Chomaj sou Ka Dijan.

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

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

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

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

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

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

2. All claimants who did not qualify for extended benefits because their Tier Two benefits expired before February 27, 2009.

(d) All applications mailed pursuant to paragraph (2)(c) of this rule will be accompanied by Form AWI UC310EUCIII LTR(N) (Rev ~~3/10~~ 4/2/09), Emergency Unemployment Compensation Instruction Sheet or a Form AWI UC310EUCIII LTR(S) (Rev ~~3/10~~ 4/2/09), Emergency Unemployment Compensation Instruction Sheet, which are hereby incorporated by reference into this rule.

(3) Submitting Written Applications. The claimant must submit his or her application by mailing the completed form to the address set forth on the form and/or accompanying instructions, or by faxing the form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, (850)921-3938.

(4) Notice of Determination.

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

(b) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsections (2) or (3) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC (11/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

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

1. On a Form AWI-UCB11 EUC-2 (3/10 ~~12/22/09~~) Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule, when the claimant exhausts his Tier One benefits; or

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

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

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

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

(d) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsection (5) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC3 (3/10 ~~12/22/09~~) Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

(e) Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsection (6) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11

EUC4 (3/10 ~~12/09~~), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151, 443.221(3) FS. History—New

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 Clinical Laboratory Personnel

RULE NO.:	RULE TITLE:
64B3-3.001	General Requirements of Clinical Laboratory Personnel Training Programs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35 No. 16, April 24, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-51.006	Rule Governing Licensure and Inspection of Electrology Facilities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 2, January 15, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.:	RULE TITLE:
64B10-11.003	Reexamination

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed application form number DH MQA 1129 in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 4, of the January 29, 2010, issue of the Florida Administrative Weekly. The change is in response to an incorrect revision date on form DH MQA 1129. The change will correct the revision date from 06/09 to 10/09 on the form.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.704 RULE TITLE: Family-Related Medicaid Eligibility Determination Process

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 15, April 16, 2010 issue of the Florida Administrative Weekly.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-13.030 RULE TITLE: Standards for Licensed Out-of-Home Caregivers

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. 9, March 5, 2010 issue of the Florida Administrative Weekly.

65C-13.030 Standards for Licensed Out-of-Home Caregivers.

(1) General Requirements.

(a) Generally, there should be no more than five children in a licensed home, including the family's own children.

(b) There shall be no more than two children under the age of two years in a home, including the licensed out-of-home caregiver's children.

(c) Therapeutic foster homes are limited to the placement of two children.

(d) Serving as a licensed out-of-home caregiver is a privilege and public trust. Applicants do not have an inherent right to a license as an out-of-home caregiver.

(e) Each licensed out-of-home caregiver applicant shall sign a Bilateral Service Agreement as defined in subsection 65C-30.001(11), F.A.C. The agreement shall be reviewed, and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency and the potential or licensed out-of-home caregiver.

(2) Utilization of Foster Home.

(a) Placement of a child in a home licensed by the Agency for Persons with Disabilities shall be approved by the Agency for Persons with Disabilities prior to placement. A home licensed by the Agency for Persons with Disabilities may be utilized for placement of children eligible for both programs without obtaining a separate license if the child is receiving Supplemental Security Income (SSI).

(b) Licensed Out-of-Home Caregivers Wishing To Offer Child Care.

1. Licensed out-of-home caregivers that have contracted with a lead agency are authorized by Section 409.1671(5)(b), F.S., to provide child care as a Licensed Family Day Care Home, as defined in Section 402.302(7), F.S., if they choose to do so and meet the requirements for licensing. A dually licensed foster home cannot provide care for more than five children, including biological, foster, and adopted children. Therapeutic or Medical Foster Homes can not be dually licensed.

2. All licensing standards and requirements for family foster homes and family day care homes shall be met and maintained.

3. Licensed out-of-home caregivers shall limit their operation as a Family Day Care Home as follows:

a. Hours of operation shall only occur between 6:00 a.m. and 7:00 p.m.;

b. Based on the premise that the foster care maintenance assistance is for the care of a foster child for a twenty-four hour period and includes the provision of daily supervision for the foster child, the out-of-home caregiver shall not be paid both the foster care board rate and child care subsidy for the same child;

c. A foster home providing child care under this section shall be inspected a minimum of twice per year, once by daycare licensing staff and once by the supervising agency's licensing specialist. The inspection is to assess the impact of the child care operation on the fostering experience;

d. Where foster homes are also licensed as a Family Day Care Home, the department shall make every effort to coordinate inspections with a licensing counselor from the child-care licensing program; and

e. Complaint investigations shall be conducted in conjunction with a representative from child care licensing.

(3) Emergency Shelter Family Foster Homes.

(a) Emergency shelter care providers shall have the ability to receive and supervise children twenty-four hours per day.

(b) Emergency shelter care providers shall maintain a shelter log for the child that documents the child's name, date of birth, and prescribed medications; the name of the child's services worker; and the dates the child entered and exited provider's care.

(c) A family foster home may designate a certain number of beds for the purpose of shelter care as well as foster care.

(d) Emergency shelter parents shall familiarize each child with the evacuation plan.

(4) Personal Standards.

(a) A licensed out-of-home caregiver shall be a stable, responsible, and mature individual who is at least twenty-one years of age.

(b) At least one licensed out-of-home caregiver in the home shall be able to read, write and speak English and be able to effectively communicate with both any children placed in the home and with the supervising agency.

(c) A licensed out-of-home caregiver shall not operate the home as an adult boarding or rooming home or an adult daycare facility.

(d) The licensed out-of-home caregiver shall obtain written approval from the supervising agency prior to conducting any childcare or business in the home.

(e) A licensed out-of-home caregiver shall have a stable income sufficient to make timely payment for current shelter, food, utility costs, and other debts without relying on board payments unless the licensed out-of-home caregiver enters into an agreement with a lead agency to provide specialized care. Applicants shall have a source of income independent of child support or alimony.

(f) Childcare. Childcare for children in the custody of the department shall be with a licensed or registered child care provider. The cost of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.

(g) Health History. A licensed out-of-home caregiver and any household members shall provide written statements from a physician regarding their general health, and whether they have any specific illness, disability, alcohol or other drug dependence, infectious diseases and other relevant health conditions that could threaten the safety of children in the home upon request by the department or supervising agency.

(h) Screening. Screening of licensed out-of-home caregivers and other household members shall meet the screening requirements set forth in Rule 65C-13.023, F.A.C.

(5) Physical Environment.

(a) The home shall be inspected by a representative of the environmental health office of the local public health department and receive a satisfactory inspection result for water supply, food holding temperature, plumbing, vermin and vector control, sewage, and garbage and rubbish disposal, prior to initial licensing and annually prior to re-licensing.

1. Water Supply. When water is accessible to those in care, the water temperature shall not exceed 120 degrees Fahrenheit to avoid scalding. Adequate hot water shall be provided at a minimum of 100 degrees Fahrenheit.

a. Routine Testing. Licensed out-of-home caregivers not served by a municipal water supply shall test the water and submit bacteriological water test results to the local county health department:-

(I) Before license approval;-

(II) At least every 12 months;-

(III) Upon relocation;-

(IV) Before having the well placed in service after construction, repair, or modification;- or

(V) After an emergency situation, such as a flood, that may introduce contaminants to the system.

b. Test results must be negative for bacteriological contamination.

c. Positive test results require the facility to use potable water from a source approved by law for the purpose of drinking, cooking, and oral contact, until test results are negative. In addition, wells that test positive shall be disinfected, flushed, and tested for bacterial contamination.

d. Laboratory test results must be submitted to the local county health department, in writing, by the testing laboratory.

e. Testing can be obtained through the local county health department or a certified independent laboratory.

2. Food Holding Temperature. Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 41 degrees Fahrenheit or below or 140 degrees Fahrenheit or above. Refrigeration units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed by the licensed out-of-home caregiver and any inspector.

3. Vector Control.

a. Effective control measures shall be utilized to minimize the presence of rodents, flies, cockroaches, and other vectors and vermin on the premises.

b. The creation, maintenance, or causing of any condition capable of causing vectors and vermin will not be permitted. The home shall be effectively maintained rodent-proof and rodent free. All outside openings shall be effectively sealed or screened with 16 mesh screening or equivalent, to prevent entry of insects, rodents, or other vectors and vermin.

4. Sewage. Any home not on a municipal sewage system and having an onsite sewage treatment and disposal system or septic tank, shall meet applicable standards in Chapter 64E-6 of the Florida Administrative Code and 381.0065, F.S.

5. Garbage and Rubbish Disposal. All garbage, trash, and rubbish from the kitchen area shall be collected daily and placed in garbage receptacles. Garbage or trash containing diapers or any odor-causing agent shall also be collected daily and placed in garbage receptacles. Garbage or trash consisting only of paper items must be collected weekly and placed in garbage receptacles. Garbage shall be removed from garbage receptacles frequently enough to prevent a sanitary nuisance, as defined in Chapter 386, F.S. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. All containers, storage areas and, surrounding premises shall be kept clean and free of vectors and vermin.

(b) Family foster homes located in counties designated by the Department of Community Affairs Florida Radon Protection Map Categories as “intermediate” or “Elevated Radon Potential” areas shall be tested to determine the level of indoor radon as required in Section 404.056, F.S. Radon levels shall be at a level which does not affect the safety and well-being of children in the homes. Re-testing of licensed family foster homes for radon gas shall take place as required in Section 404.056, F.S.

(c) Outdoor Area.

1. The exterior of the home and premises shall be free from objects, materials, and conditions which constitute a danger to children. All garbage and trash shall be covered and removed regularly. There shall not be large, potentially dangerous items stored in the safe outdoor play area such as old refrigerators, stacks of lumber and unregistered vehicles or boats.

2. The home shall have a safe outdoor play area on the property or within reasonable walking distance. All outdoor play equipment shall be kept in good repair. If the home is located on a busy street, there shall be a safety plan for supervision.

(d) Water Safety and Supervision.

1. Children shall be supervised visually at all times when they are in close proximity to any body of water. Access to swimming pools and bodies of water shall be restricted when supervision is not available, and children shall never be left to swim alone.

2. Children who are placed in family foster homes which are adjacent to any body of water or that have swimming pools shall be instructed in water safety as appropriate for their age.

3. Wading pools shall be set up and maintained according to the manufacturer’s instructions. Wading pools shall be emptied and stored when not in use and shall be filled with clean water before each use.

(e) Swimming Pools.

1. Swimming pools shall have a barrier on all sides at least four feet high. The barrier shall consist of a house plus a fence on the remaining three sides or a four-sided fence.

2. All access through the barrier shall have one of the following safety features: alarm, key lock, self-locking doors, bolt lock, or other lock that is not accessible to children.

3. When the swimming pool is not in use all entry points shall be locked.

4. Above ground pools with steps or ladders shall have them secured, locked, or removed when the pool is not in use.

5. If the pool cannot be emptied after each use, the pool shall have a working pump and filtering system.

6. Hot tubs and spas shall be required to have a safety cover that is locked when not in use.

7. Swimming pools shall be equipped with one of the following life saving devices: ring buoy; rescue tube; flotation device with a rope; or a shepherd’s hook of sufficient length to cover the area.

(f) Interior Environment.

1. The home shall have sufficient space and furnishings and be accessible to all members of the family.

2. Each child shall be provided with adequate storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

3. Bath and toilet facilities shall be clean and in good working order with a door for privacy.

4. The door of each bathroom shall have a lock that may be opened from the outside in an emergency.

5. The home shall be clean and free of hazards to the health and physical well-being of the family.

6. Each foster home shall have a working telephone in the home and accessible at all times. Emergency telephone numbers shall be posted by the telephone. Licensed out-of-home caregivers shall immediately notify the supervising agency if their telephone number changes.

7. All toys and equipment shall be in safe condition and kept clean and sanitary.

8. All rooms used by children shall be at a comfortable temperature. Rooms shall be dry and well ventilated.

9. All doors and windows used for ventilation shall be screened.

10. Rooms used by children shall be clean and well lit for activities such as homework, board games, and other educational or recreational opportunities.

11. When children are present, rooms shall be free of tobacco smoke.

(g) Sleeping Arrangements.

1. Bedrooms shall have adequate space for the number of children sleeping in the room. A minimum of forty square feet per child is required. Homes that are licensed prior to the promulgation of this rule shall be exempt from this requirement.

2. An adult shall be within hearing distance and accessible to the rooms where children under six years of age are sleeping.

3. Each child shall be provided with a clean, comfortable, permanent bed and mattress of his or her own. The bed shall be of sufficient size to comfortably accommodate the child.

4. Infants shall have their own crib, which shall be maintained in good and safe condition and have a clean and comfortable mattress that fits snugly in the crib frame. Cribs shall not be placed close to windows with curtains or cords in which the child might become entangled.

5. Bunk beds shall be safe and sturdy. Bunk beds shall be equipped with safety rails on the upper tier for a child under the age of ten or for any child whose physical, mental, or emotional condition indicates the need for such protection. Beds shall not be bunked higher than two tiers.

6. A licensed out-of-home caregiver shall provide each foster child with clean linens. A foster child shall not be required to sleep on linens soiled by urine or excrement. Waterproof mattress covers should be provided for all beds and cribs of children experiencing enuresis or encopresis. Plastic garbage bags must not be used as mattress covers.

7. Children of any age shall not sleep on a living room sofa, cot, or foldaway bed except in extenuating circumstances.

8. The entry to the foster child's bedroom shall not be located to require the foster child to pass through another bedroom or bathroom in order to enter his or her bedroom.

9. Children may never share a bed with an adult, regardless of age.

10. Children may not share a bed.

11. Children over 36 months of age may not share a bedroom with a child of the opposite sex.

12. Children over the age of twelve months shall not share a bedroom with an adult. The only exception to this would be if one of the children sharing a bedroom reaches his or her eighteenth birthday and the out-of-home caregiver and the supervising agency approve this sleeping arrangement. This exception applies only to the circumstances described above and not to any new placements in the home.

13. Infants twelve months of age or younger may share a bedroom with an adult provided the infant sleeps in his or her own crib.

14. Children over the age of twelve months may share a bedroom with an adult when it is deemed medically necessary. A doctor's note shall be placed in the licensing file of the department and the supervising agency.

(h) Foster Home Safety.

1. The licensed out-of-home caregiver shall make every effort to identify and immediately correct any hazard to the safety of foster children while in the home or while being transported.

2. All poisonous chemicals shall be in a locked location. Hooks, child safety latches, and other baby proof devices do not qualify as locked storage for poisonous chemicals. Cleaning materials shall be made inaccessible to children.

3. Each foster family home shall have a first aid kit available and accessible to all caregivers.

4. All medications shall be stored in a location that is locked and inaccessible to children. Hooks, child safety latches and other baby proof devices do not qualify as locked storage for medications.

5. Alcoholic beverages shall be stored in a location out of reach to children.

6. ~~Dangerous weapons shall be secured in a location inaccessible to children.~~ Storage of guns shall comply with the requirements in Section 790.174, F.S., ~~Weapons and ammunition shall be locked and stored separately and in a place inaccessible to children.~~ and all agencies shall, as a part of the home study process, require applicants to sign CF-FSP 5343, March 2010, incorporated by reference and available at www.dcf.state.fl.us/publications/; If an agency receives a public records request after the promulgation of this rule; identifying information such as: caliber of guns owned, number of guns owned or place of storage of guns, must be redacted.

7. Animals requiring vaccinations shall be current in all vaccinations. All animals shall be well cared for and maintained. The foster family home shall have a secure method to restrict children's access to potentially dangerous animals.

(i) Fire Safety.

1. The home shall be safe from fire hazards. All combustible items shall be stored away from sources of heat. Exits, stairways and hallways shall be free of obstacles that would hamper an emergency evacuation. The home shall have at least two exits. All doors with locks shall be capable of being opened from the inside.

2. All equipment such as heating and cooling units, washers, dryers, refrigeration systems, stoves, and hoods shall be properly installed, vented and maintained.

3. Each bedroom shall have two means of exit in case of emergency. Bedrooms above ground level must have a means of escape that will allow for safe exit. If the home is equipped with burglar bars, the caregiver shall demonstrate that the burglar bars can be released to allow exit. A key placed near a window does not qualify as an approved emergency release method. Age appropriate training on opening of the burglar bars shall be provided to each child upon placement.

4. The licensed out-of-home caregiver shall have an evacuation plan posted in a conspicuous place in the home. The plan shall specifically provide for the safe exit of children who are incapable of understanding the plan or participating in drills. This plan should be shared with all children as appropriate to their age and level of understanding upon placement in the home.

5. Fire drills shall be conducted a minimum of two times a year. The licensed out-of-home caregiver shall maintain a log of fire drills conducted, including the date, beginning and ending time, specific location, and participants' names.

6. Each floor in the home shall have a fully charged, unexpired 2A10BC fire extinguisher. One of the fire extinguishers shall be adjacent to the kitchen. There shall also be at least one operating smoke alarm on each floor. There shall be a smoke alarm in each bedroom area.

7. The home shall not be heated by un-vented gas fired space heaters or oil heaters unless they are equipped with an oxygen depletion sensor and the home has a carbon monoxide

alarm. All gas-fired devices shall be equipped with an automatic pilot gas shut-off control. All electrical wiring shall meet required building codes.

8. All fireplaces, space heaters, steam radiators, and hot surfaces shall be shielded against accidental contact. Access by children under six years of age shall be restricted by a barrier.

9. Extension cords shall not extend from one room to another with the exception of situations involving emergency loss of power due to a natural or manmade disaster. Multiple electric outlet adapters shall not be used for more than two extensions at one time.

10. Volatile materials shall not be stored where water heaters are located or near other sources of heat. Attic space shall not be used for the storage of volatile materials.

(j) Transportation Safety.

1. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children as required under Section 316.613(1)(a), F.S. Vehicles shall be smoke-free when foster children are being transported. The licensed out-of-home caregiver shall have the ability to safely transport the number of children in his or her care.

2. The licensed out-of-home caregiver shall have all vehicles insured. The licensed out-of-home caregiver shall not allow foster children to be transported by any person not possessing a valid driver's license or auto insurance.

3. The licensed out-of-home caregiver shall not have driving violations less than five years old on file with the Department of Motor Vehicles, which relate to driving under the influence of alcohol or drugs. A copy of the licensed out-of-home caregiver's driving record shall be provided to the licensing authority at the time of initial licensure and at each re-licensure.

4. The licensed out-of-home caregiver shall not transport foster children in vehicles such as truck beds, motorcycles, or any other high-risk method of transportation. The licensed out-of-home caregiver shall not transport children on his or her lap.

(k) Disaster Plans.

1. Each licensed out-of-home caregiver shall make a written plan for evacuation in the event of a natural or man made disaster. The plan shall be kept up to date.

2. The plan shall include where the family intends to go and information as to how the family may be reached and must be shared with the supervising agency.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended _____.

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

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9BER10-1
 RULE TITLE: Community Development Block Grant Disaster Recovery Initiative

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The expenditure of the funds in the declared disaster areas where housing, infrastructure, and businesses were severely damaged or destroyed is essential to the health, safety and welfare of the public.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Promulgation of Rule Chapter 9BER10-1, using emergency rule procedures, is the only available mechanism that adequately provides for the expeditious disbursement and use of the federal funds to provide disaster relief, long-term recovery and infrastructure restoration.

SUMMARY: This rule enables the Department of Community Affairs to distribute and administer CDBG disaster recovery funds as expeditiously as possible.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jacquelyn Dupree, Manager, Florida Small Cities CDBG and Disaster Recovery Programs, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1879

THE FULL TEXT OF THE EMERGENCY RULE IS:

9BER10-1 Community Development Block Grant Disaster Recovery Initiative.

(1) All portions of Rule Chapter 9B-43, F.A.C., are waived by this emergency rule except the following: Rule 9B-43.0031 (Definitions) and subsections 9B-43.0051(2), (3), (4), and (8) (Selected portions of Grant Administration and Project Implementation).

(2) The State's Action Plan, incorporated herein by reference, reflects the activities that are eligible for funding under this rule. All activities must be eligible under 24 CFR 570, Subpart I, and must meet one of three national objectives: activities principally benefiting low and moderate income persons; activities which aid in the prevention or elimination of slums or blight; activities designed to meet community development needs having a particular urgency for which no other funding is available.

(3) The funds are to be used only to address damage and destruction directly resulting from the declared storms, to mitigate future damage, and to alleviate conditions that pose a serious and imminent threat to the health and safety of the citizens of the communities.

(4) The amount of funds awarded to eligible local governments shall be limited to that amount necessary to address the disaster recovery unmet need.

(5) All definitions in Rule 9B-43.0031, F.A.C., apply, except that service area means the total geographical area to be served by an eligible activity. A service area will encompass all beneficiaries who are reasonably served or would be reasonably served by such activity.

(a) “Action Plan” is the plan submitted by the Department of Community Affairs and approved by the U.S. Department of Housing and Urban Development (HUD) in response to Federal Register Notice Volume 74, Number 29 published Friday, February 13, 2009, incorporated herein by reference, and Federal Register Notice Volume 74, Number 156 published Friday, August 14, 2009 which outline basic requirements relating to the allocation of the disaster recovery funding, incorporated herein by reference.

(b) “Award Agreement” means the contract, incorporated by reference, that will be executed between the Department of Community Affairs and the local government recipient of the funds which will specify state administrative requirements that will apply to the funding.

(c) Other definitions may be found in 24 CFR 570, Rule 9B-43.0031, Florida Administrative Code, and the Action Plan.

(6) Eligible subgrantees may use up to 2.5% of their total grant award for administrative costs as defined in 24 CFR 570.206 and the Action Plan applicable to this rule.

(7) “Expenditures and Limitations.” In order to meet the HUD requirement that at least \$9,079,866 of the \$81,063,855 be used for affordable rental housing, the State must use at least 14% of their allocation for affordable rental housing.

(8) The Federal regulations (Volume 74, Number 29, published Friday, February 13, 2009 and Volume 74, Number 156, published Friday, August 14, 2009), the Action Plan, the Application instructions, the Award Agreement and any adopted policy statements or procedures are incorporated by reference as a part this rule.

(9) Local governments must take the necessary steps to ensure that the public is made aware of the funding and the purposes for which the funding may be used. The State Action Plan outlines the minimum requirements for public notification.

(10) Local governments will be required to comply with the Environmental Assessment procedures set out in 24 CFR 58 prior to obligating or expending more than \$15,000 in administrative funding.

(11) Communities conducting projects located within a floodplain and identified by FEMA as nonparticipating, noncompliant communities under the National Flood Insurance Program are not eligible for these funds.

(12) Allocation of funds was determined by the Department of Community Affairs based upon damage assessment data.

(13) Additional guidance regarding grant administration, procurement, monitoring, reporting and closeout requirements will be set forth in the contract.

Rulemaking Authority 290.048 FS. Law Implemented 290.0401-.048 FS. History—New 4-14-10.

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

EFFECTIVE DATE: April 14, 2010

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12BER10-2	Tax on Transfers of Ownership Interest in Legal Entities

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2009-131, Laws of Florida, authorizes the Department to promulgate an emergency rule, and to renew such rule, to implement the provisions of the law. The law provides that conditions necessary for an emergency rule and its renewal have been met. Section 201.02(1)(b), F.S., provides for the imposition of tax on transfers of ownership interest in a conduit entity when the transfer is within three years of a transfer of Florida real property into the conduit entity, documentary stamp tax was not paid on the full consideration when the real property was transferred into the conduit entity, and the ownership interest transferred belonged to the grantor of the real property. This emergency rule provides how the tax is imposed, when the tax is due, and examples of transfers of real property that would be subject to the tax.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule, and the renewal of such rule, to implement Chapter 2009-131, Laws of Florida, and determined that all conditions necessary for this emergency rule have been met. This law imposes a tax on the transfer of a grantor’s ownership interest in a conduit entity when the grantor conveyed real property to the conduit entity without having paid tax on the full consideration for the real property and the transfer is within three years after the grantor conveyed the real property to the conduit entity.

SUMMARY: Emergency Rule 12BER10-2 (Tax on Transfers of Ownership Interest in Legal Entities), provides for the application of tax to transfers of a grantor’s ownership interest in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property. This emergency rule: (1) provides when the tax is imposed under Section 201.02(1)(b),

F.S., as amended by Chapter 2009-131, L.O.F., how the tax is computed, and when the tax is due; (2) provides definitions of the terms “conduit entity” and “full consideration”; and (3) provides examples of transfers of real property that would be subject to the tax.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Tim Phillips, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4724

THE FULL TEXT OF THE EMERGENCY RULE IS:

12BER10-2 Tax on Transfers of Ownership Interest in Legal Entities.

(1)(a) Scope. This rule applies to transfers of a grantor’s ownership interest in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property.

(b) Definitions. For purposes of this rule:

1. “Conduit entity” means a legal entity to which real property is conveyed without full consideration by a grantor who owns a direct or indirect interest in the entity or a successor entity.

2. “Full consideration” means the consideration that would be paid in an arm’s length transaction between unrelated parties.

(2) When a grantor conveys real property to a conduit entity without tax being paid on full consideration and all or a portion of the grantor’s ownership interest, either direct or indirect, is subsequently transferred for consideration within 3 years after the grantor conveyed the real property to the conduit entity, the transfer of the grantor’s ownership interest in the conduit entity is subject to tax.

(3) The tax is based on the consideration paid or given for the grantor’s ownership interest in the conduit entity. The tax rate is 70 cents for each \$100 or fraction thereof of the consideration. If the conduit entity owns assets other than the real property described in subsection (2), tax is calculated by multiplying the consideration for the interest in the conduit entity by a fraction, the numerator of which is the value of the real property described in subsection (2) and the denominator of which is the value of all assets owned by the conduit entity, and then multiplying the result by the tax rate.

(4) A gift of an ownership interest in a conduit entity is not subject to tax to the extent there is no consideration.

(5) The transfer of shares or similar equity interests that are dealt in or traded on public, regulated security exchanges is not subject to the tax.

(6) The tax is to be paid pursuant to Section 201.133, F.S., on the earliest of the 20th day of the month following the month the ownership interest is transferred or the date that an instrument evidencing the transfer is filed or recorded in Florida.

(7) The provisions of this rule do not affect the imposition of tax on transactions described in Section 201.02(4), F.S.

(8) Examples.

(a) Example 1: On July 2, 2009, Lloyd transferred Florida real property (the real property), owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 3, 2009, Lloyd transferred his interest in the LLC for \$1,000,000. The LLC owned no assets other than the real property. Documentary stamp tax of \$7,000.00 was due on the transfer of Lloyd’s ownership interest in the LLC based on the \$1,000,000 consideration, since Lloyd was the grantor of the real property and since tax was not paid on full consideration when the real property was transferred to the LLC.

(b) Example 2: On July 2, 2009, Calvin and Sally transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Calvin and Sally. The full consideration at the time of the transfer would have been \$30,000. Documentary stamp tax of \$210 was paid on the document that transferred the real property to the LLC. On July 10, 2009, Calvin and Sally sold their ownership interests in the LLC for \$35,000. The only asset owned by the LLC at the time was the real property. No documentary stamp tax was due on the transfer of Calvin and Sally’s ownership interests in the LLC, since tax was paid on the full consideration for the real property when it was transferred to the LLC.

(c) Example 3: On July 2, 2009, Vern and Carol transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Vern and Carol. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Vern sold his interest in the LLC for \$200,000. Tax of \$1400 was due on the transfer of Vern’s ownership interest in the LLC, since Vern was a grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the LLC.

(d) Example 4: On July 2, 2009, Pam and Mike transferred Florida real property (the real property) which they owned jointly, to a corporation. The corporation was owned equally by Mike and a limited liability company (LLC) owned by Pam alone. No documentary stamp tax was paid on the document that transferred the real property to the corporation. On July 10, 2009, Pam sold her interest in the LLC (thereby selling her indirect ownership interest in the corporation) for \$45,000. The corporation owned property in addition to the real property transferred to it on July 2, 2009. Full consideration for the real property would have been \$85,000, and the real property made up 95% of the value of all assets owned by the corporation. The only asset owned by the LLC was its interest in the corporation. Tax of \$299.60 was due on the transfer of Pam’s ownership interest based on consideration of \$42,750 (\$45,000.00 multiplied by the 95% attributable to the real

property), since Pam was the grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the corporation.

(e) Example 5: On July 2, 2009, Tom transferred Florida real property (the real property) owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Tom sold 50% of his interest in the LLC to Imogene for \$200,000. Tax of \$1,400 was due on the transfer of Tom's ownership interest in the LLC based on consideration of \$200,000, since documentary stamp tax was not paid on full consideration for the real property when it was transferred to the LLC. On July 25, 2009, Tom sold one-half of his remaining 50% ownership interest in the LLC for \$105,000, and Imogene sold one-half of her 50% ownership interest in the LLC for \$105,000. Tax of \$735 was due on the transfer of Tom's ownership interest, since Tom was the grantor of the real property and since tax was not paid on the fair market value of the real property when it was transferred to the LLC. No tax was due on Imogene's transfer, since Imogene was not a grantor of the real property.

Rulemaking Authority s. 6, Ch. 2009-131, L.O.F. Law Implemented Ch. 2009-131, L.O.F. History—New

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

EFFECTIVE DATE: April 12, 2010

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12DER10-1	Form for Use in the Exemption for Real Property Dedicated in Perpetuity for Conservation

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2009-157, Laws of Florida (House Bill 7157), authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that may be renewed. This legislation provides an exemption in Section 196.26, Florida Statutes, for which current law in Section 196.011, Florida Statutes, requires an application to be made by March 1. The form that is adopted by this emergency rule is essential to enabling qualifying persons to apply for the exemption. This form is necessary to timely implement the legislative intent for this exemption to be available for tax year 2010. The tax year begins January 1, which is the assessment date under Section 192.042, Florida Statutes. Section 193.052(5), Florida Statutes, requires that the Department shall distribute forms in a timely manner so that each property

appraiser can and shall make them available in his or her office no later than the first working day of the calendar year, so that exemption applications can be made by taxpayers.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2009-157 (House Bill 7157), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 6 months and that they may be renewed. The form included here is based on the requirements of Chapter 2009-157 (House Bill 7157), Laws of Florida, as passed by the Legislature. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, taxing authorities, including counties, municipalities, and independent districts, school districts, their associations, and practitioners who have told the Department that they want to receive all information associated with property tax rulemaking. The actions that the Department has taken include: making the proposed drafts available via the Internet for public review and comments, maintaining a Department email address to make it easier for interested parties to submit comments and questions to the agency; emailing copies of the draft form to interested parties, as well as receiving and incorporating public comments on the drafts of form.

SUMMARY: Chapter 2009-157, Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed. The purpose of this emergency rule is to adopt and incorporate by reference, Form DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application, to be used as an exemption application for those who qualify under Section 196.26, Florida Statutes. This rule renews and replaces Rule 12DER09-16 as certified on December 29, 2009.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0100; telephone (850)617-8886; Fax (850)488-9482; email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER10-1 Form for Use in the Exemption for Real Property Dedicated in Perpetuity for Conservation.

(1) This rule applies to the exemption related to real property dedicated in perpetuity for conservation purposes under Section 196.26 Florida Statutes, Chapter 2009-157 (House Bill 7157), Laws of Florida.

(2) In order to qualify for the exemption under Section 196.26 Florida Statutes, property owners must submit an original application for this tax exemption to the property appraiser by March 1 as outlined in Section 196.011, F.S.

(3) This rule subsection adopts and incorporates by reference the following exemption form:

DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application (N. 12/09), which the Department of Revenue hereby adopts and incorporates in this rule by reference, is the form to be used by property owners who qualify for the exemption under Section 196.26, F.S.

(4) Copies of this form are available, without cost, by downloading the selected form from the Department’s Internet site at <http://dor.myflorida.com/dor/property/forms/>. Persons with hearing or speech impairments may call the Department’s TDD at (800)367-8331.

(5) This rule renews and replaces Rule 12DER09-16. This rule will be superseded by any rule adopted addressing the same subject matter and will otherwise remain in effect for 6 months and may be renewed during the pendency of procedures to adopt rules addressing the subject matter of this emergency rule.

Rulemaking Authority Section 8 of Ch. 2009-157, L.O.F. Law Implemented Section 1 of Ch. 2009-157, L.O.F. History—New 4-8-10.

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

EFFECTIVE DATE: April 8, 2010

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-10
 RULE TITLE: Instant Game Number 1060, CASH BONANZA

SUMMARY: This emergency rule describes Instant Game Number 1060, “CASH BONANZA,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-10 Instant Game Number 1060, CASH BONANZA.

(1) Name of Game. Instant Game Number 1060, “CASH BONANZA.”

(2) Price. CASH BONANZA lottery tickets sell for \$10.00 per ticket.

(3) CASH BONANZA lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning CASH BONANZA lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

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



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



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

\$5.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00	\$50.00
FIVE	TEN	FIFTEEN	TWENTY	TWENTY FIVE	THIRTY	FIFTY
ONE FIVE	TWO TEN	THREE FIVE	ONE TWENTY	FIVE TWENTY	TEN TWENTY	ONE FIFTY

(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “CASH” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to the

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

symbol. A ticket having a “\$100” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to \$100.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000, \$10,000 and \$1,000,000.

(9) \$1,000,000 Prize Payment Options.

(a) A winner of a \$1 million prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time the \$1,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in one (1) lump sum cash payment of \$650,000, less applicable withholding taxes.

(c) Annual Payment prizes will be paid in twenty (20) equal annual installments of \$50,000 each, less applicable federal withholding taxes.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1060 are as follows:

\$100 (STARBURST)	\$100	240.00	50,000
\$100	\$100	480.00	25,000
(\$10 x 10) + (\$20 x 5)	\$200	5,000.00	2,400
\$25 x 8	\$200	6,000.00	2,000
(\$30 x 5) + \$50	\$200	6,000.00	2,000
\$100 (STARBURST)	\$200	4,000.00	3,000
+ \$100			
\$200	\$200	6,000.00	2,000
(\$25 x 10) + (\$50 x 5)	\$500	12,000.00	1,000
\$50 x 10	\$500	12,000.00	1,000
(\$25 x 4) + (\$50 x 4)	\$500	12,000.00	1,000
+ \$100 (\$\$)			
(\$100 x 4) +	\$500	12,000.00	1,000
\$100 (STARBURST)			
\$500	\$500	12,000.00	1,000
(\$50 x 10) + (\$100 x 5)	\$1,000	24,000.00	500
\$100 x 10	\$1,000	24,000.00	500
\$200 x 5	\$1,000	24,000.00	500
\$500 (\$\$)	\$1,000	24,000.00	500
\$1,000	\$1,000	24,000.00	500
\$500 x 10	\$5,000	120,000.00	100
\$1,000 x 5	\$5,000	120,000.00	100
\$5,000	\$5,000	120,000.00	100
\$10,000	\$10,000	120,000.00	100
\$1,000,000	TOP PRIZE	2,000,000.00	6
(\$50K/yr/20yrs)			

(11) The estimated overall odds of winning some prize in Instant Game Number 1060 are 1 in 3.31. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1060, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-9-10.

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

EFFECTIVE DATE: April 9, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-11
 RULE TITLE: Instant Game Number 1054, STACKS OF CASH

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 100 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	30.00	400.000
\$5 (\$\$)	\$10	30.00	400.000
\$10	\$10	30.00	400.000
\$5 x 3	\$15	60.00	200.000
\$5 + \$10	\$15	30.00	400.000
\$15	\$15	30.00	400.000
\$5 x 4	\$20	60.00	200.000
(\$5 x 2) + \$10	\$20	100.00	120.000
\$10 x 2	\$20	150.00	80.000
\$10 (\$\$)	\$20	60.00	200.000
\$20	\$20	60.00	200.000
\$5 x 5	\$25	300.00	40.000
(\$5 x 3) + \$10	\$25	300.00	40.000
\$5 + (\$10 x 2)	\$25	300.00	40.000
\$5 (\$\$) + \$15	\$25	300.00	40.000
\$25	\$25	300.00	40.000
\$5 x 6	\$30	500.00	24.000
\$5 (\$\$) + (\$10 x 2)	\$30	500.00	24.000
\$10 x 3	\$30	800.00	15.000
\$15 (\$\$)	\$30	500.00	24.000
\$30	\$30	800.00	15.000
\$5 x 10	\$50	400.00	30.000
\$10 x 5	\$50	480.00	25.000
\$10 (\$\$) + (\$15 x 2)	\$50	480.00	25.000
\$10 (\$\$) + \$15 (\$\$)	\$50	480.00	25.000
\$50	\$50	480.00	25.000
(\$5 x 10) + (\$10 x 5)	\$100	480.00	25.000
\$10 x 10	\$100	480.00	25.000
\$20 x 5	\$100	480.00	25.000
\$25 (\$\$) + \$50	\$100	480.00	25.000

SUMMARY: This emergency rule describes Instant Game Number 1054, "STACKS OF CASH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-11 Instant Game Number 1054, STACKS OF CASH.

(1) Name of Game. Instant Game Number 1054, "STACKS OF CASH."

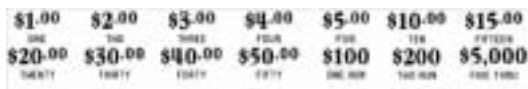
(2) Price. STACKS OF CASH lottery tickets sell for \$1.00 per ticket.

(3) STACKS OF CASH lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning STACKS OF CASH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-11, F.A.C.

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



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




(6) The legends are as follows:

GAME 1	
GAME 2	
GAME 3	
GAME 4	PRIZE

(7) Determination of Prizewinners.

(a) There are four games on a ticket. Each game is played separately. A ticket having three like play symbols and corresponding play symbol captions in a game shall entitle the claimant to the prize shown for that game. A ticket having a

 symbol in a game shall entitle the player to the prize shown for that game.

(b) The prizes are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200 and \$5,000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 1054 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 50 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	1,120,000
\$1 x 2	\$2	30.00	400,000
\$2	\$2	30.00	400,000
\$1 x 4	\$4	150.00	80,000
(\$1 x 2) + \$2	\$4	300.00	40,000
\$2 x 2	\$4	150.00	80,000
\$4	\$4	150.00	80,000
\$2 + \$3	\$5	500.00	24,000
\$1 + (\$2 x 2)	\$5	500.00	24,000
(\$1 x 3) + \$2	\$5	500.00	24,000
\$1 + \$4	\$5	500.00	24,000
\$5	\$5	500.00	24,000
\$2 + (\$4 x 2)	\$10	750.00	16,000
(\$2 x 3) + \$4	\$10	750.00	16,000
\$1 + (\$2 x 2) + \$5	\$10	750.00	16,000
\$5 x 2	\$10	750.00	16,000
\$10	\$10	750.00	16,000
\$5 + \$15	\$20	1,500.00	8,000
\$5 x 4	\$20	1,500.00	8,000
(\$5 x 2) + \$10	\$20	1,500.00	8,000
\$10 x 2	\$20	1,500.00	8,000
\$20	\$20	1,500.00	8,000
(\$5 x 3) + \$15	\$30	8,000.00	1,500
(\$5 x 2) + (\$10 x 2)	\$30	8,000.00	1,500
\$10 x 3	\$30	8,000.00	1,500
\$10 + \$20	\$30	8,000.00	1,500
\$30	\$30	8,000.00	1,500
\$10 + \$30	\$40	6,000.00	2,000
\$10 x 4	\$40	6,000.00	2,000
(\$10 x 2) + \$20	\$40	6,000.00	2,000
\$20 x 2	\$40	6,000.00	2,000
\$40	\$40	6,000.00	2,000
(\$10 x 2) + (\$40 x 2)	\$100	12,000.00	1,000
(\$20 x 2) + (\$30 x 2)	\$100	12,000.00	1,000
(\$30 x 2) + \$40	\$100	15,000.00	800
\$20 + (\$40 x 2)	\$100	12,000.00	1,000
\$100	\$100	16,000.00	750
\$50 x 4	\$200	80,000.00	150
(\$30 x 2) + \$40 + \$100	\$200	120,000.00	100
\$20 + (\$40 x 2) + \$100	\$200	80,000.00	150
\$100 x 2	\$200	120,000.00	100
\$200	\$200	120,000.00	100
\$5,000	\$5,000	240,000.00	50

(9) The estimated overall odds of winning some prize in Instant Game Number 1054 are 1 in 4.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1054, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for STACKS OF CASH lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

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

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-9-10.

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

EFFECTIVE DATE: April 9, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-12
 RULE TITLE: Instant Game Number 1055, "TRIPLE BINGO"

SUMMARY: This emergency rule relates to the Instant Game Number 1055, "TRIPLE BINGO" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-12 Instant Game Number 1055, "TRIPLE BINGO."

(1) Name of Game. Instant Game Number 1055, "TRIPLE BINGO".

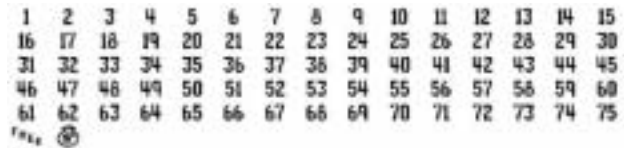
(2) Price. TRIPLE BINGO lottery tickets sell for \$3.00 per ticket.

(3) TRIPLE BINGO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning TRIPLE BINGO lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "CALLER'S CARD" play symbols are as follows:



(5) The "PLAYER'S CARDS" play symbols are as follows:



(6) The legend is as follows:



(7) Determination of Prizewinners.

(a) There are six player's cards numbered 1 through 6 and one Caller's Card on each TRIPLE BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).
2. Vertical line of five numbers (or four numbers and one "FREE" space).
3. Diagonal line of four numbers and one "FREE" space.
4. Four corners (consisting of four numbers).
5. "X" (consisting of eight numbers and one "FREE" space).

(c) A "⊗" symbol on a ticket is a "FREE" spot. A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following line patterns shall entitle the claimant to triple the prize shown for that line on that card:

1. Horizontal line of four numbers (or three numbers and one "FREE" space) and a "⊗" symbol.
2. Vertical line of four numbers (or three numbers and one "FREE" space) and a "⊗" symbol.
3. Diagonal line of three numbers and one "FREE" space and a "⊗" symbol.

(d) Prizes that appear in the player's cards area are: \$3, \$6, \$10, \$25, \$40, \$60, \$90, \$100, \$200, \$300, \$500, \$1,000, \$3,000, \$10,000, \$25,000 and \$50,000. Prize amounts for a particular pattern are different on each player's card.

(8) Players may win on one or more player’s cards per ticket; however, players may not win more than one prize on each player’s card.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1055 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL
Line - Card 1	\$3	10.00	1,080,000
Line - Card 2	\$6	12.50	864,000
Line - Card 1 (MB)	\$9	100.00	108,000
Line - Card 1 + Line - Card 2	\$9	100.00	108,000
Line - Card 3	\$10	50.00	216,000
Line - Card 1 (MB) + Line - Card 2	\$15	100.00	108,000
Line - Card 1 + Line - Card 2 (MB)	\$21	100.00	108,000
Line - Card 4	\$25	1,200.00	9,000
Line - Card 3 (MB)	\$30	1,200.00	9,000
4 Corners - Card 1	\$40	500.00	21,600
Line - Card 1 (MB) + Line - Card 2 (MB)	\$52	600.00	18,000
+ Line - Card 4			
4 Corners - Card 2	\$60	3,000.00	3,600
Line - Card 5	\$60	3,000.00	3,600
Line - Card 4 (MB)	\$75	1,800.00	6,000
Line - Card 3 + Line - Card 6	\$100	4,500.00	2,400
4 Corners - Card 3	\$100	4,500.00	2,400
4 Corners - Card 3 + Line - Card 4 (MB)	\$175	12,000.00	900
X - Card 1	\$200	7,200.00	1,500
X - Card 1 + Line - Card 2	\$206	36,000.00	300
Line - Card 3 (MB) + Line - Card 5 (MB) + Line - Card 6	\$300	45,000.00	240
Line - Card 3 (MB) + Line - Card 6 (MB)	\$300	45,000.00	240
4 Corners - Card 4	\$300	45,000.00	240
X - Card 2	\$500	20,000.00	540
X - Card 2 + 4 Corners - Card 5	\$1,000	45,000.00	240
X - Card 3	\$1,000	45,000.00	240
4 Corners - Card 6	\$3,000	180,000.00	60
X - Card 4	\$10,000	720,000.00	15
X - Card 5	\$25,000	1,080,000.00	10
X - Card 6	\$50,000	1,080,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 1055 are 1 in 4.04. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1055, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for TRIPLE BINGO lottery tickets shall be made in accordance with the rule of the Florida Lottery governing procedures for awarding prizes.

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

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-9-10.

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

EFFECTIVE DATE: April 9, 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.”

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

DEPARTMENT OF EDUCATION

Redlands Christian Migrant Association has filed an Emergency Petition for Waiver from Rule 6A-1.099821, F.A.C., Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate, DOE Agency Case No.: DOE-2010-2050.

An emergency petition was filed by Redlands Christian Migrant Association (RCMA) operating at the following locations: Centro Villas Child Development Center, Florida City; LaEstancia Child Development Center, Wimauma; Mira Verde Child Development Center, LaBelle; Mascotte Child Development Center, Mascotte; Pomona Park Child Development Center, Pomona Park; Wimauma Early Education Center, Wimauma; Krome Child Development Center, LaBelle; and Redlands Child Development Center, Homestead; requesting a waiver from Rule 6A-1.099821, F.A.C., Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate on April 12, 2010. Redlands Christian Migrant Association petitions the Department for a temporary waiver from the requirements of subsection 6A-1.099821(4), F.A.C., beginning on April 13, 2010 through July 1, 2011. The petitioner states that uniformly applying Rule 6A-1.099821, F.A.C., to RCMA will cause the centers to suffer

a substantial hardship or result in a violation of principles of fairness that would justify a variance for the provider. The specific facts presented by the Petitioner are: 1) "It is a violation of the principles of fairness to employ the Department of Education's calculation of its readiness rate to assess a VPK program that serves children deemed limited English proficient in accordance with Section 1003.56, F.S. Based on the Department's rule each child's performance on each of the screening measures in English is used to calculate a provider's readiness rate." 2) "These children when served by the kindergarten-12 educational system are identified as limited English proficient and provisions are made for alternate instruction and services for these children. B calculating the rate based on a limited English proficient child's scores in English, the rule creates a substantial hardship to a VPK program that serves this population of students." 3) "Considering the nature of the services offered by a migrant VPK program to its intended population, penalizing a VPK program so that it may no longer participate in the program may leave this population of children with few VPK options. Other VPK programs may choose not to accept these students due to the way the readiness rate is calculated as providers may not want to jeopardize their ability to participate in the program." 4) "While the RCMA providers listed above can demonstrate learning gains for all of its students through the use of valid program assessment, many of these children are below the normed baseline at the beginning of their VPK program. Allowing RCMA to show proof of child gains that increase a child's preparedness for kindergarten meets the purpose of the VPK program."

A copy of the petition may be obtained by contacting: Lynn Abbott, Agency Clerk at (850)245-9661 or email: lynn.abbott@fldoe.org and may also be obtained from the Department's website at https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the South Florida Water Management District (District), received a petition for waiver from Collier County Board of Commissioners, Application Number: 10-0104-1, for utilization of Works or Lands of the District known as the Golden Gate Main Canal for the proposed construction of the 23rd Street SW Bridge; Section 7, Township 49 South, Range 27 East, Collier County. The petition seeks relief from

paragraphs 40E-6.221(2)(a) and (j), Florida Administrative Code, which governs the minimum low member elevation of pile-supported facilities within the Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussell@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the South Florida Water Management District (District), received a petition for waiver from Collier County Board of Commissioners, Application Number: 09-1104-1, for utilization of Works or Lands of the District known as the Golden Gate Main Canal for the proposed removal and replacement of the existing White Boulevard Bridge; Section 18, Township 49 South, Range 27 East, Collier County. The petition seeks relief from paragraphs 40E-6.221(2)(a) and (j), Florida Administrative Code, which governs the minimum low member elevation of pile-supported facilities within the Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussell@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on April 12, 2010, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: Early Learning Coalition of Putnam and St. Johns Counties, 440 N. State Road 19, Suite 440, Palatka, FL 32177.

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, FL 32399.

NOTICE IS HEREBY GIVEN THAT on April 12, 2010, the Agency for Workforce Innovation, received a petition for 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 Putnam and St. Johns Counties, 440 N. State Road 19, Suite 440, Palatka, FL 32177. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Continental Towers Assoc., filed November 4, 2009, and advertised in Vol. 35, No. 48, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2009-706).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Palm Beach Airport Hilton, filed January 14, 2010, and advertised in Vol. 36, No. 5, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-025).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Royal Floridian, filed February 1, 2010, and advertised in Vol. 36, No. 9, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-052).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from YWCA, filed February 2, 2010, and advertised in Vol. 36, No. 9, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.11.1(a)(2), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until June 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-055).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from FLH Celebration Health Tower, filed February 4, 2010, and advertised in Vol. 36, No. 9, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the

statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-060).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Lake Worth Towers, filed February 5, 2010, and advertised in Vol. 36, No. 9, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 15, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-062).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Holiday Inn, filed February 8, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-075).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ketch Courtyard, filed February 11, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative

Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition and from Rule 1004.2(e)(3), ASME A17.1, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 15, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-081).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Bonita Resort & Club, filed February 11, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-083).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Pattison Building, filed February 12, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.1(a)(2) and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 31, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-084).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from UWF Heritage Hall, filed February 12, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-087).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Shoreline Island Resort, filed February 15, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 15, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-088).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from The Envoy Condo Assoc., Inc., filed February 18, 2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3,

ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-094).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Greater Orlando Aviation Authority, filed February 19, 2010, and advertised in Vol. 36, No. 11 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.8.2.3.4, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the detectors were installed without a permit (VW 2010-095).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Corniche Condo Assoc. Apt., the Palm Beaches, Inc., filed February 19, 2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 3.10.3(a), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 1, 2012 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-096).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Yorktown COA, Inc., filed February 22,

2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-100).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Venture Rentals, Ltd. Bldg. 16R, filed February 23, 2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until February 19, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-101).

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

NOTICE IS HEREBY GIVEN that on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Venture Rentals, Ltd. Bldg. 16R-North, filed February 23, 2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until February 19, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-102).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Venture Rentals, Ltd. Bldg. 16R-North, filed February 23, 2010, and advertised in Vol. 36, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until February 19, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-103).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Smugglers Cove, filed February 24, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.11.1 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until June 30, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-109).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Winston Gateway Assoc., Inc., filed February 24, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4,

3.10.4(t), 3.3.2, 2.2.3 and 3.9.1, ASME A17.3, 1996 edition and from Rule 8.6.5.8, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-110).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ironwood Tenth Condo Assoc., filed February 25, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until September 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-111).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Greater Orlando Aviation Authority, filed February 25, 2010, and advertised in Vol. 36, No. 12 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.8.2.4, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the current pipes are not in violation of A17.3 and therefore no variance is needed (VW 2010-112).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, 850-488-1133.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

issued an order. The Final Order was in response to a Petition for Variance from Kress Building, filed February 25, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 22, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-115).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Plantation House Condo, filed February 25, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-116).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Indian Shores, filed February 26, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-119).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Coquina Condo Assoc., filed February 26, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 4.7.8 and 3.10.4(t), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until November 1, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-120).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Clarion Hotel & Conference Center, filed March 1, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.11.1 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 31, 2010 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-122).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Amway Center, filed March 2, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4.2, ASME A17.1,

2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-124).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Calini Beach Club Condo Assoc., Inc., filed March 2, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until September 11, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-127).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from El Rancho Motel, filed March 5, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.24.2.1 and 2.2.2.5, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-130).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

issued an order. The Final Order was in response to a Petition for Variance from Bellair Condos, filed March 5, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until September 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-131).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from 2404 S. Harbor City Blvd., filed February 15, 2010, and advertised in Vol. 36, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.1(a)(2), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-140).

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

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Poincianna Place Condos, filed March 3, 2010, and advertised in Vol. 36, No. 12 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-142).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Town Shores Condo – Kenmore Bldg., filed March 4, 2010, and advertised in Vol. 36, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.10.4(t), 3.11.1(a)(1), 3.3.2, 2.2.3, 3.9.1 and 3.10.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-143).

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

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Devonshire Properties, filed March 8, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.1, ASME A18.1, 2003 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Crystal Tree, filed March 8, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.3.2 and 2.7.4,

ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Island Club 1 & 2, filed March 8, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Beacon Reef Condo, filed March 9, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

issued an order. The Final Order was in response to a Petition for Variance from Riverside Condo Assoc., filed March 9, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from The Cove, filed March 11, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Orlando Lutheran Towers, filed March 11, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Grandview Condo Assoc., filed March 16, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Water Club, filed March 16, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.3.1.1 and 2.12.6.1, ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code, and from Section 3006.1 Florida Building Code because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Colony Surf Condo, filed March 17, 2010, and advertised in Vol. 36, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996

edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (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.

NOTICE IS HEREBY GIVEN THAT on April 5, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Healthy Delights, Coral Springs, FL. The above referenced F.A.C. addresses the requirement that each establishment discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize holding tanks to provide potable water and to collect waste water.

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

NOTICE IS HEREBY GIVEN THAT on April 5, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from Park Street Caterers, Jacksonville, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another licensed food service establishment for customer use 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.

NOTICE IS HEREBY GIVEN THAT on April 5, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.11, 2001 FDA Food Code, subsection 61C-4.010(5), F.A.C., from Ramp Raw Bar located in Ft. Pierce, FL. The above referenced F.A.C. addresses the requirement that a food service establishment provide equipment to maintain potentially hazardous food at proper temperatures. They are requesting to share a cold holding unit with an adjacent food service.

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

NOTICE IS HEREBY GIVEN THAT on April 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (6), Florida Administrative Code, from Ready Food, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

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

NOTICE IS HEREBY GIVEN THAT on April 13, 2010, the Board of Architecture and Interior Design, received a petition for Jorge L. Trelles, seeking a variance or waiver of Rule 61G1-13.0021, F.A.C., which requires that applicants follow the Intern Development Program through the Nation Council of Architectural Registration Boards in order to satisfy the requirements of Section 481.211, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Architecture and Interior Design within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 22, 2010, the Board of Architecture and Interior Design has issued an order. The Order is regarding the Petition for Waiver or Variance, filed on November 19, 2009, by Danielle Wolf. The Notice of Petition for Waiver or Variance was published in Vol. 35, No. 49, of the December 11, 2009, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61G1-22.002(4), F.A.C., entitled "Schedule for Award of Interior Design Professional Experience," which requires that an applicant's experience record shall be based upon written statements as to employment from the employer or supervisors of the applicant that set forth the quality and character of the applicant's duties and responsibilities. The Board considered the instant Petition at a duly-noticed public meeting, held January 29, 2010, in St. Augustine, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statutes, Section 481.209, F.S., would be met by granting a variance or waiver

from subsection 61G1-22.002(4), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rules to her circumstances would violate principles of fairness and impose a substantial hardship. A copy of the Order may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

NOTICE IS HEREBY GIVEN THAT on April 13, 2010, the Board of Accountancy, received a petition for Baby Varkey, seeking a variance or waiver of paragraph 61H1-27.001(5)(a), Florida Administrative Code, which lists the requirements for an applicant for licensure who holds a degree from a college that is not accredited.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 Northwest 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 3, 2010, the Board of Physical Therapy Practice, received a petition for Lorena Velasquez, seeking a waiver of the requirements of Rule 64B17-3.003, Florida Administrative Code. The Petitioner seeks a waiver of the requirement that applicants pass the NPT Examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)488-0595. Comments on this petition should be filed with the Board of Physical Therapy Practice/MQA within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 30, 2010, the Board of Physical Therapy Practice, received a petition for Patricia Stemrich-Harris, seeking a waiver of the requirements of Rule 64B17-3.003, Florida Administrative Code. The Petitioner seeks a waiver of the requirement that applicants pass the NPT Examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05,

Tallahassee, Florida 32399-3255, (850)488-0595. Comments on this petition should be filed with the Board of Physical Therapy Practice/MQA within 14 days of publication of this notice.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN THAT the Treasure Coast Boat Racing Association has withdrawn its request for a temporary variance from a portion of the Martin County manatee protection rule (Rule 68C-22.024, Florida Administrative Code). The Florida Fish and Wildlife Conservation Commission received the original request on March 16, 2010, and a notice of petition was published on April 2, 2010, in the Florida Administrative Weekly (Vol. 36, No. 13). The request had sought authorization to allow the applicant to hold a powerboat racing event between 10:00 a.m. and 6:00 p.m., April 24-25, 2010, within a Slow Speed boat speed zone west of the Intracoastal Waterway channel and immediately north of the Jensen Beach Causeway. Activities would have involved hydroplane and Jersey skiffs style vessels operating at speeds in excess of 100 miles per hour. Additional information can be obtained by contacting: Mr. Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (6A), 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)922-4330.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Agency for Enterprise Information Technology

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: May 11, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the **Office of Insurance Regulation** concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Agency for Enterprise Information Technology** will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The **Department of Veterans' Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The **Department of Law Enforcement** will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The **Administration Commission** will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The **Florida Land and Water Adjudicatory Commission** will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The **Board of Trustees of the Internal Improvement Trust Fund** will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters; rulemaking under Title 18 of the Florida Administrative Code and other matters within its authority.

The **Department of Environmental Protection** will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee

DEPARTMENT OF STATE

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

DATE AND TIME: May 5, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: Edward N. Johnson Records and Information Center, 4319 Shelfer Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input on the Department of State's electronic communications retention policy.

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 3 days before the meeting by contacting: Jim Berberich, Program Manager, Information Resources Management at (850)245-6750. If you are 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: Jim Berberich, Information Resources Management at (850)245-6750.

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

DATE AND TIME: Tuesday, May 4, 2010, 9:00 a.m.

PLACE: Florida Department of Revenue, Building 3, Room 1009, 2450 Shumard Oaks Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Committee for the Department of Revenue Complex will continue their evaluation of image submissions to select artwork or artist finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator at (850)245-6476.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Laura Blisce at (850)245-6475. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, May 18, 2010, 9:00 a.m. – until the Commission adjourns; Wednesday, May 19, 2010, 8:30 a.m. – 6:30 p.m.

PLACE: Senate Office Building, 404 South Monroe Street, Room 401, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

A copy of the agenda may be obtained by contacting: Patsy Rushing, Commission Clerk at (850)922-4539, ext. 103, by e-mail: patsy.rushing@myfloridalegal.com, by writing: 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399, or by viewing the website of the Commission at: www.fec.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: The Commission Clerk. If you are 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 Commission Clerk.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Viticulture Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2010, 12:00 Noon – 5:00 p.m.

PLACE: FAMU Viticulture and Small Fruit Research Center, 6505 Mahan Drive, Tallahassee, FL 32317, (850)599-3996

DATE AND TIME: Tuesday, May 4, 2010, 9:00 a.m. – 2:00 p.m.

PLACE: Leroy Collins Building, Innovation Park, 2051 East Dirac Drive, 32310, Tallahassee, FL, (850)488-0163

GENERAL SUBJECT MATTER TO BE CONSIDERED: Report on viticulture trust fund activity, committee reports, budget planning, general business.

A copy of the agenda may be obtained by contacting: Tom Thomas at (850)922-9827.

Pursuant to the provisions of 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: Tom Thomas at (850)922-9827. If you are 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: Tom Thomas at (850)922-9827.

NOTICE OF CANCELLATION – The Florida Department of Agriculture and Consumer Services, Division of Forestry announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 14, 2010, 6:00 p.m.

PLACE: Volusia County Extension Office, Agricultural Center Auditorium, 3100 E. New York Avenue, Deland, FL 32724

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Cancellation of meeting published April 9, 2010, Vol. 36, No. 14, pp 1668-1669: Tiger Bay State Forest Management Plan Advisory Group (MPAG) Meeting, April 14, 6:00 p.m.; Public Hearing, 6:30 p.m.; MPAG Meeting, April 15, 9:30 a.m. These meetings have been cancelled and will be rescheduled.

For more information, you may contact: Steven Graham at (386)226-0250.

NOTICE OF RESCHEDULING – The Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) and the Tiger Bay State Forest Management Plan Advisory Group announces two public meetings and a public hearing to which all persons are invited. (These public meetings and hearing are rescheduled from an earlier date).

PUBLIC MEETING:

DATE AND TIME: Monday, May 17, 2010, 6:00 p.m.

PLACE: Volusia County Extension, Agricultural Center, Auditorium, 3100 E. New York Ave., Deland, FL 32724

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Tiger Bay State Forest Management Plan Advisory Group to prepare for a public hearing later in the evening which will provide recommendations to the DOF to help in preparation of a management plan for the Tiger Bay State Forest.

PUBLIC HEARING:

DATE AND TIME: Monday, May 17, 2010, 6:30 p.m.
PLACE: Volusia County Extension, Agricultural Center, Auditorium, 3100 E. New York Ave., Deland, FL 32724
GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Tiger Bay State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to: DOF's Tiger Bay State Forest, 4316 West International Speedway, Daytona Beach, FL 32124, Attention: Steven Graham and should be mailed so as to arrive at the office by the date of the public hearing.

PUBLIC MEETING:

DATE AND TIME: Tuesday, May 18, 2010, 9:30 a.m.
PLACE: Volusia County Extension, Agricultural Center, Auditorium, 3100 E. New York Ave., Deland, FL 32724
GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Tiger Bay Forest Management Plan Advisory Group to review comments from the public hearing earlier in the evening and provide recommendations to the DOF to help in preparation of a management plan for the Tiger Bay State Forest.

A copy of the agenda may be obtained by contacting: Tiger Bay State Forest, 4316 West International Speedway, Daytona Beach, Florida 32124 or contacting: Steven Graham at (386)226-0250.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: DOF's Tiger Bay State Forest office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Board of Professional Surveyors and Mappers** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 11, 2010, 1:00 p.m., Probable Cause Panel (reconsideration 2008-028706). Although this meeting is open to the public, portions may be closed consistent with law; May 12, 2010, 8:30 a.m., Committee Meetings and General Session if time allows; May 13, 2010, 8:30 a.m., General Session

PLACE: Hilton Garden Inn, 5877 American Way, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

Pursuant to the provisions of 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: Leon M. Biegalski at (850)410-3833. If you are 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: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

The **Board of Professional Surveyors and Mappers** announces a workshop to which all persons are invited.

DATE AND TIME: May 11, 2010, 2:30 p.m.
PLACE: Hilton Garden Inn, 5877 American Way, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop to discuss possible new rules or changes to existing rules on subjects including, but not limited to, a special assessment fee to be charged to license holders, possible changes to the title of certain rules, and continuing education.

A copy of the agenda may be obtained by contacting: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500, (850)410-3833.

Pursuant to the provisions of 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: Leon M. Biegalski at (850)410-3833. If you are 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 **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 16, 2010, 9:00 a.m.
PLACE: Embassy Suites – Fort Lauderdale, 1100 S. E. 17th Street, Fort Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling: Debbie Barber at (850)245-5500.

Pursuant to the provisions of 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: Debbie Barber at (850)245-5500. If you are 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 **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

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

PLACE: Hampton Inn & Suites, 3388 Lonnbladh Road, Tallahassee, Florida 32308, (850)574-4900

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling: Debbie Barber at (850)245-5500.

Pursuant to the provisions of 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: Debbie Barber at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The **Division of Blind Services**, Bureau of Business Enterprises announces a public meeting to which all persons are invited.

DATES AND TIMES: May 3, 2010, 1:30 p.m. – 5:00 p.m. and 8:30 a.m. – 5:00 p.m. on subsequent days until all business has been concluded but no later than 8:30 a.m. – 12:00 Noon, May 5, 2010

PLACE: Division of Blind Services, 415 South Armenia Avenue, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and interview applicants for the vending facility management opportunities announced in January 2010.

A copy of the agenda may be obtained by contacting: Eugene Newcomb, Bureau of Business Enterprises Turlington Building, Room 1114, 325 West Gaines Street, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Eugene Newcomb, Bureau of Business Enterprises Turlington Building, Room 1114, 325 West Gaines Street, Tallahassee, FL 32399. If you are 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: Eugene Newcomb, Bureau of Business Enterprises Turlington Building, Room 1114, 325 West Gaines Street, Tallahassee, FL 32399.

The **Board of Governors**, State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 6, 2010, 9:00 a.m.

PLACE: 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Resolution of the Board of Governors Authorizing the Florida Gulf Coast University Financing Corporation to Issue Debt to Finance the Construction of Student Residences, Phase X; Resolution of the Board of Governors Requesting the Division of Bond Finance of the State Board of Administration of Florida to issue revenue bonds on behalf of Florida State University to Finance Construction of a Residence Hall; Update on the State University System Debt Management Guidelines Workshop; Final Approval, BOG Regulation 3.001, Campus Emergency Management; Draft, 2011-12 Legislative Budget Request Guidelines; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Florida Public Archaeology Network** announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2010, 8:00 a.m. – 12:00 Noon

PLACE: Harborside Event Center, 1375 Monroe Street, Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the FPAN Board of Directors in which the operation of the Network is to be reviewed. Strategic planning review will be the main topic. An agenda will be posted on the website (www.flpublicarchaeology.org) at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed below.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, FPAN Office Administrator at (850)595-0050, Fax: (850)595-0052 or email: cphelps@uwf.edu.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cheryl Phelps, FPAN Office Administrator at (850)595-0050, Fax: (850)595-0052 or email: cphelps@uwf.edu. If you are 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: Cheryl Phelps, FPAN Office Administrator at (850)595-0050, Fax: (850)595-0052 or email: cphelps@uwf.edu.

The **Florida State College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: May 4, 2010, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Session Review.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: May 4, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Administrative Offices, Boardroom 405, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS:

DATE AND TIME: May 4, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: Administrative Offices, Room 403A, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, April 27, 2010, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida State College at Jacksonville, on or before May 4, 2010. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of May and June 2010, the Board will hold informal meetings each Thursday from noon to 4:00 p.m., Administrative Offices, Room 403A, for the purpose of discussing College business as appropriate.

The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF REVENUE

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

DATE AND TIME: May 11, 2010, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish Notices of Proposed Rule for the following rule sections.

- Rule 12-13.004, F.A.C. (Delegation of Authority to Determine Settlements or Compromises) – Compromise and Settlement
- Rule 12-16.004, F.A.C. (Delegation of Authority) – Consent Agreements
- Rule 12-17.004, F.A.C. (Delegation of Authority) – Agreements for Scheduling Payments of Liabilities
- Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets) – Communications Services Tax

A copy of the agenda and the meeting materials may be obtained by contacting: Larry Green at (850)922-4830 or by going to the Department's Internet site: <http://dor.myflorida.com/dor/rules>.

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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: May 11, 2010, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Sales and Use Tax Rule 12A-1.060, F.A.C. (Registration). These proposed rule amendments were noticed in the March 12, 2010 (Vol. 36, No. 10, pp. 1128-1130), Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Larry Green at (850)922-4830 or by going to the Department's Internet site: <http://dor.myflorida.com/dor/rules>.

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

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: May 5, 2010, 1:30 p.m. (CST) – until conclusion of business

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Executive Team Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are 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 Transportation Commission, 605 Suwannee Street, Room 176, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIME: May 5, 2010, 3:00 p.m. (CST) – until conclusion of business

PLACE: Northwest Florida Beaches International Airport, Panama City Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission – Airport Briefing and Tour.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are 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 Transportation Commission, 605 Suwannee Street, Room 176, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIME: May 6, 2010, 8:30 a.m. (CST) – until conclusion of business

PLACE: Bay Point Marriott, 4200 Marriott Drive, Panama City Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are 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 Transportation Commission, 605 Suwannee Street, Room 176, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

The **Town of Astatula and Lake County** announce a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, May 18, 2010, Project Information Session, 5:00 p.m. – 6:00 p.m.; Following the Project Information Session a formal Public Hearing (Project Presentation and Public Testimony Period), 6:00 p.m.

PLACE: Ingram Community Building, 25029 CR 561, Astatula, Florida 34705

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing will be conducted to allow interested persons the opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvement. The Preferred Build Alternative for the roadway and the No Build Alternative will be presented. The purpose of this project is to enhance safety and mobility in the area. The preferred alternative improvements will include resurfacing and safety modifications to horizontal curves on the northern and southern end of the study corridor, from CR 455 to Bates Lane and from north of Virginia Avenue to Country Club Drive. The preferred alternative includes widening/reconstruction of the roadway to a two-lane urban section with a center left turn lane/median and curb and gutter from Bates Lane to north of Virginia Avenue. Sidewalks are included on both sides of the roadway from Maryland Avenue to Virginia Avenue, and on the west side only from Virginia Avenue to Palm Drive. The preferred alternative also includes the construction of a roundabout at the CR 455 intersection, reconstruction of the Monroe Street intersection and intersection improvements at Country Club Drive. The preferred alternative involves various stormwater and drainage improvements, with one associated residential relocation.

A copy of the agenda may be obtained by contacting: Ms. Mary Cooper at the address, email or fax below.

Pursuant to the provisions of 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: Ms. Mary K. Cooper, Astatula Town Clerk, P. O. Box 609, Astatula, Florida 34705, (352)742-1100, Fax: (352)742-1970, e-mail: astatula@usa2net.net at least seven days prior to the hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 2, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Rookery Bay Reserve Environmental Learning Center, 300 Tower Road, Naples, FL 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the Advisory Committee to discuss the revision of the Rookery Bay National Estuarine Research Reserve Management Plan.

A copy of the agenda may be obtained by contacting: Brenda Varnes at e-mail: Brenda.Varnes@dep.state.fl.us, phone: (239)417-6310 or by mail: 300 Tower Road, Naples, FL 34113.

Pursuant to the provisions of 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: Brenda Varnes at Brenda.Varnes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 2, 2010, 5:00 p.m. – 6:30 p.m.

PLACE: Rookery Bay Reserve Environmental Learning Center, 300 Tower Road, Naples, FL 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the community to discuss the revision of the Rookery Bay National Estuarine Research Reserve Management Plan.

A copy of the agenda may be obtained by contacting: Brenda Varnes at e-mail: Brenda.Varnes@dep.state.fl.us, phone: (239)417-6310 or by mail: 300 Tower Road, Naples, FL 34113.

Pursuant to the provisions of 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: Brenda Varnes at Brenda.Varnes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 2010, 6:00 p.m.

PLACE: Auburndale Civic Center, 115 West Park Street, Auburndale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO.: 090497-WU – Application for staff-assisted rate case in Polk County by Sunrise Utilities, LLC. The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. NOTE: THIS PREVIOUSLY NOTICED CUSTOMER MEETING HAS BEEN CANCELLED.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely, direct notice to parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public informal meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss the appropriate method for handling reconciliation of capital structure to rate base in rate case proceedings. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

An agenda will be available one week prior to the meeting. For questions or to receive an agenda, contact: Commission staff, Connie Davis at (850)413-6932 or Natalia Salnova, (850)413-6495.

Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page.

Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a prehearing and hearing in the following docket to which all persons are invited.

Docket No.: 090501-TP – Petition for arbitration of certain terms and conditions of an interconnection agreement with Verizon Florida, LLC by Bright House Networks Information Services (Florida), LLC

PREHEARING CONFERENCE:

DATE AND TIME: Thursday, May 13, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

HEARING:

DATES AND TIME: Monday, May 24, 2010 through Thursday, May 27, 2010, 9:30 a.m. each day

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is to permit parties to present testimony and exhibits relative to Bright House Networks Information Services (Florida), LLC's petition for arbitration of certain terms and conditions of an interconnection agreement with Verizon Florida, LLC, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on Thursday, May 13, 2010.

EMERGENCY CANCELLATION OF HEARING: If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will

attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public meeting in the following docket to which all persons are invited.

TITLE: EAST MARION SANITARY SYSTEMS, INC.
Docket Number: 080562-WU

PREHEARING CONFERENCE

DATE AND TIME: Thursday, May 13, 2010, 1:30 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action. One or more Commissioners will be in attendance and will participate.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public workshop to which all persons are invited.

DATE AND TIME: Monday, May 17, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida 32399-0850.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010 Hurricane Season Preparedness Workshop. To provide a forum for Florida's electric utilities as well as local exchange companies to brief the Commission on their 2010 hurricane season preparation. As has been well documented, the multiple hurricanes and tropical storms of 2004 and 2005 caused extensive electric utility restoration costs and outages in Florida. National hurricane experts again are calling for a more active than average hurricane season in 2010, which begins June 1.

The Commission has scheduled this workshop to ensure that all appropriate actions have been taken to protect the electric transmission and distribution facilities in the state from the impact of extreme weather events such as hurricanes. Each utility will address the status of preparation it has achieved in protecting its facilities to date. Such preparations may include the status of facility inspections; maintenance and repairs; coordination with other utilities, government, and community groups; and various storm-hardening measures. These presentations will also address work remaining to be done and specifically identify areas of concern or vulnerability.

Both the electric utilities and the local exchange companies are scheduled to make presentations. It is understood that while the electric utilities own the vast majority of the electric transmission and distribution infrastructure in the state, local exchange companies own many of the poles upon which electric utility infrastructure is placed.

EMERGENCY CANCELLATION OF WORKSHOP: If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: Steve Garl at (850)413-6676.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk at (850)413-6770. If

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

For more information, you may contact: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida's Foundation (formerly Volunteer Florida Foundation) Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 10:30 a.m. (EDT)

PLACE: 1(888)808-6959, Passcode: 7857968#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Foundation business.

A copy of the agenda may be obtained by contacting: Frances Rhodes at (850)410-0696.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

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

PLACE: County Public Library Meeting Room, 378 Northwest College Loop, Madison, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Madison County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2010, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Nominating Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 1:30 p.m.

PLACE: Mini Court Room, County Courthouse, 207 Northeast 1st Street, Jasper, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Hamilton County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2010, 3:00 p.m.

PLACE: Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Florida Room, Third Floor, Viera, Florida 32940

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 or (407)262-7772.

Pursuant to the provisions of 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, Planning Manager at email: gkinney@ecfrpc.org or (407)262-7772. If you are 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 email: 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: May 11, 2010, 9:30 a.m.

PLACE: Polk County Emergency Operations Center, 1890 Jim Keene Blvd., Winter Haven, FL 33880

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee and/or its subcommittees, to discuss the provision of the Emergency Planning and Community Right-to-Know Program. Additionally, items pertaining to the State Emergency Response Commission and its subcommittee for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at email: ccarter@cfrpc.org or (863)534-7130, ext. 107.

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

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 6, 2010, 11:00 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 Budget Committee Meeting to review the Council's FY 10/11 Budget.

A copy of the agenda may be obtained by contacting: Ms. Janice Yell at (239)338-2550, ext. 237 or email: jyell@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: Mrs. 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 contact: Visit our website: www.swfrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 10:30 a.m.

PLACE: Hendry County Administrative Offices, 165 South Lee Street, Suite A, LaBelle, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Joint Glades/Hendry Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Mr. Brian Raimondo at (239)338-2550, ext. 211 or email: braimondo@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 7 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 contact: Visit our website: www.swfrpc.org.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

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

PLACE: Indian River State College, Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the quarterly meeting of Council's Florida District X Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Kathryn Boer at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kathryn Boer at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: SRWMD District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board committee meeting to discuss surplus lands.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **R. O. Ranch Inc.**, a non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 4:00 p.m.

PLACE: Cedar Key, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The R. O. Ranch Board of Directors will be meeting with the Suwannee River Water Management District Governing Board to discuss equestrian facilities of District lands.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.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: Pennie Flickinger, Administrative Assistant at

(386)362-1001 or pff@srwmd.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: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 4, 2010, 9:30 a.m.

PLACE: Rose Bay Restaurant, 5993 S. Ridgewood Avenue, Port Orange, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rose Bay Restoration Celebration. This event will mark the commencement of the dredging of Rose Bay by the U.S. Army Corps of Engineers. One or more Governing Board members may attend.

A copy of the agenda may be obtained by contacting: Ann Benedetti, St. Johns River Water Management District, Palm Bay Service Center, 525 Community College Parkway, S. E., Palm Bay, Florida 32909, abenedetti@sjrwmd.com, (321)676-6606.

Pursuant to the provisions of 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: Ann Benedetti, St. Johns River Water Management District, Palm Bay Service Center. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

Central Recreational Public Meeting (CRPM) and Management Review Team Tour (MRT) TOUR:

DATE AND TIME: Wednesday, May 5, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Canaveral Marshes Conservation Area. Tour participants will meet at the Brevard County Enchanted Forest Sanctuary parking area, 444 Columbia Blvd. (SR-405), Titusville, FL 32780. The District will provide transportation to Canaveral Marshes, around the property and return to Sanctuary parking area. To reserve a seat, please call (386)329-4855 or e-mail: janderson@sjrwmd.com. (One or more Governing Board Members may attend.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Includes a review of the resource and recreation accomplishments within the conservation area since 2004.

CENTRAL RECREATIONAL PUBLIC MEETING:

DATE AND TIME: Wednesday, May 5, 2010, 6:00 p.m.

PLACE: Enchanted Forest Sanctuary (address above). Please call: (386)329-4855 or email: janderson@sjrwmd.com if interested in attending the meeting. (One or more Governing Board Members may attend.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will include presentations covering the resource and recreation management accomplishments and land acquisition updates since the previous CRPM in 2009.

A copy of the agenda may be obtained by contacting: Jay Anderson at (386)329-4855 or janderson@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jay Anderson at (386)329-4855 or email: janderson@sjrwmd.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 2010, 10:00 a.m.

PLACE: District Headquarters, 4049 Reid Street, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on pending applications for individual consumptive use permits or individual environmental resource permits. An agenda will be available at least 7 days before the meeting which will identify those permit applications for which the District will receive public testimony or information.

A copy of the agenda may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Vicki Young at (386)329-4523, or by visiting District website: www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing

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

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2010, 3:30 p.m.

PLACE: Springs Coast Environmental Education Center, 9170 Cortez Boulevard, Weeki Wachee, Florida 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), Josie Guillen, extension 4227.

Pursuant to the provisions of 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: (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4702; TDD (Florida Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 4, 2010, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33537-6749

GENERAL SUBJECT MATTER TO BE CONSIDERED: Permit No. and Project Name; 43008169.011 City of St. Petersburg – USF St. Petersburg Dock Reconfiguration Project; 43034972.000 Anderson Columbia Rock Yard; 43014123.065 MacDill AFB – Mangrove Restoration Project.

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, FL 34609-6749, ext. 4346 or 1(800)423-1476 (FL Only), ext. 4346.

Pursuant to the provisions of 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) or 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 you are 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 **Big Cypress Basin** announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2010, 9:00 a.m.

PLACE: City of Naples, City Hall's Council Chamber, 735 – 8th Street South, Naples, Florida 34102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business.

A copy of the agenda may be obtained by contacting: Kathleen M. Tetrault at (239)263-7615.

Pursuant to the provisions of 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: Kathleen M. Tetrault at (239)263-7615. If you are 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: Kathleen M. Tetrault at (239)263-7615.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: South Miami-Dade Issues Coordination Meeting, Tuesday, May 4, 2010, 9:30 a.m. – 4:00 p.m.

PLACE: John D. Campbell Agricultural Center, Auditorium, 18710 S. W. 288th St., Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Information will be presented on the status and upcoming activities associated with the various District projects being undertaken in South Miami-Dade County including: FPL Turkey Point Cooling Canal System Monitoring Plan, FPL Unit 6 & 7 Expansion Certification, South Dade Agricultural Drawdown Study, Water Control Structure Update, WU/ERP Regulation and Compliance, C-111 Project Update, Biscayne Bay Coastal Wetlands Project Update, Biscayne Bay Water Resource Rule Development, and Outreach.

A copy of the agenda may be obtained by contacting: Ed Hernandez at (305)377-7274 or email: ehernand@sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **Upper East Coast Regional Water Supply Plan – WRAC Issues Workshop** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 9:30 a.m. – 12:00 Noon

PLACE: University of Florida, IFAS, 2199 South Rock Road, Room 219, Ft. Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Upper East Coast Overview of Water Supply Planning requirements and update process; Public water supply population projections and demands; Goal and proposed objectives for UEC Plan Update.

A copy of the agenda may be obtained by contacting: Linda Hoppes at email: lhoppes@sfwmd.gov, (561)682-2213.

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

The **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 4, 2010; June 1, 2010; July 6, 2010; August 3, 2010, 9:30 a.m. – 10:45 a.m. (EST)

PLACE: Temple Shalom, 23190 Utica Avenue, Port Charlotte, FL 33949

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southwest District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Ann Proie, Department of Elder Affairs, 2295 Victoria Ave., Room 152, Ft. Myers, FL 33901, (239)338-2563 or email: prioed@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: Ann Proie, Department of Elder Affairs, 2295 Victoria Ave., Room 152, Ft. Myers, FL 33901, (239)338-2563 or email: prioed@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: Ann Proie, Department of Elder Affairs, 2295 Victoria Ave., Room 152, Ft. Myers, FL 33901, (239)338-2563 or email: prioed@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 10, 2010; June 14, 2010; July 12, 2010; August 9, 2010, 10:00 a.m. – 12:00 Noon (EST)

PLACE: 3601 Kirby Loop Road, Ft. Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Treasure Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Nancy Schoemig, Department of Elder Affairs, 1903 South 25th Street, Ste. 100, Ft. Pierce, FL 34947, (772)595-1385 or email: schoemign@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: Nancy Schoemig, Department of Elder Affairs, 1903 South 25th Street, Ste. 100, Ft. Pierce, FL 34947, (772)595-1385 or email: schoemign@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: Nancy Schoemig, Department of Elder Affairs, 1903 South 25th St., Ste. 100, Ft. Pierce, Florida 34947, (772)595-1385 or email: schoemign@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 19, 2010, 9:00 a.m. – 1:00 p.m.; July 21, 2010; August 18, 2010, 9:30 a.m. – 11:00 a.m. (EST)

PLACE: Department of Environmental Protection, 3800 Common Wealth Blvd., Carr Bldg., Room 170, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panhandle District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, Florida 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF CANCELLATION – The **Agency for Health Care Administration** and Health Information Exchange Legal Work Group meeting scheduled for April 23, 2010, 10:00 a.m., 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308, noticed in the F.A.W. on 3/26/2010, Vol. 36, No. 12, has been cancelled. The meeting upon rescheduling will be noticed in the F.A.W.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2010, 2:00 p.m. – 4:30 p.m. (EST)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of a Technical Advisory Panel formed by the Agency will examine need for any changes to two existing Agency rules: subsection 59A-7.020(15) and Rule 59A-7.037, F.A.C., in accordance with Section 483.245(1), Florida Statutes. This is the second meeting of this panel.

A copy of the agenda may be obtained by contacting: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, Florida 32308, (850)412-4500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: May 25, 2010, 2:00 p.m. – 4:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration will hold a public meeting to discuss current practices and requirements under Rule 59A-7.034, Florida Administrative Code. This rule is the administrative rule governing clinical laboratories and the tests that are authorized in hospital facilities licensed under Chapter 395, F.S., out of the physical or administrative confines of the central laboratory licensed under Chapter 483, F.S.

A copy of the agenda may be obtained by contacting: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, Florida 32308, (850)412-4500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, Florida 32308, (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency For Health Care Administration, Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 10:30 a.m. – 11:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits Panel will discuss issues related to the technical aspects of the Enhanced Benefits Program.

A copy of the agenda may be obtained by contacting: Aldria White at (850)412-3447.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Aldria White at (850)412-3447. If you are 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 MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2010, 9:00 a.m.

PLACE: This is a telephonic meeting. Please contact Casey Snipes at (850)488-7082, ext. 1001 for call in information

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)488-7082, ext. 1001, or by visiting the website: <http://fchr.state.fl.us>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Casey Snipes at (850)488-7082, ext. 1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Casey Snipes, (850)488-7082, ext. 1001, casey.snipes@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 7, 2010, 9:30 a.m.
 PLACE: Department of Business and Professional Regulation,
 1940 North Monroe Street, Tallahassee, Florida 32399
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General Business.

A copy of the agenda may be obtained by contacting:
 Regulatory Council of Community Association Managers
 office at (850)922-5012 or via Fax: (850)617-4458.

Pursuant to the provisions of the Americans with Disabilities
 Act, any person requiring special accommodations to
 participate in this workshop/meeting is asked to advise the
 agency at least 5 days before the workshop/meeting by
 contacting: Regulatory Council of Community Association
 Managers office at (850)922-5012 or via Fax: (850)617-4458.
 If you are hearing or speech impaired, please contact the
 agency using the Florida Relay Service, 1(800)955-8771
 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Regulatory Council of
 Community Association Managers office at (850)922-5012 or
 via Fax: (850)617-4458.

The **Construction Industry Licensing Board** announces a
 telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 10:00 a.m. or
 soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code:
 4879516#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Andy
 Janecek, Senior Management Analyst Supervisor, 1940 North
 Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of the Americans with Disabilities
 Act, any person requiring special accommodations to
 participate in this workshop/meeting is asked to advise the
 agency at least 7 days before the workshop/meeting by
 contacting: Andy Janecek, Senior Management Analyst
 Supervisor, 1940 North Monroe Street, Tallahassee, FL
 32399-1039, (850)922-2701. If you are hearing or speech
 impaired, please contact the agency using the Florida Relay
 Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Andy Janecek, Senior
 Management Analyst Supervisor, 1940 North Monroe Street,
 Tallahassee, FL 32399-1039, (850)922-2701.

The **Construction Industry Licensing Board** announces a
 public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, May 12, 2010, 12:00
 Noon; Thursday, May 13, 2010, 8:30 a.m.; Friday, May 14,
 2010, 8:30 a.m. or soon thereafter

PLACE: Doubletree Hotel Tampa Westshore Airport, 4500 W.
 Cypress Street, Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General business, disciplinary and committee meetings of the
 board.

A copy of the agenda may be obtained by contacting: Andy
 Janecek, Senior Management Analyst Supervisor, 1940 North
 Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of the Americans with Disabilities
 Act, any person requiring special accommodations to
 participate in this workshop/meeting is asked to advise the
 agency at least 7 days before the workshop/meeting by
 contacting: Andy Janecek, Senior Management Analyst
 Supervisor, 1940 North Monroe Street, Tallahassee, FL
 32399-1039, (850)922-2701. If you are hearing or speech
 impaired, please contact the agency using the Florida Relay
 Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Andy Janecek, Senior
 Management Analyst Supervisor, 1940 North Monroe Street,
 Tallahassee, FL 32399-1039, (850)922-2701.

The **Department of Business and Professional Regulation**
 announces a public meeting to which all persons are invited.

DATES AND TIMES: May 19, 2010, 2:00 p.m., General
 Business; May 19, 2010, 4:00 p.m., Probable Cause Panel
 (Portions may be closed to the public); May 20, 2010, 8:30
 a.m., Discipline and General Business; May 21, 2010, 8:30
 a.m., General Business

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois
 Avenue, Tampa, Florida 33607-2355, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 May 19, 2010, 2:00 p.m., General Business; May 19, 2010,
 4:00 p.m., Probable Cause Panel (Portions may be closed to the
 public); May 20, 2010, 8:30 a.m., Discipline and General
 Business; May 21, 2010, 8:30 a.m., General Business.

A copy of the agenda may be obtained by contacting: Electrical
 Contractors' Licensing Board, 1940 North Monroe Street,
 Tallahassee, FL 32399-0771, (850)487-8304.

Pursuant to the provisions of 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: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304. If you are 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: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: Hillsborough River State Park, Recreation Hall, 15402 US 301 North, Thonotosassa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the initial meeting of the Landfill Sinkhole Technical Advisory Group. This group will be meeting to discuss how the Department will evaluate sinkhole potential during the landfill permitting process, and to recommend appropriate stabilization methods if necessary.

A copy of the agenda may be obtained by contacting: Richard Tedder, Department of Environmental Protection, Solid Waste Section, MS #4565, 2400 Blair Stone Road, Tallahassee, FL 32399, (850)245-8735, email: richard.tedder@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Tedder at email: richard.tedder@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4513843#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail: rebecca.prado@dep.state.fl.us, by phone: (850)245-2094 or by mail: 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Prado at rebecca.prado@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF RESCHEDULING – The **Department of Environmental Protection, Division of Water Resource Management** announces a workshop to which all persons are invited.

DATE AND TIME: May 11, 2010, 10:00 a.m.

PLACE: DEP Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, FL

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

PLACE: DEP Northeast District Office Conference Room, 7825 Baymeadows Way, Suite B200, Jacksonville, FL

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

PLACE: Supervisor of Elections Conference Room, 110 West Kaley Avenue, Orlando, FL

DATE AND TIME: May 26, 2010, 11:30 a.m.

PLACE: SFWMD, Building B1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL, Toll Free: (866)433-6299, Meeting ID: 7504#, Webcast accessible at: <http://www.sfwmd.gov>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present for public comment the statewide stormwater quality draft rule Chapter 62-347, F.A.C., and Applicant's Handbook. The Department, in coordination with the water management districts and a Technical Advisory Committee, has developed stormwater quality design and performance standards to update the existing criteria and reflect new research and today's understanding of the impact of nutrient discharges from surface water management systems on water quality. The goal of the rule is to increase the level of nutrient treatment in stormwater discharges and provide statewide consistency by establishing revised stormwater quality treatment performance standards and best management practices design criteria.

PLEASE NOTE THAT THIS WORKSHOP SCHEDULE REPLACES THE SCHEDULE PUBLISHED IN THE APRIL 9, 2010, F.A.W.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS #2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8486 or e-mail: Mary.Vantassel@dep.state.fl.us.

Further information and updates on this proposed rule also may be obtained from the Department's Website: <http://www.dep.state.fl.us/water/wetlands/erp/rules/stormwater/index.htm> (OGC No. 07-0552).

For more information, you may contact: Eric Livingston at the above address or e-mail: Eric.Livingston@dep.state.fl.us for technical questions or to submit comments.

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: 4040 Esplanade Way, Building 4040, Room 301, Tallahassee, FL 32399, Conference Call: 1(888)808-6959 (Toll Free), Conference Code: 5391969#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by contacting: Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B-04, Tallahassee, FL 32399-1732, (850)245-4557.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Correctional Medical Authority at (850)245-4557. If you are 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: The Correctional Medical Authority at (850)245-4557.

The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, May 14, 2010, 4:00 p.m. or shortly thereafter; Saturday, May 15, 2010, 9:00 a.m. or shortly thereafter

PLACE: Marriott Tampa Airport, 4200 George J. Bean Parkway, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular board business.

A copy of the agenda may be obtained by contacting: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 12, 2010, 1:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Code: 6377733#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tobacco Free College Campus Collaborative Call. To continue offering technical assistance to colleges that have entered, or are on the verge of entering, the tobacco free campus policy process. We invite you along with representatives from colleges or universities in your county to join us as we build support for tobacco free norms.

A copy of the agenda may be obtained by contacting: Jane Parker at (850)235-4444, ext. 2774 or email: Jane_Parker@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 72 hours before the workshop/meeting by contacting: Jane Parker at (850)235-4444, ext. 2774 or email: Jane_Parker@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).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 4, 2010, 11:00 a.m. – 12:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 4141328#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the initial meeting of the Advisory Committee on Economic Security subcommittee to strengthen the safety net

for Florida citizens. The subcommittee will discuss it's role and responsibilities, choose a chair and determine a meeting schedule.

A copy of the agenda may be obtained by contacting: ACCESS Headquarter's Office at (850)487-8465.

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, May 1, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Gulf Coast Jewish Family Services, 154202 North Nebraska Avenue, Conference Room, Tampa, Florida 33549

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Advisory Panel.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janet Blair at (813)558-5841, email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehay at email: Taddese_Fessehay@dcf.state.fl.us.

The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2010, 10:00 a.m.

PLACE: Visions ADT, 155 US 27 North, Suite 2, Sebring, FL 33872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sara Howerton at (863)413-3360.

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: Sara Howerton at (863)413-3360.

The Florida **Department of Children and Families**, Domestic Violence Program Office announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Code: 4148313#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Statewide Fatality Review Team, Data Sub-Committee, will discuss data form survey results.

A copy of the agenda may be obtained by contacting: Domestic Violence Program Office, 1317 Winewood Blvd., Building 3, Room 321, Tallahassee, FL 32399-0700, (850)414-8312.

Pursuant to the provisions of 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: Domestic Violence Program Office, 1317 Winewood Blvd., Building 3, Room 321, Tallahassee, FL 32399-0700, (850)414-8312. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Prater DeBeaugrine, Domestic Violence Program Office, 1317 Winewood Blvd., Building 3, Room 321, Tallahassee, FL 32399-0700, (850)414-8312.

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 19, 2010, 6:00 p.m. – 8:00 p.m. (EDT)

PLACE: Bass Pro Shops, Outdoor World Orlando, 5156 International Drive, Orlando, Florida 32819

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** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 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 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 hours 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 25, 2010, 6:00 p.m. – 8:00 p.m. (CDT)

PLACE: Santa Rosa County Administrative Center, Commissioner's Board Room, 6495 Caroline Street, Milton, Florida 32570

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.

DEPARTMENT FINANCIAL SERVICE

The **Department Financial Service, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2010, 10:00 a.m.

PLACE: City Hall, 4th Floor, Mayor's Conference Room, 1700 Convention Center Drive, Miami Beach, FL 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 509.215, Florida Statutes, a hearing will be conducted by the Historic Task Force to consider an amendment to the consent order entered in the case of IN THE MATTER OF CASA CASUARINA, CASE NO: 87100-06-FM. Now known as the Villa at Barton G, 1116 Ocean Drive, Miami, FL 33139 and to consider whether Sadigo Court Hotel, 334 – 20th Street, Miami Beach FL 33139 qualifies for the special exception to the provisions of Section 509.215, Florida Statutes, by providing "...a system of fire protection and lifesafety support that would meet the intent of the National Fire Protection Association standards and be acceptable to, and approved by, this Historic Building Task Force.

A copy of the agenda may be obtained by contacting: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619.

Pursuant to the provisions of 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: Belinda Chukes at (850)413-3619. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FINANCIAL SERVICES COMMISSION

The **Florida Health Insurance Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 4, 2010, 1:00 p.m. – 3:00 p.m.; 4:00 p.m. – 7:00 p.m.

PLACE: Board of County Commission Chambers, 201 S. Rosalind Ave., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1:00 p.m. – 3:00 p.m. The Board will conduct regular business of the Program, hear reports and plan meetings for the year.

4:00 p.m. – 7:00 p.m. The Board will hold a public hearing on potential effects of federal medical loss ratio requirements on the various markets.

A copy of the agenda may be obtained by contacting: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

Pursuant to the provisions of 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: Torre A. Grissom at email: edFHIAB@gmail.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: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

The **Office of Insurance Regulation** and the Florida Health Insurance Advisory Board announces a hearing to which all persons are invited.

DATE AND TIME: May 4, 2010, 4:00 p.m. – 7:00 p.m.

PLACE: Board of County Commission Chambers, 201 S. Rosalind Ave., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing to discuss the impact of the federal health care reform's requirements regarding minimum medical loss ratios on all health insurance markets, particularly on the individual market.

A copy of the agenda may be obtained by contacting: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

Pursuant to the provisions of 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: Torre A. Grissom at email: edFHIAB@gmail.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: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: May 11, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The date for the Final Public Hearing on the adoption of proposed amendments to Rules 69O-157.302, .303, .304, Florida Administrative Code, published on February 19, 2010 in Vol. 36, No. 7, of the Florida Administrative Weekly has been changed from April 27, 2010 to March 11, 2010.

A copy of the agenda may be obtained by contacting: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation at email: Gerry.Smith@flor.com.

For more information, you may contact: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation at email: Gerry.Smith@flor.com.

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: Friday, May 7, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Collins Building, Room 138, 107 W. Gaines Street (Public Entrance on Bloxham Street), Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Margie (Rainey) Drury, Florida Department of Legal Affairs, Office of Information Technology at (850)414-3525 or email: margie.rainey@myfloridalegal.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Margie (Rainey) Drury at (850)414-3525 or email: margie.rainey@myfloridalegal.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Room 225A, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the technical workgroup to discuss enterprise IT services.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at 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 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).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 23, 2010, 9:00 a.m.

PLACE: Department of Transportation, Burns Building, Room 129, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the SSRC Technology Committee. The committee is scheduled to meet every 2nd and 4th Friday depending on need. Please contact: Faye Hall at (850)414-4772 at email: faye.hall@dot.state.fl.us for meeting info and cancellations.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772 or email: faye.hall@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 2 days before the workshop/meeting by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.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: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens' Actuarial and Underwriting Committee** announces a public meeting to which all persons are invited.

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

PLACE: Conference Call: 1(866)631-2413

GENERAL SUBJECT MATTER TO BE CONSIDERED: The items is discussion include, but are not limited to, 2010 legislative summary, bi-peril and 2011 rate filings, and inspection outreach program update.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Fawn Brown at 1(800)807-7647, extension 8331. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Fawn Brown at 1(800)807-7647, extension 8331.

FLORIDA HEALTH CHOICES CORPORATION

The **Florida Health Choices Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 7, 2010, 11:00 a.m.

PLACE: Florida Association of Counties, 100 South Monroe Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business board meeting.

A copy of the agenda may be obtained by contacting: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

For more information, you may contact: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

The **Florida Health Choices** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 21, 2010, 11:00 a.m.

PLACE: To Be Determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board meeting. For further details and updates please see the Florida Health Choices website at: www.myfloridachchoices.com.

A copy of the agenda may be obtained by contacting: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

For more information, you may contact: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

NATIONAL COUNCIL ON COMPENATION INSURANCE

The **Florida Workers Compensation Appeals Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2010, 9:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida, (407)825-1234, Fax: (407)856-1672

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers Compensation premium disputes.

For more information, you may contact: Maureen Longanacre, 901 Peninsula Corporate Circle, Boca Raton, FL 33487.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The **Higher Education Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 12:00 Noon – 1:00 p.m.

PLACE: The Campus of Saint Leo University Incorporated, 33701 State Road 52, Saint Leo, Florida, (352)588-8200; Conference Call: 1(866)578.5716, Conference Code: 6813188#

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Bond Resolution authorizing the issuance of Revenue Bonds of the Authority, in an amount not to exceed \$22 Million in principal, in order to loan the proceeds thereof to Saint Leo University for the purpose of financing educational facilities of said University; approving the forms of and authorizing the execution of necessary bond documents, including but not limited to a Loan Agreement and a Trust Indenture; awarding the sale of said Bonds to Regions Bank; and making further authorizations and providing further details with respect to the issuance of said Bonds, and to conduct regular board business.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

HERNANDO COUNTY PLANNING DEPARTMENT

The **Hernando County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2010, 10:00 a.m.

PLACE: Hernando County Government Complex, 20 North Main Street, Room 160, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Transportation Disadvantaged Local Coordinating Board. Included in this meeting is a discussion on an update to the Transportation Disadvantaged Service Plan, and the CTC’s regular quarterly report.

A copy of the agenda may be obtained by contacting: Steve Diez, Transportation Planner II at (352)754-4057, email: StevenD@hernandocounty.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: Steve Diez, Transportation Planner II at (352)754-4057, email: StevenD@hernandocounty.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.

SOIL AND WATER CONSERVATION DISTRICTS

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 20, 2010, 9:30 a.m.

PLACE: USDA Service Center, South Dade Soil and Water Conservation District, 1450 N. Krome Ave., Suite 102, FL City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to Board of Supervisors: Nursery BMP & MIL Lab Reports, District Projects & Reports.

A copy of the agenda may be obtained by contacting: Norma H. Wilson at (305)242-1288.

For more information, you may contact: Mr. Morgan Levy, SDSWCD Administrator at (305)242-1288.

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

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

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the District Board.

A copy of the agenda may be obtained by contacting: (954)584-1306 or Mail@browardswcd.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: (954)584-1306 or Mail@browardswcd.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: Russell M. Setti at (954)584-1306 or Mail@browardswcd.org.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received the petition for declaratory statement from Broward County Sheriff's Office, Case No.: DS-2010-001, Filed on April 7, 2010. The petition seeks the agency's opinion as to the applicability of Section 120.565 and Chapter 447, Florida Statutes, as it applies to the petitioner.

Whether the Sheriff of Broward County is the appropriate authority to act as the legislative body to resolve issues at impasse in collective bargaining in negotiations involving Broward Sheriff's Office employees who are subcontracted to the Sheriff by the Board of County Commissioners of Broward County.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Jeremy V. Anderson, Esq. on behalf of Fiddler's Green Condominium Association II, Inc., Docket No.: 2010017752. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d), Florida Statutes, as it applies to the petitioner.

Whether Fiddler's Green Condominium Association II, Inc.'s bylaw limiting a director to two consecutive terms is consistent with Section 718.112(2)(d), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Gabriel A. Ferrer, Director/Petitioner, In Re: Grand Isle of North Hutchinson Island Condominium Association, Inc. The petition seeks the agency's opinion as to the applicability of Section 718.113(5), Florida Statutes, as it applies to the petitioner.

Whether the board of Grand Isle of Hutchinson Island Condominium Association, Inc. may change the hurricane shutter specifications adopted by a prior board under Section 718.113(5), Florida Statutes, without a vote of the members.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Robert M.

Sullivan, Petitioner/Unit Owner, In Re: Surfside Owners' Association, Inc., Docket No.: 2010018077. The petition seeks the agency's opinion as to the applicability of Sections 718.111, 718.115 and 718.303, Florida Statutes, as it applies to the petitioner.

Whether Surfside Owners' Association, Inc. may award an annual bonus to its Community Association Manager under Sections 718.111, 718.115 and 718.303, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Physical Therapy Practice has received the petition for declaratory statement from Holly J. Hester, PT, MPT, CLT. The petition seeks the agency's opinion as to the applicability of Rules 64B17-6.001 and 64B17-6.007, F.A.C. as it applies to the petitioner.

Petitioner wants to know what tasks can be delegated to unlicensed individuals.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Please refer all comments to: Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, has received the petition for declaratory statement from Laura Jacobs Donaldson, Esquire on behalf of Chief Orly Stoltz of the North Naples Fire Control and Rescue District, on April 9, 2010. The petition seeks the agency's opinion as to the applicability of Chapter 401, Florida Statutes, and Rule 64J-1.004, Florida Administrative Code, as it applies to the petitioner.

The petitioner seeks answers to the following questions: 1. May a countywide medical director require different standards for paramedics based upon the employer for whom they are providing services on a particular day?; 2. May a countywide medical director discriminate against paramedics that work for a fire district within the county by categorically prohibiting their provision of advanced life support services while allowing fire paramedics from another county to provide those services?; 3. Is it an abuse of power of the countywide medical director to require a category of his paramedics to complete medical director identified training as a precondition to perform services when such training is unattainable due to the number of paramedics in the category, the availability of only one transport unit in which the training can occur, and the number of training rides that must occur within a specified period?; 4. Is it a violation of Chapter 401, Florida Statutes, for the medical director to administrate any emergency medical services functions that are not related to protocols, quality assurance or training?; 5. Is it a violation of Section 401.265, F.S., and Rule 64J-1.004, Florida Administrative Code, for a licensee to have a contract with a non-active corporation to serve as a medical director?; 6. Can a licensee limit the authority of its medical director by providing that all training requirements must be jointly developed with another party?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Melia Jenkins, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax: (850)245-4440, ext. 2773, email: melia_jenkins@doh.state.fl.us.

Please refer all comments to: Melia Jenkins, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax: (850)245-4440, ext. 2773, email: melia_jenkins@doh.state.fl.us.

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 Edison State College on February 16, 2010. The following is a summary of the agency's disposition of the petition:

THE PETITION FOR DECLARATORY STATEMENT HAS BEEN WITHDRAWN AT PETITIONER'S REQUEST.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850)488-0697 (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-mail your request to: Lesley.Mendelson@myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from Eric A. Neilinger. The petition was received on or about April 5, 2010. The petition seeks the agency's opinion as to the applicability of the Florida Fire Prevention Code 2007 edition, NFPA 101 2006 9.6.2.5, 13.3.4.2.1(2), as it applies to the petitioner.

A clubhouse that is 100% sprinklered supervised by the fire alarm. One pull station was installed at main entrance. AHJ is requiring pull stations at all required exits contrary to code. Address of building affected by this petition is: 20281 East Country Club Drive, Aventura, FL. Question is: Can the AHJ require additional pull stations over and above the minimum one, per LS 101 based on their interpretation that as the AHJ they exceed the minimum and require additional pull stations at all required exits.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or e-mail your request to: 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:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Project: UF-361, IFAS Extension and Professional Development Center (Campus) Commissioning

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-361, IFAS Extension and Professional Development Center (Campus)

The project consists of the construction of a new two story approximately 14,000 GSF conference/office building. This facility will serve the needs for larger quality conferences and meetings, education programs and agricultural community functions. The building will be a multi-purpose facility providing for three individual conference/ meeting rooms, but allowing for the area to be opened for use as one large auditorium or lecture facility. All areas will provide for state-of-the art equipment for distance learning technology. This facility will serve as conference space for statewide centers to come together and share their research.

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 (Gold) 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 and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Friday, May 21, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000; Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Civil Engineering (Up to 2) (Tampa Campus with ability to include other campuses as required).

PROJECT DESCRIPTION

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions for University facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for professional services that does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years.

This selection is based upon Civil Engineering services only. Other services (surveying, utility location, geotechnical and mechanical, electrical and structural) required for specific projects shall be provided as part of basic services through the selected Civil Engineer(s) based upon project need. Use of USF continuing service consultants by the selected Civil Engineer(s) shall be encouraged. The consultant(s) receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Services required to be provided under the Continuing Services Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University's space management program. Any new construction projects should have the ability to be LEED certified if required by the Owner and shall be included as part of basic services and will not be considered as an additional service.

INSTRUCTIONS

Firms desiring to provide professional services shall submit one (1) original submittal and five (5) spiral bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement" dated April 2010, and any required or additional information within the proposal limits as described in the PQS General Instructions. Submittals that do not comply with these requirements or do not include the requested information may

not be considered. No submittal material will be returned. Submittals become part of the public record. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

PROJECT SELECTION CRITERIA

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability, design ability, past performance, workload, volume of USF work (including USF Foundation), and location. As part of the University of South Florida’s Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (“MBEs”) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Architect for this contract shall be provided by the Architect in response to a periodic request from the University’s Supplier Diversity Manager’s office. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The “USF Professional Qualifications Supplement dated April 2010” and Project Fact Sheet which includes project information may be obtained by contacting: Kathy Bennett, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or Fax: (813)974-3542. All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 10:00 a.m. (Eastern Time), Wednesday, May 12, 2010, at the University of South Florida, Tampa Campus, Marshall Center Heron Room #3709, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, consult a campus map website at: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>, and parking information at [\[services/default.asp\]\(http://www.usf.edu/Locations/Maps-Directions/tampa.asp\).\) Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Project Fact Sheet. Requests for any project information must be in writing to the above e-mail address. One \(1\) original and five \(5\) spiral bound copies of the above required proposal data shall be submitted to: John-Thomas McCaffrey, RA, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittal shall be submitted at the above campus address \(4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550\), to the Attention: John-Thomas McCaffrey, RA, by 2:00 p.m. \(Eastern Time\), Monday, May 24, 2010. Facsimile \(FAX\) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.](http://usfweb2.usf.edu/parking_</p>
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**CALL FOR QUALIFICATIONS – 09PQS-23ES
ELECTRICAL CONTRACTOR**

The University of West Florida Board of Trustees is soliciting sealed submittals for services of an electrical contractor on an as-needed basis.

The solicitation documents and related information may be downloaded from <http://uwf.edu/procurement>.

Sealed submittals will be received until May 25, 2010, 2:00 p.m. (Central Time), at the Office of Procurement and Contracts, Bldg. 90, Room 133, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Solicitation number 09/PQS-23/ES must be marked on outside of sealed submittal. The University will not be responsible for unopened submittals when the package is not properly identified.

All inquiries must be submitted in writing: Elaine Smith at etsmith@uwf.edu.

CALL FOR BIDS

MADE BY THE: STATE OF FLORIDA, UNIVERSITY OF CENTRAL FLORIDA

PROJECT: FLEXIBLE RESIDENTIAL TEST STRUCTURE

PROJECT No: FI 10FSEC01

FOR: UNIVERSITY OF CENTRAL FLORIDA

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2.

Sealed bids will be received on:

DATE AND TIME: June 11, 2010, until 2:00 p.m. (Local Time)

PLACE: Florida Solar Energy Center, Attention: Jim Roland, 1679 Clearlake Road, Cocoa, FL 32922, at which time and place they will be publicly opened and read aloud. Contract award will be made subject to the availability of funds.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at: Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32922. Contact Jim Roland at (321)638-1500.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: April 27, 2010, 10:00 a.m.

PLACE: Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32922

DOCUMENTS: Full sets of bidding documents are available at the following locations for contractor review and use for take-offs (they may not be taken from the premises):

Florida Solar Energy Center, 1679 Clearlake Rd., Cocoa, FL 32922, (321)638-1000

Central Florida Builders Exchange, 340 N. Wymore Rd., Winter Park, FL 32789, (407)629-2411

Florida East Coast Builders Exchange, 644 Clearlake Rd., Cocoa, FL 32922, (321)631-5095

Full sets of drawings and project manual may be purchased through the following Printers (call printer for costs):

NGI – 1612 N. Orange Avenue, Orlando, FL 32804, (407)898-3881

Art & Engineering Supply Inc. – 975 N. Courtenay Parkway, Merritt Island, FL 32953, (321)459-1410

Ace Blueprinters of Brevard, Inc. – 2237 S. Babcock St., Melbourne, FL 32901, (321)725-1244

Partial sets may be purchased (call printer for costs) and are sold subject to the provisions of Article B-25 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor 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.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the School Board of Pinellas County, Florida 301 - Fourth Street, S. W., Largo, Florida 33770-3536 until 3:00 p.m. (Local Time), May 12, 2010, for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below. Landscaping Materials Bid #10-497-256 County Wide

SCOPE OF PROJECT: The purpose and intent of this invitation to bid are to select suppliers to provide and deliver Landscaping Materials to various locations throughout the county and to secure firm, net pricing for the contract period as specified herein.

PRE-BID CONFERENCE: A pre-bid conference will not be held for this project. If you have questions of a technical nature about this bid, please contact one of the following individuals: Mike Guild Manager, Maintenance Walter Pownall Service Center Pinellas County Schools, Phone: (727)547-7726, Cell: (727)638-2645, Fax: (727)545-6531, Email: guildm@pcsb.org, Rodger D. Williams, Annual Contracts Administration, Walter Pownall Service Center, Pinellas County Schools, Phone: (727)547-7181, Cell: (727)638-3319, Fax: (727)547-7241, Email: williamsr@pcsb.org, Purchasing Department, 301 - Fourth Street, S. W., Largo, Florida 33770, (727)588-6149, (727)588-6129 (Fax). The Owner reserves the right to reject all bids. BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA DR. JULIE M. JANSSEN, ED. D JANET R. CLARK SUPERINTENDENT OF SCHOOLS CHAIRMAN AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD MARK C. LINDEMANN DIRECTOR, PURCHASING

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

Florida Energy and Climate Commission

PROJECT NAME: COMPRESSED NATURAL GAS FUELING INFRASTRUCTURE PROGRAM

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (ARRA) was enacted. As a result of this new law, the State of Florida was allocated \$126,089,000 in economic stimulus funds for its State Energy Program (SEP). This funding has been allocated to the Florida

Energy and Climate Commission (FECC) from the U.S. Department of Energy (DOE). Of the total amount, the FECC will use a minimum of \$1,000,000 for the continuation of the Compressed Natural Gas Fueling Infrastructure Program. This matching grant program is intended to expand the use of compressed natural gas (CNG) as a transportation fuel through increased deployment of CNG fueling infrastructure throughout the state.

Eligible applicants under this program include Florida municipalities and county governments, Florida school districts, established for-profit companies licensed to do business in Florida, universities and colleges in Florida, not-for-profit organizations, and State of Florida agencies. Program guidelines and applications are located at www.MyFloridaClimate.com.

SUBMITTING THE APPLICATION: Applications must be submitted in a sealed envelope/package, the face referencing CNG Fueling Infrastructure Program with the date and time of the submittal. Submit at least one clearly marked ORIGINAL, five (5) additional copies and one digital format on a non-rewritable CD, preferably PDF, of the application and all supplemental materials. Each applicant is responsible for ensuring its application is received and delivered at the proper time and to the proper place. The FECC shall not consider late proposals. To be considered, SEALED APPLICATIONS MUST BE RECEIVED BY FECC STAFF BEFORE 5:00 p.m. (EST), May 24, 2010.

Application must be delivered to:

Florida Energy and Climate Commission
Executive Office of the Governor
CNG Fueling Infrastructure Program
600 S. Calhoun Street, Suite 251
Tallahassee, Florida 32399-0001

Any person requiring a special accommodation because of disability should call the FECC, (850)487-3800 at least five (5) workdays prior to the scheduled event. If you are hearing or speech impaired, please contact FECC by using the Florida Relay Service at 1(800)955-8771 (TDD).

EXPRESSWAY AUTHORITIES

REQUEST FOR STATEMENT OF QUALIFICATIONS
MDX PROCUREMENT/CONTRACT NO.: RFP-10-05
MDX WORK PROGRAM NO.: 20003.011

MDX PROJECT/SERVICE TITLE: Project Development and Environment (PD&E) Study Services for the US-1 Express Lanes along the South Miami-Dade Busway from S. W. 344th Street to SR 826 (Palmetto Expressway)/Dadeland South The Miami-Dade Expressway Authority ("MDX" or "Authority"), requires the services of a qualified Consultant to provide Project Development and Environment Study Services for the US-1 Express Lanes. For a copy of the RSOQ with information on the Scope of Services, Pre-qualification and submittal requirements, please logon to MDX's Website: www.mdxway.com to download the documents under "Doing Business with MDX: Vendor Login", or call MDX's Procurement Department at (305)637-3277 for assistance. Note: In order to download any MDX solicitation, you must first be registered as a Vendor with MDX. This can only be facilitated through MDX's Website: www.mdxway.com under "Doing Business with MDX: Vendor Registration". A Pre-Proposal Conference is scheduled for April 26, 2010, 10:00 a.m. The deadline for submitting a Statement of Qualifications is May 18, 2010, by 2:00 p.m. (Eastern Time).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Child Protective Investigator Training Program

The Department of Children and Families, Central Region, Circuits 9 and 18 (Orange and Brevard counties) is soliciting a single qualified vendor who is able to successfully develop, design and deliver a Child Protective Investigator (CPI) training program for designated department employees. This annual training program will be a combination of formal classroom teaching, computer FSFN familiarization training, supervised field training opportunities, on-line distance learning and other educational techniques which will prepare CPI's who are charged with the responsibility to investigate incidences of alleged child abuse and neglect.

EARLY LEARNING COALITION OF DUVAL**INVITATION TO BID – PHONE SYSTEM****BID #ELCD-ITB-PH-10-11****BACKGROUND**

The Early Learning Coalition of Duval (the Coalition) was established legislatively in 1999 and is mandated by the Florida Legislature Section 411.01, F.S., to provide early learning programs to children and families in Duval County, which include the School Readiness Program and Voluntary Pre-kindergarten Program. These programs must be developmentally appropriate and research-based, involve parents as their child's first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education.

The Coalition's primary goal is to provide quality early care and voluntary pre-kindergarten education services that prepare children to be "school ready" upon entry into kindergarten.

BID SUBMISSION

The Coalition is a not-for-profit corporation in the State of Florida and is seeking to purchase a Telephone Communications System which has been necessitated because of the office move to another location. The Coalition requests a bid based on the specifications described in Attachment A. The quote must include the following information:

- Bid Number
- Company name and address
- Company telephone and fax number
- Company contact, telephone number, and e-mail address
- Company website address
- Federal I.D. #
- A price list for materials and services described in Attachment A
- A detailed summary of value added products and/or services including but not limited to, customer service, discounts, and any other value added enhancements available
- The bid should be signed and dated by an authorized representative of the vendor on company letterhead

Upon receipt of all bids, the Coalition will review and make a decision based on the best value offered. Most importantly, the selected vendor(s) will be required to enter into an agreement with the Coalition to guarantee the product/service specifications, prices quoted, and value added services described, as well as to ensure adherence to all applicable state and/or federal laws. A bidder must be a reputable vendor specializing in the type of services and products described in Attachment A.

Sealed bids must be mailed or delivered to the Early Learning Coalition of Duval to arrive no later than 4:00 p.m. – Monday, May 3, 2010. A bidder that submits a bid by mail should allow sufficient mail handling time to ensure timely delivery of the bid to the Coalition office located at:

Early Learning Coalition of Duval
Attention: Angel Carro
6850 Belfort Road, Suite 102
Jacksonville, FL 32216

Electronic and/or faxed bid submissions will not be accepted. Questions and/or comments may be addressed by contacting: Angel Carro, Finance Manager at acarro@elcofduval.org. Telephone inquiries will not be accepted.

AWARD PROCESS

Award(s) will be made to one or more selected qualified bidder(s), based on their ability to provide the services and products as specified in Attachment A, value added enhancements available, the bidder's experience in providing the requested items, and the quality of any previous services and products provided as determined from the bids.

The Coalition reserves the right to review all items listed on any price invoice to evaluate components that include, but are not limited to, product quality and durability.

The Coalition reserves the right to reject any or all bids, to waive any informality of bids, and to accept in whole, or in part, each bid as may be deemed in the best interest of the Coalition.

AWARD PERIOD

Once the bid award has been issued, one or more contracts shall be signed by the Coalition for a period of one (1) year with the vendor(s) of choice with an option of 2 one-year annual renewals. Price quotes must be guaranteed for the first year; however, costs may be re-negotiated at the beginning of each fiscal year (July 1st). If no price adjustments are submitted by the vendor to the Coalition during the period of June 1st to June 15th for subsequent years covered by this Request, the most current quote shall apply for the following fiscal year. Price increases submitted by the vendor(s) during the designated negotiation timeframe that exceed 10% over the previous year's pricing may be subject to immediate termination of the contract.

PUBLIC ENTITY CRIMES

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.

ATTACHMENT A

SPECIFIC INSTRUCTIONS

In accordance with Section 411.01, F.S., Coalitions are required to ensure that programs are developmentally appropriate and research-based, involve parents as their child’s first teacher, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of eligible children, and support family education.

The Early Learning Coalition of Duval is submitting the following invitation to bid for a Telephone Communications System that utilizes voice over internet protocol (VOIP) to replace a current legacy digital telephone system in a very small call center environment. It should be equipped with the following:

Configuration request:

- One (1) VOIP Server
- Twenty-nine (29) Standard IP phones for basic users
- Ten (10) Executive IP phones for supervisors and call center agents
- One (1) receptionist IP phone with extra buttons (add on unit)
- One (1) – Receptionist soft console license/application
- One (1) – Soft phone license/application for remote user
- Four (4) port fax server
- Eight (8) Analog Extension Ports
- One (1) paging port (for future overhead paging)
- Twelve (12) ports (or equivalent) of Voicemail (with advanced auto attendant to route calls to agents)
- Call Center reporting software package for up to ten (10) agents and two (2) supervisors (If it needs a Server, it must be included)
- Call accounting software package for up to a minimum of 50 users (If it needs a Server, it must be included)
- Call recording software package for up to a minimum of 50 users (If it needs a Server, it must be included)
- Needs to be able to take one (1) PRI circuit to start, and expand to two (2) in the future
- Prefer to have a system that can have two (2) expandable conference bridge (up to 10 users minimum) that can be password protected and easily changed
- One (1) UPS to run all quoted systems for at least 30 minutes

Add option for:

- Two (2) – 24 port 10/100/1000 Power Over Ethernet switches (48 PoE ports total) (at least layer 2, manageable, with QoS)

Other notes:

- The servers will need to be install in a provided data rack – standard 7' x 19" (provide all mounting hardware)
- Labor cost must include installation, programming, basic general user training, call center agent training, supervisor training, and admin training.
- All network configurations and settings will be provided by our IT staff and our IT staff will work with vendor during the installation.
- Quote should include line item pricing on all materials, a description of services being provided, and overview of the project
- Include timeline to complete project from time of contract execution
- Provide copy of terms and conditions and any contract with bid
- Include lease pricing with a \$1.00 buy out option, on 36, 48, and 60 months lease
- Provide service agreement cost (if any)
- One year minimum warranty on all materials and labor
- This will be a single site and not be expanding or networking to another site at this time, but may need to in the future.

All bids must clearly list the price for each category.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA10-OR-061

In Re: LAND DEVELOPMENT REGULATIONS
ADOPTED BY CITY OF KEY WEST
ORDINANCE NO. 10-04

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On February 5, 2010 the Department received for review City of Key West Ordinance No. 10-04, which was adopted by the City of Key West City Commission on January 5, 2010, (“Ord. 10-04”). The purpose of Ord. 10-04 is to amend Part B, Land Development Regulations of the City of Key West including Sections 86-9 Definition of Terms; Section 102-1 Definitions; and Sections

122-600, 122-630, 122-660, 122-690, 122-720, 122-750, 122-760, 122-810, 122-840, 122-870, 122-900, 122-930, 122-960, 122-970, 122-980, 122-990, 122-1005 Dimensional Requirements and Section 122-1151, Size and Dimension.

3. The purpose of Ord. 10-04 is to eliminate inconsistencies between the Land Development Regulations and the Design Guidelines with respect to height, proportion, scales and mass of new construction including limitations to three story buildings, and to cross-reference design guidelines with dimensional requirements.
4. Ord. 10-04 is consistent with the City’s Comprehensive Plan: Goal 1A-1: to Identify and Protect Resources of Archeological, Historical, and Architectural Significance; Policy 1A-1.2.1: HARC Guidelines to protect all historically significant structures and historic districts; Goal 1A-2 to Promote Public Education, Awareness, and Appreciation of Historic, Architectural, and Archaeological Resources, and Goal 1A-2.16: Infill Development to ensure consistency with the character and scale of adjacent contributing structures.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes (2009).
6. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2009) and Rule 28-36.001, Florida Administrative Code.
7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-04 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d., 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
9. The above identified portions of Ord. 10-04, are consistent the following Principles:
 - (a) Strengthen local government capabilities for managing land use and development.
 - (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.

(h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida Resource.

10. Ord. 10-04 is not inconsistent with the remaining Principles and is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 10-04 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF

ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 8th day of April, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
P. O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041

Amy Kimball-Murley, AICP
Planning Director
City of Key West
P. O. Box 1409
Key West, Florida 33041

Larry Erskine
City Attorney
P. O. Box 1409
Key West, FL 33041

DCA Final Order No.: DCA10-OR-062
In Re: LAND DEVELOPMENT REGULATIONS
ADOPTED BY CITY OF KEY WEST
ORDINANCE NO. 10-05

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The City of Key West is a designated area of critical state concern.

2. On February 5, 2010 the Department received for review City of Key West Ordinance No. 10-05, which was adopted by the City of Key West City Commission on January 5, 2010, ("Ord. 10-05"). The purpose of Ord. 10-05 is to amend City of Key West Land Development Regulations, Part B Sections 122-968, 122-970 and 122-1111 of the Code of Ordinances to permit Nursing Homes, Rest Homes, and Convalescent Homes as a conditional use in the Historic Public and Semipublic Services District-1 so long as at least one third of the beds or units are affordable housing.
3. The construction and occupation of Nursing Homes, Rest Homes, and Convalescent Homes in the City of Key West increases the number of critical care patients in a hurricane exposure zone requiring a separate Hurricane Evacuation plan to accommodate the safe and timely evacuation of elderly and frail individuals.
4. Ord. 10-05 is consistent with the City's Comprehensive Plan: Policy 1-1.6.1 Truman Waterfront Organizing Elements; Policy 1-2.6.1 Public Service and Semi-Public Land Use Designation; Policy 3-1.1.4 Selecting Sites for Affordable Housing for Low and Moderate Income Households; Objective 3-1.4 Provide Opportunities for Group Homes, Housing for the Elderly and Foster Care Facilities; and Policy 3-1.4.3 Housing for the Elderly.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes, (2009).
6. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2009) and Rule 28-36.001, Florida Administrative Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-05 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd.*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
9. The above identified portions of Ord. 10-05, are consistent the following Principles:

- (a) Strengthen local government capabilities for managing land use and development.
- (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.
10. The above identified portions of Ord. 10-05 are inconsistent with the following Principle:
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida Resource.
11. Ord. 10-05 is not inconsistent with the remaining Principles and is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 10-05 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

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WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 8th day of April, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
P. O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041

Amy Kimball-Murley, AICP
Planning Director
City of Key West
P. O. Box 1409
Key West, Florida 33041

Larry Erskine
City Attorney
P. O. Box 1409
Key West, FL 33041

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 Subaru of America, Inc., intends to allow the establishment of GT Daytona, LLC, d/b/a Subaru of Daytona as a dealership for the sale of automobiles manufactured by Subaru (SUBA) at 650 North Nova Road, Daytona (Volusia County), Florida 32114, on or after June 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of GT Daytona, LLC, d/b/a Subaru of Daytona are dealer operator(s): Ted Serpousek, 650 North Nova Road, Daytona Beach, Florida 32114; principal investor(s): Ted Serpousek, 650 North Nova Road, Daytona Beach, Florida 32114, Glenn S. Ritchey, 650 North Nova Road, Daytona Beach, Florida 32114.

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: Ron May, Subaru of America, Inc., 7380 Sand Lake Road, Suite 500, Orlando, Florida 32819.

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 Golf Cart Connection, Inc., as a dealership for the sale of low-speed vehicle manufactured by Fairplay Electric Cars, LLC (FPEC) at 532 North Highway 27/441, Lady Lake (Lake County), Florida 32159, on or after April 13, 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: Keith Andrews, 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.

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 Subaru of America, Inc., intends to allow the establishment of Lokey Automotive Group, Inc., d/b/a Subaru of Port Richey as a dealership for the sale of automobiles manufactured by Subaru (SUBA) at 11613 US Highway 19, Port Richey (Pasco County), Florida 34668, on or after June 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Lokey Automotive Group, Inc., d/b/a Subaru of Port Richey are dealer operator(s): Paul Lokey, 11613 US Highway 19, Port Richey, Florida 34668; principal investor(s): Paul Lokey, 11613 US Highway 19, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Ron May, Subaru of America, Inc., 7380 Sand Lake Road, Suite 500, Orlando, Florida 32819.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of Ride USA, LLC, d/b/a RideNow Powersports Ocala as a dealership for the sale of motorcycles manufactured by Polaris Sales, Inc. (VICO) at 3880 N. US Highway 441, Ocala (Marion County), Florida 34475, on or after April 15, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Ride USA, LLC, d/b/a RideNow Powersports Ocala are dealer operator(s): Mark Tkach, 2725 West El Alba Way, Chandler, Arizona 85224; principal investor(s): Mark Tkach, 2725 West El Alba Way, Chandler, Arizona 85224.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that The Auto Moto.Com Corporation, intends to allow the establishment of Tampa Bay Trikes, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co., Ltd. (ZXYV) at 4655-B 119th Avenue North, Clearwater (Pinellas County), Florida, 33762, on or after April 12, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Tampa Bay Trikes, LLC, are dealer operator(s): Michael Kalmerton, 4655-B 119th Avenue North, Clearwater, Florida 33762; principal investor(s): Michael Kalmerton, 4655-B 119th Avenue North, Clearwater, Florida 33762.

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: Guy Cohen, The Auto Moto.Com Corporation, 15125 Raymer Street, Van Nuys, California 91405.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on April 2, 2010, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In

deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- 10062 Supports Denial, establish a hospice program, Duval County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, (PRH) Vitas Healthcare Corporation of Florida
 - 10064 Supports denial, establish a hospice program, Duval County, United Hospice of Florida, Inc. (PRH) Vitas Healthcare Corporation of Florida
 - 10068 Supports Denial, establish a hospice program, Pinellas County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, (PRH) HPH South, Inc.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY
 FLORIDA FINDING OF NO SIGNIFICANT IMPACT
 HERNANDO COUNTY, FLORIDA

The Department of Environmental Protection has determined that Hernando County’s proposed Northwest Hernando County Collection and Reclaimed Distribution System project will not have a significant adverse affect on the environment. The cost of this project is estimated to be \$15,656,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Bhupendra Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8380.

NOTICE OF INTENT TO GRANT EXEMPTION

The Department of Environmental Protection gives notice that it intends to grant an exemption request for the City of Port Richey Water Treatment Plant. The exemption is under Rule 62-560.520, F.A.C., so that the secondary maximum contaminant level for total dissolved solids of 500 mg/L will not have to be met in the water served to its customers for a period not to exceed 36 months. An alternative level of 1200 mg/L for TDS will be required during those months.

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set

forth below and must be filed (received by the clerk) within 30 days of this notice in: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation is not available.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing must be filed within 30 days of publication of the notice or receipt of written notice, whichever occurs first. Under subsection 62-110.106(4), Florida Administrative Code, 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 the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time will toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing.

The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that right.

A petition that disputes the material facts on which the Department’s action is based must contain the following information:

- (a) The name and address of each agency affected and each agency’s file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Under Sections 120.569(2)(c) and (d), Florida Statutes, a petition for administrative hearing shall be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed. Complete copies of all documents relating to this determination are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at Florida Department of Environmental Protection, Southwest District, 13051 North Telecom Parkway, Temple Terrace, Florida 33637. Please contact: Gwen Shofner, Manager Potable Water Program at (813)632-7600, ext. 306.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On April 12, 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 Henry Blady, M.D., License #ME 39143. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 9, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Michelle Lee Snyder, D.O., License #OS 9171. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an

immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ATMORE
UNITED BANK

BIRMINGHAM
 COMPASS BANK
 REGIONS BANK
 SUPERIOR BANK

MOBILE
 BANKTRUST

ARKANSAS

CONWAY
 CENTENNIAL BANK

DELAWARE

WILMINGTON
 TD BANK, N.A.

FLORIDA

ARCADIA
 FIRST STATE BANK OF ARCADIA

BARTOW
 COMMUNITY NATIONAL BANK AT BARTOW
 12/31/2009

BELLE GLADE
 BANK OF BELLE GLADE

BOCA RATON
 1ST UNITED BANK
 FIRST SOUTHERN BANK
 LEGACY BANK OF FLORIDA
 PARADISE BANK

BONIFAY
 BANK OF BONIFAY
 01/20/2011

BRADENTON
 FIRST AMERICA BANK

BRANDON
 PLATINUM BANK

CARRABELLE
 GULF STATE COMMUNITY BANK *

CHIEFLAND
 DRUMMOND COMMUNITY BANK

CHIPLEY
 ONE SOUTH BANK

CLEWISTON
 FIRST BANK
 OLDE CYPRESS COMMUNITY BANK *

COCOA BEACH
 SUNRISE BANK *

CORAL GABLES
 BANKUNITED
 GIBRALTAR PRIVATE BANK & TRUST COMPANY
 THE BANK OF MIAMI, N.A. 10/03/2010

CRAWFORDVILLE
 WAKULLA BANK 05/16/2013

CRESTVIEW
 FIRST NATIONAL BANK OF CRESTVIEW

DADE CITY
 FIRST NATIONAL BANK OF PASCO
 FLORIDA TRADITIONS BANK

DANIA BEACH
 COMMUNITY BANK OF BROWARD

DAVIE
 FLORIDIAN COMMUNITY BANK, INC. *
 REGENT BANK

DAYTONA BEACH
 FLORIDIAN BANK
 GATEWAY BANK OF FLORIDA

DESTIN
 FIRST FLORIDA BANK
 GULFSOUTH PRIVATE BANK

ENGLEWOOD

ENGLEWOOD BANK *
PENINSULA BANK *

EUSTIS

FIRST GREEN BANK

FERNANDINA BEACH

CBC NATIONAL BANK
FIRST COAST COMMUNITY BANK

FORT LAUDERDALE

BANKATLANTIC
LANDMARK BANK, N.A.
STONEGATE BANK
VALLEY BANK

FORT MYERS

EDISON NATIONAL BANK
FINEMARK NATIONAL BANK & TRUST
FLORIDA GULF BANK
IRONSTONE BANK
RELIANCE BANK, F.S.B.
SOUTHWEST CAPITAL BANK, N.A.

FORT PIERCE

OCULINA BANK
RIVERSIDE NATIONAL BANK OF FLORIDA *

FORT WALTON BEACH

BEACH COMMUNITY BANK
FIRST CITY BANK OF FLORIDA *
FNBT.COM BANK
09/19/2011

FROSTPROOF

CITIZENS BANK & TRUST
11/08/2012

GAINESVILLE

FLORIDA CITIZENS BANK
MERCHANTS & SOUTHERN BANK

GRACEVILLE

BANK OF JACKSON COUNTY *
PEOPLES BANK OF GRACEVILLE

HALLANDALE

DESJARDINS BANK, N.A.

HOMESTEAD

1ST NATIONAL BANK OF SOUTH FLORIDA *
COMMUNITY BANK OF FLORIDA

INDIANTOWN

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

INVERNESS

BRANNEN BANK

JACKSONVILLE

AMERICAN ENTERPRISE BANK OF FLORIDA
EVERBANK
FIRSTATLANTIC BANK

JACKSONVILLE BEACH

OCEANSIDE BANK *

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

LAKE CITY

COLUMBIA BANK
FIRST FEDERAL BANK OF FLORIDA
PEOPLES STATE BANK

LAKELAND

BANK OF CENTRAL FLORIDA
COMMUNITY SOUTHERN BANK

LANTANA

STERLING BANK 09/30/2009

LARGO

USAMERIBANK

LONGWOOD

OLD FLORIDA NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MARIANNA

FIRST CAPITAL BANK

MAYO

LAFAYETTE STATE BANK

MELBOURNE

PRIME BANK

MERRITT ISLAND

COMMUNITY BANK OF THE SOUTH

MIAMI

BAC FLORIDA BANK

CITY NATIONAL BANK OF FLORIDA

COCONUT GROVE BANK

CONTINENTAL NATIONAL BANK OF MIAMI

EASTERN NATIONAL BANK

ESPIRITO SANTO BANK *

EXECUTIVE NATIONAL BANK *

GREAT FLORIDA BANK

10/07/2009

INTERAMERICAN BANK, F.S.B.

JGB BANK, N.A. *

METRO BANK OF DADE COUNTY

01/01/2010

NORTHERN TRUST, N.A.

OCEAN BANK

01/16/2013

PREMIER AMERICAN BANK, N.A.

SABADELL UNITED BANK, N.A.

SUNSTATE BANK

TOTALBANK

TRANSATLANTIC BANK

U.S. CENTURY BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA *

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

NAPLES

FIRST NATIONAL BANK OF THE GULF COAST

SHAMROCK BANK OF FLORIDA

TIB BANK

01/03/2012

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE BANK OF FLORIDA

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK

COMMUNITY BANK & TRUST OF FLORIDA

GATEWAY BANK OF CENTRAL FLORIDA

INDEPENDENT NATIONAL BANK *

OLDSMAR

JEFFERSON BANK OF FLORIDA

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA *

ORLANDO

CNLBANK

FLORIDA BANK OF COMMERCE *

ORANGE BANK OF FLORIDA

SEASIDE NATIONAL BANK & TRUST

URBAN TRUST BANK

OVIEDO

CITIZENS BANK OF FLORIDA

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA

10/31/2009

PUTNAM STATE BANK

10/16/2009

PALM COAST

INTRACOASTAL BANK

PANAMA CITY

BAY BANK & TRUST COMPANY

FIRST NATIONAL BANK NORTHWEST FLORIDA

SUMMIT BANK, N.A.

VISION BANK

PANAMA CITY BEACH

COASTAL COMMUNITY BANK

03/03/2012

PENSACOLA

BANK OF THE SOUTH

COASTAL BANK AND TRUST OF FLORIDA

12/11/2014

GULF COAST COMMUNITY BANK *

PERRY CITIZENS STATE BANK		TALLAHASSEE CAPITAL CITY BANK PREMIER BANK PRIME MERIDIAN BANK TALLAHASSEE STATE BANK	
PINELLAS PARK FIRST COMMUNITY BANK OF AMERICA	12/24/2013		
POMPANO BEACH FLORIDA SHORES BANK – SOUTHEAST		TAMPA AMERICAN MOMENTUM BANK CENTRAL BANK FIRST CITRUS BANK FLORIDA BANK NORTHSTAR BANK THE PALM BANK *	11/16/2010
PORT CHARLOTTE CHARLOTTE STATE BANK			
PORT RICHEY REPUBLIC BANK			
PORT ST. JOE BAYSIDE SAVINGS BANK *		THE VILLAGES CITIZENS FIRST BANK	
PORT ST. LUCIE FIRST PEOPLES BANK *		TRINITY PATRIOT BANK *	
ST. AUGUSTINE BANK OF ST. AUGUSTINE PROSPERITY BANK	10/04/2011	UMATILLA UNITED SOUTHERN BANK	
ST. PETERSBURG SYNOVUS BANK		VENICE FLORIDA SHORES BANK SOUTHWEST	
SARASOTA LANDMARK BANK OF FLORIDA	11/25/2009	WAUCHULA FIRST NATIONAL BANK OF WAUCHULA WAUCHULA STATE BANK	
SEBRING HEARTLAND NATIONAL BANK HIGHLANDS INDEPENDENT BANK		WEST PALM BEACH FIRST BANK OF THE PALM BEACHES FLAGLER BANK GRAND BANK & TRUST OF FLORIDA	
SOUTH MIAMI FIRST NATIONAL BANK OF SOUTH MIAMI		WILLISTON PERKINS STATE BANK	
STARKE COMMUNITY STATE BANK		WINTER HAVEN CENTERSTATE BANK OF FLORIDA, N.A.	
STUART GULFSTREAM BUSINESS BANK SEACOAST NATIONAL BANK *		WINTER PARK BANKFIRST FIRST NATIONAL BANK OF CENTRAL FLORIDA * UNITED LEGACY BANK *	

ZEPHYRHILLS
CENTERSTATE BANK, N.A.

GEORGIA

ALBANY
HERITAGEBANK OF THE SOUTH

ATLANTA
SUNTRUST BANK

COLQUITT
PEOPLESSOUTH BANK

DARIEN
SOUTHEASTERN BANK

MOULTRIE
AMERIS BANK

IOWA

FORT DODGE
FIRST AMERICAN BANK

LOUISIANA

LAFAYETTE
IBERIABANK

NEW ORLEANS
WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON
ONEUNITED BANK

MINNESOTA

ST. CLOUD
STEARNS BANK, N.A.

MISSISSIPPI

GULFPORT
HANCOCK BANK

JACKSON
TRUSTMARK NATIONAL BANK

KOSCIUSKO
MERCHANTS AND FARMERS BANK

STARKVILLE
CADENCE BANK, N.A. *

TUPELO
BANCORPSOUTH BANK

MISSOURI

CREVE COEUR
FIRST BANK

NEVADA

LAS VEGAS
CITIBANK, N.A.

NEW YORK

NEW YORK CITY
BANCO POPULAR NORTH AMERICA
INTERVEST NATIONAL BANK **07/17/2012**

NORTH CAROLINA

CHARLOTTE
BANK OF AMERICA, N.A.

RALEIGH
FIRST-CITIZENS BANK & TRUST COMPANY
RBC BANK (USA)

WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI
FIFTH THIRD BANK

WILMINGTON
LIBERTY SAVINGS BANK, F.S.B.

07/14/2010

PENNSYLVANIA

PITTSBURGH
PNC BANK, N.A.

SOUTH CAROLINA

GREENVILLE
CAROLINA FIRST BANK

SOUTH DAKOTA

SIOUX FALLS
WELLS FARGO BANK, N.A.

TEXAS

HOUSTON
ENCORE BANK, N.A.

WISCONSIN

MILWAUKEE
M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

DESTIN FIRST BANK
DESTIN
DESTIN FIRST BANK LOCATED IN DESTIN, FLORIDA
HAS CHANGED ITS NAME TO FIRST FLORIDA BANK.

FLORIDA COMMUNITY BANK
IMMOKALEE

FLORIDA COMMUNITY BANK LOCATED IN
IMMOKALEE FAILED ON JANUARY 29, 2010. PREMIER
AMERICAN BANK, N.A. (MIAMI) ENTERED INTO AN
AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF
THE DEPOSITS AND MOST OF THE ASSETS OF
FLORIDA COMMUNITY BANK. PREMIER AMERICAN
BANK, N.A., A NON QPD, AUTOMATICALLY BECAME
A QPD WITH THE ACQUISITION OF FLORIDA
COMMUNITY BANK'S PUBLIC DEPOSITS AND HAS
NOW COMPLETED THE NECESSARY PAPERWORK TO
REMAIN IN THE FLORIDA PUBLIC DEPOSITS
PROGRAM.

MELLON UNITED NATIONAL BANK
MIAMI
MELLON UNITED NATIONAL BANK LOCATED IN
MIAMI, FLORIDA HAS CHANGED ITS NAME TO
SABADELL UNITED BANK, N.A.

OLD SOUTHERN BANK
ORLANDO
OLD SOUTHERN BANK (ORLANDO) FAILED ON
MARCH 12, 2010. CENTENNIAL BANK (CONWAY,
ARKANSAS), A QPD, ENTERED INTO AN AGREEMENT
WITH THE FDIC AND ACQUIRED ALL OF OLD
SOUTHERN BANK'S DEPOSITS AND MOST OF THEIR
ASSETS.

RIVERSIDE BANK OF CENTRAL FLORIDA
WINTER PARK
RIVERSIDE BANK OF CENTRAL FLORIDA LOCATED
IN WINTER PARK HAS CHANGED ITS NAME TO
UNITED LEGACY BANK.

SUN AMERICAN BANK
BOCA RATON
SUN AMERICAN BANK (BOCA RATON) FAILED ON
MARCH 5, 2010. FIRST-CITIZENS BANK & TRUST
COMPANY (RALEIGH, NORTH CAROLINA) ENTERED
INTO AN AGREEMENT WITH THE FDIC AND
ACQUIRED ALL OF THE DEPOSITS AND MOST OF THE
ASSETS OF SUN AMERICAN BANK. FIRST-CITIZENS
BANK & TRUST COMPANY, A NON QPD,
AUTOMATICALLY BECAME A QPD WITH THE
ACQUISITION OF SUN AMERICAN BANK'S PUBLIC
DEPOSITS AND PER CHAPTER 280, FLORIDA
STATUTES HAS NINETY DAYS TO COMPLETE THE
NECESSARY PAPERWORK TO REMAIN IN THE
FLORIDA PUBLIC DEPOSITS PROGRAM.

WACHOVIA BANK, N.A.

CHARLOTTE, NORTH CAROLINA

WACHOVIA BANK, N.A. LOCATED IN CHARLOTTE, NORTH CAROLINA WAS MERGED INTO/ACQUIRED BY WELLS FARGO BANK, N.A. LOCATED IN SIOUX FALLS, SOUTH DAKOTA EFFECTIVE MARCH 20, 2010. WELLS FARGO BANK, N.A. WAS NOT A QPD BUT AUTOMATICALLY BECAME A QPD WITH THIS MERGER/ACQUISITION PER CHAPTER 280, FLORIDA STATUTES AND HAS 90 CALENDAR DAYS AFTER THE EFFECTIVE DATE OF THE MERGER/ACQUISITION TO PROVIDE ALL THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

Notice of Consideration of Cemetery Bylaws

The State of Florida, Board of Funeral, Cemetery and Consumer Services, will address approval of the amended bylaws of the following cemetery(s) at the regular Teleconference meeting to be held on June 3, 2010:

Gulf Pines Memorial Park (Englewood)

A file pertaining to the above is available for public inspection and copying by any person at: Alexander Building, 2020 Capital Circle S. E., Suite 270, Tallahassee, Florida 32301. Comments may be submitted at the above address without requesting a hearing. Those persons whose substantial interests may be determined by these proceedings, including settlements, grants, and denials, are advised that they may request a hearing concerning the notice of intent to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petitions for hearing should comply with Rule 69K-6.003, Florida Administrative Code, and must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361. In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral, Cemetery and Consumer Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department at least fourteen (14) days prior to the meeting.

FINANCIAL SERVICES COMMISSION**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

Application for Conversion of a Federal Savings Association to a State Bank

Applicant and Location: Superior Bank, FSB, 17 20th Street N., Birmingham, Jefferson County, Alabama 35203

With Title: Superior Bank

Correspondent: Bill Caughran, 17 20th Street N., Birmingham, Alabama 35203

Received: August 13, 2009

Withdrawn: April 7, 2010

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The Small Business Regulatory Advisory Council, Office of Small Business Advocate and Florida Small Business Development Center Network State Director's Office have moved. The new address is: UWF – Building 38, 11000 University Parkway, Pensacola, FL 32514-5750. The primary point of contact for submission of Rule Notices and SERC's is: Vicky Baker at the above address or email: vicky.baker@floridasbrac.org. The primary point of contact for the Office of Small Business Advocate is: Lew Attardo at the above address or email: lattardo@floridasbdc.org. The primary point of contact for the SBDC State Director's Office is: Jerry Cartwright, Director, at the above address or email: Jerry.cartwright@floridasbdc.org.

BROWARD COUNTY MEDICAL EXAMINER AND TRAUMA SERVICES**Notice of Destruction of Toxicology Specimens**

The Toxicology Laboratory of the Broward County Medical Examiner's Office announces the destruction of toxicology specimens collected prior to 2008 from autopsies as part of death investigation cases and specimens obtained prior to 2005 from law enforcement agencies as part of driving under the influence (DUI) cases and drug facilitated sexual assault cases. The destruction of these specimens shall begin on or about August 1, 2010

If you require any specimens be retained for retesting or possible evidentiary purposes, please send a written request for preservation citing:

1. Name of the individual or agency responsible for initiating the request;
2. Date the request is initiated;
3. Name of the decedent, defendant or victim;
4. Approximate date of specimen collection;
5. Medical examiner laboratory case number (if known);
6. Reason for extending the retention period; and,
7. Terms of the specimen preservation, including the length of additional time the requested specimen is to be held.

All written requests must be received by July 20, 2010. If necessary, hearings will be arranged to explore these matters.

Send written requests to:

Toxicology Laboratory
District 17 Medical Examiner and Trauma Services
5301 S. W. 31st Avenue
Ft. Lauderdale, FL 33312

Or Fax written requests to: (954)327-6582

If you have any questions, please call: Toxicology at (954)357-5225.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**RULES FILED BETWEEN April 5, 2010
 and April 9, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

5L-1.001	4/6/10	4/26/10	36/8	
5L-1.007	4/6/10	4/26/10	36/8	
5L-1.008	4/6/10	4/26/10	36/8	
5L-1.013	4/6/10	4/26/10	36/8	

DEPARTMENT OF REVENUE

12-3.007	4/6/10	4/26/10	35/52	
12-13.009	4/6/10	4/26/10	35/52	

Sales and Use Tax

12A-1.005	4/6/10	4/26/10	35/52	
12A-1.085	4/6/10	4/26/10	35/52	
12A-1.097	4/6/10	4/26/10	35/52	

Miscellaneous Tax

12B-8.001	4/6/10	4/26/10	35/52	
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Corporate, Estate and Intangible Tax

12C-1.0186	4/6/10	4/26/10	35/52	
12C-1.0187	4/6/10	4/26/10	35/52	
12C-1.0191	4/6/10	4/26/10	35/52	
12C-1.0192	4/6/10	4/26/10	35/52	
12C-1.0193	4/6/10	4/26/10	35/52	
12C-1.0221	4/6/10	4/26/10	35/52	
12C-1.051	4/6/10	4/26/10	35/52	36/6
12C-1.051	4/6/10	4/26/10	35/52	

DEPARTMENT OF TRANSPORTATION

14-85.024	4/9/10	4/29/10	36/9	
14-85.025	4/9/10	4/29/10	36/9	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-1.659	4/7/10	4/27/10	35/43	
40D-2.021	4/7/10	4/27/10	35/43	
40D-2.091	4/7/10	4/27/10	35/43	36/9
40D-2.101	4/7/10	4/27/10	35/43	36/9

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

60H-1.001	4/9/10	4/29/10	36/6	36/11
60H-1.002	4/9/10	4/29/10	36/6	36/11
60H-1.003	4/9/10	4/29/10	36/6	36/11
60H-1.004	4/9/10	4/29/10	36/6	
60H-1.006	4/9/10	4/29/10	36/6	
60H-1.007	4/9/10	4/29/10	36/6	
60H-1.009	4/9/10	4/29/10	36/6	
60H-1.013	4/9/10	4/29/10	36/6	
60H-1.015	4/9/10	4/29/10	36/6	36/11
60H-1.016	4/9/10	4/29/10	36/6	36/11
60H-1.017	4/9/10	4/29/10	36/6	36/11
60H-1.021	4/9/10	4/29/10	36/6	36/11
60H-1.022	4/9/10	4/29/10	36/6	36/11
60H-1.023	4/9/10	4/29/10	36/6	36/11
60H-1.024	4/9/10	4/29/10	36/6	36/11
60H-1.0241	4/9/10	4/29/10	36/6	
60H-1.025	4/9/10	4/29/10	36/6	36/11
60H-1.026	4/9/10	4/29/10	36/6	36/11
60H-1.0261	4/9/10	4/29/10	36/6	36/11
60H-1.027	4/9/10	4/29/10	36/6	
60H-1.028	4/9/10	4/29/10	36/6	36/11
60H-1.029	4/9/10	4/29/10	36/6	
60H-1.0291	4/9/10	4/29/10	36/6	
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60H-2.0022	4/9/10	4/29/10	36/6	36/11
60H-2.003	4/9/10	4/29/10	36/6	36/11
60H-2.005	4/9/10	4/29/10	36/6	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

61G6-8.002	4/5/10	4/25/10	36/8	
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Florida Real Estate Appraisal Board

61J1-4.001	4/8/10	4/28/10	36/9	
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-5.0011	4/8/10	4/28/10	36/9	
64B3-9.001	4/7/10	4/27/10	36/8	
64B3-9.002	4/7/10	4/27/10	36/8	
64B3-9.004	4/7/10	4/27/10	36/8	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling					64E-6.012	4/8/10	4/28/10	35/50	36/10
64B4-3.006	4/7/10	4/27/10	36/8		64E-6.013	4/8/10	4/28/10	35/50	
64B4-11.007	4/9/10	4/29/10	35/40	36/10	64E-6.015	4/8/10	4/28/10	35/50	
Board of Dentistry					64E-6.019	4/8/10	4/28/10	35/50	
64B5-2.014	4/6/10	4/26/10	34/50	35/21	64E-6.023	4/8/10	4/28/10	35/50	
64B5-2.0144	4/6/10	4/26/10	34/50	35/21	64E-6.026	4/8/10	4/28/10	35/50	
Board of Massage Therapy					64E-6.027	4/8/10	4/28/10	35/50	
64B7-32.003	4/5/10	4/25/10	36/1		FISH AND WILDLIFE CONSERVATION COMMISSION				
Board of Respiratory Care					Freshwater Fish and Wildlife				
64B32-6.001	4/5/10	4/25/10	36/7		68A-15.064	4/9/10	7/1/10	36/2	36/11
Division of Environmental Health					DEPARTMENT OF FINANCIAL SERVICES				
64E-6.001	4/8/10	4/28/10	35/50		Division of Insurance Agents and Agency Services				
64E-6.003	4/8/10	4/28/10	35/50		69B-211.320	4/7/10	4/27/10	36/7	
64E-6.004	4/8/10	4/28/10	35/50		Division of Consumer Services				
64E-6.010	4/8/10	4/28/10	35/50		69J-9.001	4/8/10	4/28/10	35/50	36/10
64E-6.0101	4/8/10	4/28/10	35/50						