

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

**DEPARTMENT OF LEGAL AFFAIRS**

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

RULE NOS.:	RULE TITLES:
2A-7.001	Definitions
2A-7.002	Application and Certification Process
2A-7.003	Responsibility of State and Local Agencies and Governmental Entities
2A-7.004	Certification Renewal
2A-7.005	Certification Withdrawal, Invalidation, Expiration, and Termination
2A-7.006	Information Release to Law Enforcement Agency
2A-7.007	Agency Use of Designated Address and Agency Exemption Request
2A-7.008	Service of Process
2A-7.009	Maintaining Protected Records Voter Information

PURPOSE AND EFFECT: To define terms, clarify procedures, and include victims of stalking as eligible program participants.

SUBJECT AREA TO BE ADDRESSED: Address Confidentiality Program.

RULEMAKING AUTHORITY: 741.409 FS.

LAW IMPLEMENTED: 741.401-.465, 97.0585 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: Christina Harris, Chief, Bureau of Advocacy and Grants Management, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF LEGAL AFFAIRS**

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

RULE NOS.:	RULE TITLES:
2A-9.001	Purpose
2A-9.002	General Provisions
2A-9.003	Definitions

2A-9.004	Grant Eligibility
2A-9.005	Application Procedures
2A-9.006	Funding Requirements

PURPOSE AND EFFECT: Provide purpose, general provisions, definitions, and other requirements for funding under the Crime Stoppers Trust Fund.

SUBJECT AREA TO BE ADDRESSED: Crime stoppers grants.

RULEMAKING AUTHORITY: 16.555(6) FS.

LAW IMPLEMENTED: 16.555-.556 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, FL 32399-1050

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

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

PURPOSE AND EFFECT: The purpose of the rule development is to include the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation as an entity to receive a list of organizations determined to be eligible by the Department to be listed as a nonprofit scholarship-funding organization for participation in the Florida Tax Credit Scholarship Program. The effect is consistency with changes made in Chapter 2010-24, Laws of Florida by the 2010 Legislature.

SUBJECT AREA TO BE ADDRESSED: Reporting of nonprofit scholarship-funding organizations eligible for participation in the Florida Tax Credit Scholarship Program.

RULEMAKING AUTHORITY: 1002.395(9)(i), (13)(d) FS.

LAW IMPLEMENTED: 1002.395 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: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines

Street, Tallahassee, FL (850)245-0878. TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact Lynn Abbott, Agency Clerk, at [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or (850)245-9661

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-25.001	Federal Regulations Adopted by Reference
6A-25.002	Definitions
6A-25.003	Informed Choice
6A-25.004	Referral and Application Process
6A-25.005	Assessment for Determining Eligibility and Priority for Services
6A-25.006	Extended Evaluation
6A-25.007	Ability to Serve All Eligible Individuals and Order of Selection for Services
6A-25.008	Individualized Plan for Employment
6A-25.009	Authorization for Services
6A-25.010	Scope of Vocational Rehabilitation Services
6A-25.011	Comparable Services and Benefits
6A-25.012	Division Determinations, Review Procedures
6A-25.013	Confidentiality and Release of Consumer Information/Records
6A-25.014	Physical and Mental Restoration Services
6A-25.015	Vocational and Other Training Services
6A-25.016	Rehabilitation Technology Services
6A-25.017	Case Closure
6A-25.018	Recovery from Third Parties
6A-25.019	Forms and Documents

**PURPOSE AND EFFECT:** The purpose of this rule development is to comply with the requirements in Sections 413.22 and 413.445, Florida Statutes, to adopt rules necessary to carry out the purposes of Chapter 413, Part II, Florida Statutes. The effect will be rules that accurately reflect all current requirements related to the provision of vocational rehabilitation services.

**SUBJECT AREA TO BE ADDRESSED:** The provision of vocational rehabilitation services.

**RULEMAKING AUTHORITY:** 413.22, 413.445 FS.

**LAW IMPLEMENTED:** 257.36(6), 413.22, 413.24, 413.28, 413.30, 413.32, 413.341, 413.445, 413.72, 413.731 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: Brent McNeal, Assistant General Counsel, Department of Education, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32301-4962, (850)245-3327. 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](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS Available at <https://app1.fldoe.org/rules/default.aspx>.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:	RULE TITLE:
12A-1.094	Public Works Contracts

**PURPOSE AND EFFECT:** Rule 12A-1.094, F.A.C. (Public Works Contracts), and Section 212.08(6), F.S., govern the taxability of transactions in which contractors and subcontractors purchase supplies and materials for use in public works contracts. Public works contracts are projects for public use or enjoyment, financed and owned by the government, in which private persons install tangible personal property that becomes a part of a public facility. The exemption in Section 212.08(6), F.S., is a general exemption for sales made directly to the government. Rule 12A-1.094, F.A.C., establishes the criteria that govern whether a governmental entity, rather than the public works contractor, is the purchaser of the materials.

Effective January 2, 2011, Section 8, Chapter 2010-138, L.O.F., requires governmental entities to issue a Certificate of Entitlement to purchase materials tax-exempt for a public works project to each vendor and each contractor certifying: (1) that the materials and supplies purchased will become part of a public facility; and (2) that the governmental entity will be liable for any tax, penalty, or interest due should the Department later determine that the items purchased do not qualify for exemption under Section 212.08(6), F.S. The law excludes a federal governmental entity from these requirements.

The purpose of the proposed amendments to Rule 12A-1.094, F.A.C., is to: (1) maintain, without change, the current criteria governing whether a governmental entity is the purchaser of materials and supplies that qualify for exemption under Section

212.08(6), F.S.; (2) provide the requirements and format of the Certificate of Entitlement required by Section 8, Chapter 2010-138, L.O.F., effective January 2, 2011; and (3) provide that the governmental entity is prohibited from transferring the liability for tax, penalty, and interest to another party by contract or agreement.

**SUBJECT AREA TO BE ADDRESSED:** The subject of the rule development workshop is the requirements of Section 8, Chapter 2010-138, L.O.F., effective January 2, 2011, regarding public works contracts.

**RULEMAKING AUTHORITY:** 212.08(6), 212.17(6), 212.18(2), 212.183, 213.06(1) FS., s. 8, Ch. 2010-138, L.O.F.

**LAW IMPLEMENTED:** 212.02(4), (14), (15), (16), (19), (20), (21), 212.06(1), (2), (14), 212.07(1), 212.08(6), (7)(bbb), 212.085, 212.18(2), 212.183 FS., s. 8, Ch. 2010-138, L.O.F.

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

**DATE AND TIME:** August 25, 2010, 9:30 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida. The public can also participate in this rule development workshop through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx, and conference calling technology. The requirements to participate are access to the Internet and a telephone. The public can participate in this electronic workshop by accessing the broadcast from their home or office. Specific information about how to participate in this electronic meeting from your home or office will be included in the Agenda for this workshop posted on the Department's Proposed Rule site at [www.myflorida.com/dor/rules](http://www.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: Sarah Wachman at (850)410-2651. If you are 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:** Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
61C-5.001	Standards Adopted; Exclusions; and Conflicts
61C-5.002	Safety Inspections
61C-5.006	Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement
61C-5.007	Fees; Certificates of Competency, Renewal
61C-5.008	Definitions
61C-5.0085	Continuing Education Requirements
61C-5.013	Service Maintenance Contracts
61C-5.018	Variances
61C-5.020	Disciplinary Guidelines
61C-5.023	Citations

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule development is to implement the statutory changes enacted by Chapter 2010-110, Laws of Florida; adopt forms; update licensure, registration, and renewal requirements; clarify elevator safety requirements; and provide a plain language update.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule development will address statutory changes, forms, licensure, registration, renewal, elevator safety requirements, and plain language changes.

**RULEMAKING AUTHORITY:** 399.001, 399.01, 399.02, 399.03, 399.07(1), 399.10, 399.16, 455.2273 FS.

**LAW IMPLEMENTED:** 386.207, 399.001, 399.01, 399.02, 399.03, 399.049, 399.061, 399.07, 399.105, 399.125, 399.16, 399.17 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 N. Monroe St., Tallahassee, FL 32399-1011; Michelle.Comingore@dbpr.state.fl.us; (850)488-1133

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Regulatory Council of Community Association Managers**

RULE NO.: 61E14-1.001  
 RULE TITLE: Prelicensure Education Requirements

PURPOSE AND EFFECT: The proposed rule development is designed to increase the qualifications of licensees by increasing from 18 to 24 the number of required pre-licensure education hours an applicant must complete prior to taking the examination. The proposed rule also specifies additional topics to be covered in pre-licensure education courses, and removes the requirement that such courses be taken in person.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Renewal Requirements.

RULEMAKING AUTHORITY: 468.4315(2), 468.433(2)(d) FS.

LAW IMPLEMENTED: 468.433(2)(d), 455.2122 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: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: 64E-13.004  
 RULE TITLES: Standards

PURPOSE AND EFFECT: As a result of changes to Section 381.006(16), Florida Statutes (F.S.), brought about by the signing of House Bill 5311, the Department of Education, in

consultation with the Department of Health, is required to develop rules for public and private schools. The Department of Education has indicated that it will take some time before this requirement can be addressed permanently. Therefore, they have requested that DOH continue to use the current rule (Chapter 64E-13, Florida Administrative Code, School Sanitation), at least on an interim basis: however, they have indicated several areas in the current rule that will require modification or will no longer apply. Therefore, the purpose of this rule is to repeal rule language that has been identified by the Department of Education. The effect will be that public and private schools will no longer have to comply with the requirements that are removed.

SUBJECT AREA TO BE ADDRESSED: This subject addressed is school sanitation in public and private schools.

RULEMAKING AUTHORITY: 381.006(16) FS.

LAW IMPLEMENTED: 381.006(6)(16) 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: August 9, 2010, 10:00 a.m. – 12:00 Noon  
 PLACE: Room 215T, 4052 Bald Cypress Way, 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 7 days before the workshop/meeting by contacting: Sharon Sautler, Environmental Specialist III, (850)245-4277. If you are 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: Sharon Sautler, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399, (850)245-4277

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

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

RULE NO.: 64J-2.011  
 RULE TITLE: Trauma Center Requirements

PURPOSE AND EFFECT: As part of the annual review of the Trauma Center Standards, DOH 150-9, incorporated by reference in Rule 64J-2.011, F.A.C., this workshop is scheduled to receive public input on surgical and non-surgical requirements of trauma centers.

SUBJECT AREA TO BE ADDRESSED: Trauma Center Standards – Surgical and Non-Surgical Requirements.

RULEMAKING AUTHORITY: 395.405 FS.

LAW IMPLEMENTED: 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS.

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

DATE AND TIME: Tuesday, August 17, 2010, 10:30 a.m. – 12:30 p.m. Eastern Standard Time; (9:30 a.m. – 11:30 a.m. Central Standard Time)

PLACE: Capital Circle Office Complex, 4025 Esplanade Way, Conference Room 301, Tallahassee, Florida

The workshop will be conducted via conference call. The following is the conference call number and code: Conference Call Number: 1(888)808-6959, Conference Code: 2354440

Pursuant to the provisions of 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: Susan McDevitt, Director, Office of Trauma, susan\_mcdevitt@doh.state.fl.us, (805)245-4440, ext. 2760. If you are 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: Susan McDevitt, Director, Office of Trauma, susan\_mcdevitt@doh.state.fl.us, (805)245-4440, ext. 2760

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.:	RULE TITLE:
65A-1.603	Food Stamp Program Income and Expenses

PURPOSE AND EFFECT: The proposed rule amendment amends the standard utility allowance, the basic utility allowance and the telephone standard.

SUBJECT AREA TO BE ADDRESSED: Increases to utility allowances.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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: August 19, 2010, 10:30 a.m.

PLACE: 1317 Winewood Boulevard, Building 2, Room 204, Tallahassee, Florida 32399-0700

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

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement

- 67-48.030 Sale or Transfer of a Housing Credit Development
- 67-48.031 Termination of Extended Use Agreement and Disposition of Housing Credit Developments

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2011 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2009 Qualified Allocation Plan (QAP).

**RULEMAKING AUTHORITY:** 420.507 FS.

**LAW IMPLEMENTED:** 420.5087, 420.5089, 420.5099 FS.

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

**DATE AND TIME:** August 17, 2010, 2:30 p.m.

**PLACE:** Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

Pursuant to the provisions of 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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kevin Tatreau, Director of Multifamily Development Programs

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

## Section II Proposed Rules

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

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

### **EXECUTIVE OFFICE OF THE GOVERNOR**

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

RULE NOS.	RULE TITLES:
27M-3.001	Definitions and Forms
27M-3.002	Application Process
27M-3.003	Certification Decision

**PURPOSE AND EFFECT:** The purpose and effect is to modify existing rules to comply with changes contained in Chapter 2010-39, Laws of Florida.

**SUMMARY:** The rules govern the application and certification process for the Black Business Loan Program.

#### **SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

There are 8 applicants for certification as an administrator of program funds for the Fiscal Year 2010-11. It is anticipated that the number of applicants would be approximate to this number each year in which the legislature make such an appropriation. Neither OTTED nor any other state and local governments have incurred additional costs as a result of the new program format. There should be no transactional costs for any entity applying to participate as a loan administrator since no additional licenses, registrations, or fees were required by this rule. The rule changes do not affect the program’s impact on small businesses.

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

**RULEMAKING AUTHORITY:** 288.7102(7) FS.

**LAW IMPLEMENTED:** 288.7094; 288.7102 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)487-2568

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

## 27M-3.001 Definitions and Forms.

As used in this Rule Chapter 27M-3, F.A.C., the following capitalized terms have the meanings indicated. All referenced forms are available on the internet at: [http://www.flgov.com/otted\\_home](http://www.flgov.com/otted_home) or may be obtained from the Office.

(1) No change.

(2) "Agreement" means the standard "Black Business Loan Program Recipient Agreement" form OTTED 7102-5 (5/10).

(3) No change.

(4) "Application" means the standard "Application for Certification as Eligible Recipient of Funds under the Black Business Loan Program" form OTTED 7102-1 (5/10).

(5) "Application Evaluation Form" means the standard "Black Business Loan Program Application Evaluation" form OTTED 7102-2 (5/10).

(6) "Application Period" means the annual period during which Applicants may submit Applications, which shall be May 1 through June 1 (or the next business day) of each year in which there is a legislative appropriation to fund the Program.

~~(7) "Board" means the Florida Black Business Investment Board, Inc., created by Section 288.707, F.S., whose address is 2019 Centre Pointe Boulevard, Suite 101, Tallahassee, Florida 32308.~~

~~(7)(8)~~ "Certification Decision Form" means the standard "Black Business Loan Program Certification and Allocation Decision" form OTTED 7102-4 (5/10).

~~(8)(9)~~ "Eligible" means that an Applicant has demonstrated satisfaction of each of the requirements specified in Section 288.7102(4), F.S.

(9) "Existing Recipient" means an Applicant that, after a certification process, the Office certified to receive Program funds for the previous year and that entered into an Agreement with the Office.

(10) "New Recipient" means an Applicant that the Office did not certify for the previous year.

~~(11)(10)~~ "Office" means the Office of Tourism, Trade and Economic Development, whose address is 1902 The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399.

~~(12)(11)~~ "Program" means the Black Business Loan Program established by Section 288.7102, F.S.

~~(13)(12)~~ "Recipient" means an Applicant that, after a certification process, the Office certifies to receive Program funds and that enters into an Agreement with the Office.

~~(14)(13)~~ "Summary Recommendation Form" means the standard "Black Business Loan Program Summary Recommendation" form OTTED 7102-3 (5/10).

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended.

## 27M-3.002 Application Process.

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

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

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

(4) The Office Board shall evaluate each complete Application from a New Recipient and document its evaluation using the Application Evaluation Form. To conduct the evaluation, the Office Board shall assign a person or persons who individually or collectively have experience in the following areas: financing small or minority business; economic development; community development; and business management. No officer, director, employee, or agent of any Applicant shall participate in the evaluation process.

~~(5) Within thirty (30) days after the close of the Application Period, the Board shall deliver to the Office the completed Summary Recommendation Form along with:~~

~~(a) The original and one copy of each Application and its related Application Evaluation Form; and~~

~~(b) The names and organizational affiliations of all persons who participated in the evaluation process.~~

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended.

## 27M-3.003 Certification Decision.

(1) Within thirty (30) days after the close of the Application Period, the Office shall complete Summary Recommendation Form ~~ten (10) business days after receiving the Summary Recommendation Form and supporting materials, the Office shall decide which Applicants to certify as Recipients. The Office shall consider the following factors: the Board's recommendations, which shall not be binding; the amount of documented match raised; and the Applicant's past performance.~~

(2) The Office shall process all applications and recertifications submitted by June 1 on or before July 1. The Office shall transmit its completed Certification Decision Form to the Board, and explain any differences with the Board's recommendations. The Office shall also issue a letter to each

~~Applicant certified as a Recipient of program funds. Receipt of Program funds shall be conditioned upon their appropriation and availability, and upon the Recipient's execution of the Agreement. The Office shall notify in writing each Applicant whose Application is denied. The Office's certification decisions shall be subject to review under Chapter 120, F.S.~~

(3) The Office shall issue a letter to each Applicant certified as a Recipient of program funds. Receipt of Program funds shall be conditioned upon their appropriation and availability, and upon the Recipient's execution of the Agreement. The Office shall notify in writing each Applicant whose Application is denied. The Office's certification decisions shall be subject to review under Chapter 120, F.S.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History--New 9-1-08, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)487-2568  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shane Strum  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 7, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NOS.:	RULE TITLES:
58A-14.0061	Admission Criteria and Procedures, Appropriateness of Placement, and Continued Residency Requirements
58A-14.007	Standards and Practices for Care and Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments for Rule 58A-14.0061, F.A.C., are as follows: to include an additional requirement for determining admission procedures and continued residency; to include the requirement that residents must be made aware of the location of documents in order to make complaints; to amend the "Advance Directives" subsection to remove the term "advance directives" and replace with "Do Not Resuscitate Orders"; to add the word "licensed" before the references of "nurse" and "health care provider" in subsection (1); and to replace the word "physician" with "licensed health care provider" in subsection (7). The purpose and effect of the proposed rule amendments to Rule 58A-14.007, F.A.C., are to comply with the changes made in Rule 58A-14.0061, F.A.C.

SUMMARY: Rule 58A-14.0061, F.A.C., includes an additional requirement for determining admission procedures and continued residency; the requirement that residents must be made aware of the location of documents in order to make

complaints; and an amendment to the "Advance Directives" subsection to remove the term "advance directives" and replace with "Do Not Resuscitate Orders." Rule 58A-14.007, F.A.C., makes changes to comply with amendments to Rule 58A-14.0061, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule amendments will not have an impact on small employers as defined in Section 288.703, F.S., or small cities or counties as defined in Section 120.52, F.S.; therefore, a statement of estimated regulatory cost has not been 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: 429.73 FS.

LAW IMPLEMENTED: 429.65, 429.73, 429.85 FS.

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

DATE AND TIME: August 25, 2010, 10:00 a.m. – 11:00 a.m. EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 309, Tallahassee, Florida 32399-7000

Pursuant to the provisions of 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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: [crochetj@elderaffairs.org](mailto:crochetj@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: [crochetj@elderaffairs.org](mailto:crochetj@elderaffairs.org)

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-14.0061 Admission Criteria and Procedures, and Appropriateness of Placement, and Continued Residency Requirements.

(1) ADMISSION. In order to be admitted as a resident to an AFCH, an individual must:

(a) through (b) No change.

(c) Be capable of self-preservation in an emergency situation involving the immediate evacuation of the AFCH, with assistance with ambulation, if needed.



(d) through (h) No change.

(i) Not have stage 3 or 4 pressure sores. An individual with a stage 2 pressure sore may be admitted only if the individual is under the care of a licensed nurse pursuant to a plan of care issued by a licensed health care provider. Such nursing service must be provided in accordance with Rule 58A-14.007, F.A.C.

(j) through (l) No change.

(2) HEALTH ASSESSMENT. Prior to admission to an AFCH, the individual must be examined by a health care provider using AHCA Form 3110-1023 (AFCH 1110) 01/08, Resident Health Assessment for Adult Family-Care Homes (AFCH), January 2008, which is incorporated by reference, and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308. The form may also be obtained from the agency's Web site at [http://ahca.myflorida.com/MCHQ/Long\\_Term\\_Care/Assisted\\_living/afc/Res\\_Health\\_Assmnt.pdf](http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf).

(a) Prior to admission to an AFCH, an individual must have a face-to-face medical examination conducted by a licensed health care provider using AHCA Form 3110-1023, Resident Health Assessment for Adult Family-Care Homes (AFCH), January 2008, which is incorporated by reference. It is available by writing to the Agency for Health Care Administration, Long-Term Care Bureau, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308-5403 or calling (850)487-2515. It also may be obtained from the Agency's website at [http://ahca.myflorida.com/MCHQ/Long\\_Term\\_Care/Assisted\\_living/afc/Res\\_Health\\_Assmnt.pdf](http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf).

1. Items on the form that may have been omitted by the licensed health care provider during the examination do not necessarily require an additional face-to-face examination for completion.

2. The AFCH provider, or relief person, may obtain the omitted information either verbally or in writing from the licensed health care provider.

3. Omitted information received verbally must be documented in the resident's record, including the name of the licensed health care provider giving the information, the name of the AFCH provider or relief person recording the information, and the date the information was obtained.

(b) Every year thereafter, or after a significant change as defined in subsection (4) of Rule 58A-14.007, F.A.C., whichever comes first, the resident must have a face-to-face medical examination conducted by a licensed health care provider using the form referenced in paragraph (a) of this subsection. After the effective date of this rule, providers shall have up to 12 months to comply with this requirement for residents currently living in the AFCH.

(3) HOUSE RULES AND COMPLAINT PROCEDURES. Prior to, or at the time of admission a copy of the AFCH house rules, the Resident's Bill of Rights established under Section 429.85, F.S., the name, address, and telephone number of the district long-term care ombudsman

~~council and the Florida Abuse Hotline, and the procedure for making complaints to the ombudsman council and the abuse registry must be provided to the resident or the resident's representative.~~

(a) Prior to, or at the time of admission, the AFCH must provide the resident, or representative, with the following:

1. A copy of the AFCH house rules;

2. The Resident's Bill of Rights established under Section 429.85, F.S.;

3. Written information referenced in subsection (6) of Rule 58A-14.004, F.A.C., and the procedure for making complaints to these entities.

(b) Additionally, the provider, or relief person, must make the resident, or representative, aware of the location of the documents posted pursuant to subsection (6) of Rule 58A-14.004, F.A.C.

(4) DO NOT RESUSCITATE ORDERS ADVANCE DIRECTIVES:

(a) Each adult family-care home (AFCH) must have written policies and procedures, which delineate its the AFCH'S position with respect to the state law and rules relative to do not resuscitate orders (DNROs) advance directives. The policies shall not condition treatment or admission upon whether or not the individual has executed or waived an DNRO advance directive. In the event of conflict between the AFCH's policies and procedures and the resident's advance directive, provision should be made in accordance with Chapter 765, F.S.

(b) The AFCH's policy must shall include:

1. No change.

2. At the time of admission, providing each resident, or the resident's representative, with written information concerning the AFCH's policies regarding DNROs resuscitation and advance directives, including information concerning DH Form 1896, Florida Do Not Resuscitate Order Form, incorporated by reference in Rule 64J-2.01831, F.A.C.

3. At the time of admission, providing each resident, or the resident's representative, with written information concerning the AFCH's policies respecting advance directives.

3.4. The requirement that documentation of whether or not the resident has executed an DNRO advance directive must be contained in the resident's record. If an DNRO advanced directive has been executed, a copy of that document must be made a part of the resident's record. If the AFCH does not receive a copy of the DNRO advanced directive for a resident, the AFCH must document in the resident's record that it has requested a copy.

4.5. An AFCH shall be subject to revocation of its license pursuant to Section 408.815, F.S., if the AFCH, as a condition of treatment or admission, requires an individual to execute or waive an DNRO advance directive, pursuant to Section 765.110, F.S.

(c) Pursuant to Section 429.73, F.S., in the event a resident experiences cardiopulmonary arrest, an AFCH must ~~may~~ honor a properly executed DNRO as follows:

1. The AFCH provider, or relief person, who is trained in cardiopulmonary resuscitation (CPR), may withhold cardiopulmonary resuscitation; or

~~2.1. In the event of cardiopulmonary distress, the AFCH provider, or relief person designee, shall immediately contact "911." Cardiopulmonary resuscitation may be withheld or withdrawn from a resident by an individual pursuant to Section 401.45, F.S.~~

~~2. Cardiopulmonary resuscitation may be withheld or withdrawn from a resident only if a valid DNRO is present and the withholding or withdrawing of cardiopulmonary resuscitation is executed by an individual pursuant to Section 401.45, F.S.~~

3. Adult ~~f~~Family-Care ~~h~~Home providers shall not be subject to criminal prosecution or civil liability, nor be considered to have engaged in negligent or unprofessional conduct for withholding or withdrawing cardiopulmonary resuscitation pursuant to such a Do Not Resuscitate Order and rules adopted by the department agency, pursuant to Section 429.73, F.S. Any AFCH provider, who, in good faith, obeys the directives of an existing DNRO, executed pursuant to Section 401.45, F.S., will not be subject to prosecution or civil liability for his ~~or~~her performance regarding patient care.

(5) TEMPORARY EMERGENCY SERVICES. Residents placed on an emergency basis by the Department of Children and Family Services pursuant to Section 415.105 or 415.1051, F.S., must meet the admission requirements of this rule. However, only residents whose stay in the home exceeds 30 days; must be examined by a licensed health care provider under subsection (2) of this rule section, and covered by a residency agreement under Rule 58A-14.0062, F.A.C. A temporary emergency placement may not be made if the placement causes the home to exceed licensed capacity.

(6) CONTINUED RESIDENCY.

(a) The criteria for continued residency shall be the same as the criteria for admission, including a face-to-face medical examination conducted by a licensed health care provider pursuant to subsection (2) of this rule, with the following exceptions ~~that~~:

1. through 3. No change.

(b) through (c) No change.

(7) DISCHARGE.

(a) No change.

(b) Residents shall only be moved or transferred without the required 30 day notice for the following reasons:

1. The resident's health requires an immediate relocation to a facility which provides a more skilled level of care as certified by a licensed health care provider ~~physician~~;

2. through 3. No change.

Rulemaking Authority 429.73 FS. Law Implemented 429.65, 429.73, 429.85 FS. History--New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99, 1-1-04, 4-29-08,\_\_\_\_\_.

58A-14.007 Standards and Practices for Care and Services.

The adult family-care home provider shall ensure the provision of the following in accordance with Part II of Chapter 429, F.S., this rule chapter, and the residency agreement:

(1) No change.

(2) SUPERVISION.

The AFCH provider shall provide general supervision ~~twenty four (24)~~ hours per day, except as provided in paragraph (a) of the subsection. General supervision means the provider or designee is aware of the resident's whereabouts and well-being while the resident is on the premises of the AFCH. The provider is responsible for determining the level of supervision necessary to ensure the resident's safety and security as well as to remind the resident of any important tasks or activities, including appointments.

(a) A resident may be left without supervision in an AFCH for up to 2 hours in a 24-hour period if his or her licensed health care provider submits written certification that doing so will not compromise the resident's health, safety, security or well-being. This certification is included on AHCA Form 3110-1023, Resident Health Assessment for Adult Family-Care Homes (AFCH), as referenced in Rule 58A-14.0061, F.A.C.

~~1. The certification is included in Section H of AHCA Form 3110 1023 (AFCH 1110) 01/08, incorporated by reference in subsection 58A-14.0061(2), F.A.C.~~

~~2. After the effective date of this rule, the provider shall have up to six (6) months for completing section H on this form for all current residents.~~

(b) The health care provider's certification must be completed annually from the date of the original assessment, or sooner, if a significant change occurs pursuant to subsection (4) of this rule or when there is a compelling reason why the resident should not be left without supervision in the AFCH.

(c) No change.

(3) through (7) No change.

Rulemaking Authority 429.73 FS. Law Implemented 429.73, 429.85 FS. History--New 5-14-86, Amended 2-2-95, Formerly 10A-14.007, Amended 9-19-96, 6-6-99, 4-29-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jim Crochet

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles T. Corley, Interim Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010 for Rule 58A-14.0061, F.A.C.; June 18, 2010 for Rule 58A-14.007, F.A.C.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NO.: 61G3-16.0010  
 RULE TITLE: Examination for Barber Licensure  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to modify the percentage weight for categories on the written examination.  
 SUMMARY: The rule amendment will delete unnecessary language and to modify the percentage weight for categories on the written examination.

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: 455.217(1)(b), (c), 476.064(4), 476.114(2), 476.134 FS.

LAW IMPLEMENTED: 455.217(1)(b), (c), 476.114(2), 476.134 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, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.0010 Examination for Barber Licensure.

(1) No change.

(2) The following subjects will be tested on the written examination consisting of seventy five questions and will be weighted approximately as designated:

Category	Weight
(a) through (c) No change.	
(d) Hair Cutting and Hair Styling	15% 40%
(e) through (g) No change.	

(3) No change.

Rulemaking Authority 455.217(1)(b), (c), 476.064(4), 476.114(2), 476.134 FS. Law Implemented 455.217(1)(b), (c), 476.114(2), 476.134 FS. History--New 11-12-00, Amended 11-27-02, 4-26-04, 2-11-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-15.034  
 RULE TITLE: Certification of Tower Specialty Contractors

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the procedures for certification of tower specialty contractors.

SUMMARY: The rule amendment will modify the procedures for certification of tower specialty contractors.

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: 455.213, 489.108, 189.113(6) FS.

LAW IMPLEMENTED: 489.105(3)(q), 489.113(6) 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.034 Certification of ~~Cell~~ Tower Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the certification of ~~cell~~ tower specialty contractors.

(2) Definition. A ~~cell~~ tower specialty contractor is qualified and certified by the board to perform any work involving the construction, repair and alteration of uninhabitable communication or cell towers for purposes of communications, energy, water, or utilities; including construction of accessory use structures not exceeding three stories in height which house related communications equipment.

(3) An applicant for a ~~cell~~ tower specialty contractor certification shall pass the general contractor examination and shall demonstrate experience in the construction, repair and alteration of ~~communication or cell~~ towers and accessory use structures.

(4) through (5) No change.

(6) Certified ~~Est~~ Tower Contractors must maintain applicable workers' compensation and general liability insurance as required by state and federal law.

Rulemaking Authority 455.213, 489.108, 489.113(6) FS. Law Implemented 489.105(3)(q), 489.113 FS. History--New 6-10-10, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.003 RULE TITLE: Client

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.323 FS.

LAW IMPLEMENTED: 473.317, 473.318, 473.319 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.003 Client.

"Client" shall be deemed and construed to mean the person(s) or entity which retains a certified public accountant or firm licensee for the performance of public accounting services.

Rulemaking ~~Specific~~ Authority 473.304, 473.323 FS. Law Implemented 473.317, 473.318, 473.319 FS. History--New 12-4-79, Formerly 21A-20.03, 21A-20.003, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.004 RULE TITLE: Enterprise

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.004 Enterprise.

"Enterprise" shall be deemed and construed to mean any person(s) or entity, whether organized for profit or not, for which a certified public accountant or firm licensee provides public accounting services.

Rulemaking ~~Specific~~ Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History--New 12-4-79, Formerly 21A-20.04, 21A-20.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.0051  
RULE TITLE: Assembled Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide the correct citation for “assembled financial statements.”

SUMMARY: The correct citation for “assembled financial statements” will be provided.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0051 Assembled Financial Statements.

(1) No change.

(2) The term “assembled financial statements” refers to any financial statements included in Section 473.302(8)(c), F.S.

(3) No change.

Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. ss. 1, 12, Ch. 98-340, Laws of Florida. History-New 10-28-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.0052  
RULE TITLE: Offer to Perform or Perform Services Involving Assembled Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0052 Offer to Perform or Perform Services Involving Assembled Financial Statements.

The term “offer to perform or perform services involving assembled financial statements” as used in Rule 61H1-20.0053, F.A.C., applies to an actively licensed ~~c~~Certified ~~p~~Public ~~a~~Accountant who performs one or more types of services involving the preparation of assembled financial statements including:

(1) through (3) No change.

(4) Being the only certified public accountant ~~licensee~~ involved with providing services involved in the preparation of financial statements.

Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. ss. 1, 12, Ch. 98-340, Laws of Florida. History--New 10-28-98, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.0053  
RULE TITLE: Standards for Assembled Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A ~~c~~Certified ~~p~~Public ~~a~~Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the ~~c~~Certified ~~p~~Public ~~a~~Accountant complies with the standards for assembled financial statements, which are as follows:

(1) Understanding with the Entity – The ~~c~~Certified ~~p~~Public ~~a~~Accountant shall establish a written understanding with the entity regarding the services to be performed. This written

understanding shall include a description of the nature and limitations of the services to be performed. The understanding shall also provide:

- (a) No change.
- (b) Disclose whether or not the entity preparing the financial statement is or is not licensed by the Florida Board of Accountancy. An example engagement letter is provided for illustrative purposes:

(Appropriate Salutation)

This letter is to confirm our understanding of the terms and objectives of our engagement to provide accounting services during (date), the output of which will be in the form of (monthly/quarterly/other frequency) assembled financial statements.

- We will perform the following services (selected illustrations):
  - Assist you in recording transactions on a (monthly/quarterly/other frequency) basis.
  - Prepare a trial balance from your accounts and journals.
  - Assemble that information in the form of financial statements.
  - Provide comments of a business advisory nature.

We do not undertake to, and will not, provide any opinion or form of assurance on the financial statements we assemble in connection with these services and, accordingly, we do not undertake to make inquiries or perform other procedures to verify, corroborate, or review information supplied by you. In addition, those statements may (will) contain departures from generally accepted accounting principles or another comprehensive basis of accounting.

Our engagement to assemble financial statements cannot be relied upon to disclose errors, fraud, or illegal acts, including fraud or defalcations that may exist. These assembled financial statements are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy.

Our fees for these services. . . .

We shall be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Sincerely yours,

\_\_\_\_\_  
(Signature of ~~C~~ertified ~~P~~ublic ~~A~~ccountant)

Accepted and agreed to:

XYZ Company

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

(2) Any ~~c~~Certified ~~p~~Public ~~a~~Accountant who offers to perform or performs assembled financial statements must comply with the provisions of Rule 61H1-22.001, F.A.C.

~~(3)~~ Language or style similar to that used in reports as defined in Rule 61H1-20.009, F.A.C., shall be avoided to reduce any possible risk of misunderstanding.

~~(4)~~ Assembled financial statements are not prepared with an expression of any form of opinion or assurance.

~~(5)~~ No change.

~~(6)~~ Before issuing the transmittal letter, the ~~c~~Certified ~~p~~Public ~~a~~Accountant shall read the assembled financial statements and consider whether such financial statements appear to be free from obvious material errors. In this context, the term error refers to mistakes in the assembly of financial statements, including arithmetical or clerical mistakes.

~~(7)~~ No change.

~~(8)~~ The transmittal letter shall include the name and license number of the ~~c~~Certified ~~p~~Public ~~a~~Accountant who offers to perform or performs services involving assembled financial statements. If more than one ~~c~~Certified ~~p~~Public ~~a~~Accountant offers to perform or performs such services, then the name and license number of the ~~c~~Certified ~~p~~Public ~~a~~Accountant who assumes responsibility for the statements shall be included. If a Licensed Audit Firm or Public Accounting Firm offers to perform or performs such services, the name and license number of the firm may be utilized instead of the name and license number of an individual ~~c~~Certified ~~p~~Public ~~a~~Accountant.

~~(9)~~ No change.

~~(10)~~ If the Licensed Audit Firm, ~~c~~Certified ~~p~~Public ~~a~~Accountant or the ~~c~~Certified ~~p~~Public ~~a~~Accountant employer's is not independent, as defined in Rule 61H1-20.001, F.A.C., the transmittal letter shall disclose the lack of independence.

~~(11)~~ Transmittal letters may include comments of a business advisory nature to which the ~~c~~Certified ~~p~~Public ~~a~~Accountant wishes to draw the client's attention.

~~(12)~~ An example standard transmittal letter is provided for illustrative purposes:

(Date)

These assembled financial statements for XYZ Company as of (date) are prepared without an expression of any form of opinion or assurance and they are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy.

(Comments of a business advisory nature may be included in a separate paragraph(s).

\_\_\_\_\_  
(Signature of Licensed Audit Firm), or

\_\_\_\_\_  
(Signature of Active Certified Public Accountant Licensee)

\_\_\_\_\_  
(State of Issuance and License Number)

Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. History--New 10-28-98, Amended 9-20-00, 8-28-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.:                      RULE TITLE:

61H1-20.0092                      Government Auditing Standards

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide a website by which to obtain the Government Auditing Standards.

SUMMARY: Auditing standards will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.304, 473.315 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0092 Government Auditing Standards.  
"Government Auditing Standards" shall be deemed and construed to mean Government Audit Standards issued by the Comptroller General of the United States, in effect as of July 2007 ~~June 30, 2002~~. (Entitled Government Auditing Standards, July 2007 Revision (GAO-07-731G) ~~1994 Revision, and its Amendments entitled Government Auditing Standards Amendment No. 1, Documentation Requirements When Assessing Control Risk at Maximum for Controls Significantly Dependent Upon Computerized Information Systems; GAO/A-GAGAS-1, revised May 1999, and Amendment No. 2, Auditor Communication, GAO/A-GAGAS-2, revised July 1999~~, available from the United States General Accounting Office, Washington, D.C. 20548-0001) or from its website at <http://www.gao.gov/govaud/ybk01.htm>.

Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.304, 473.315 FS. History—New 10-28-86, Amended 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.0092, Amended 10-19-94, 9-30-97, 9-29-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.0093  
RULE TITLE: Rules of the Auditor General  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update the effective dates and rules of the Auditor General.

SUMMARY: The effective dates and rules of the Auditor General will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0093 Rules of the Auditor General.

(1) "Rules of the Auditor General" shall be deemed and construed to mean the following Rules of the Auditor General of the State of Florida in effect as – follows:

Chapter	Title
10.550	Local Governmental Entity Audits, effective 9/30/2009
10.650	Florida State Single Audits Non-profit and For-profit Organizations, effective 9/30/2009

- 10.700 Audits of Certain Nonprofit Organizations, effective 6/30/2009
- 10.800 Audits of District School Board Audits, effective 6/30/2009
- 10.850 Audits of Charter Schools and Similar Entities Audits, effective 6/30/2009

These rules hereby incorporated by reference and are available from the State of Florida, Auditor General's Office, or from ~~the~~ website at <http://www.myflorida.com/state/fl.us/audgen>, under the Rules and Guidelines section.

(2) Certified public accountants performing accounting services in connection with Local Governmental Entity Audits required to be filed with the Auditor General of the State of Florida shall comply with the standards set forth in Rule Chapter 10.550-10.559, Rules of the Auditor General of the State of Florida. Departures from such standards must be justified by those who do not follow them.

(3) Certified public accountants performing accounting services in connection with Standards for Florida Single Audit Act Audits for Nonprofit and For-Profit Organizations required by Section 215.97, Florida Statutes, to be filed with the Auditor General of the State of Florida shall comply with the standards set forth in Chapter 10.650, Rules of the Auditor General of the State of Florida. Departures from such standards must be justified by those who do not follow them.

(4) Certified public accountants performing accounting services in connection with Standards for Audits of Certain Nonprofit Organizations required by Section 215.981(1), 1001.453(4), 1004.28(5), or 1004.70(6), Florida Statutes, to be filed with the Auditor General of the State of Florida shall comply with the standards set forth in Chapter 10.700, Rules of the Auditor General of the State of Florida. Departures from such standards must be justified by those who do not follow them.

(5) Certified public accountants performing accounting services in connection with Standards for Audits of District School Boards required by Section 11.45 or 218.39, Florida Statutes, to be filed with the Auditor General of the State of Florida shall comply with the standards set forth in Chapter 10.800, Rules of the Auditor General of the State of Florida. Departures from such standards must be justified by those who do not follow them.

(6) Certified public accountants performing accounting services in connection with Standards for Audits of Charter Schools and Similar Entities required by Section 218.37 or 1002.37, Florida Statutes, to be filed with the Auditor General of the State of Florida shall comply with the standards set forth in Chapter 10.850, Rules of the Auditor General of the State of Florida. Departures from such standards must be justified by those who do not follow them.



Rulemaking Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 10-22-86, Amended 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.0093, Amended 9-30-97, 9-29-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.010  
RULE TITLE: Engagement  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304, 473.314, 473.315, 473.317 FS.

LAW IMPLEMENTED: 473.314, 473.315, 473.317 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.010 Engagement.

“Engagement” shall be deemed and construed to mean the association between a client and a certified public accountant or firm ~~licensee~~ relative to the performance of public accounting services by the certified public accountant or firm ~~licensee~~ for the client.

Rulemaking Specific Authority 473.304, 473.314, 473.315, 473.317 FS. Law Implemented 473.314, 473.315, 473.317 FS. History—New 12-4-79, Formerly 21A-20.10, 21A-20.010, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.013  
RULE TITLE: Employee  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 473.302, 473.309(1)(b), 473.3101 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.013 Employee.

A certified public accountant ~~licensee~~ would be considered an employee of a ~~CPA~~ firm for purposes of Chapter 473 if the certified public accountant ~~licensee~~ has the status of an employee under the usual common law rules applicable in determining the employer-employee relationship. A certified public accountant ~~licensee~~ may be leased ~~licensed~~ to a ~~CPA~~ firm through an employee leasing company as defined in Section 443.036(16), F.S., as long as the ~~CPA~~ firm has the power to hire and fire, has complete supervision and control over the certified public accountant's ~~licensee's~~ work product, and accepts the certified public accountant ~~licensee~~ as its responsibility for purposes of complying with Rule 61H1-26.002, F.A.C.

Rulemaking Specific Authority 473.304, FS. Law Implemented 473.302, 473.309(1)(b), 473.3101 FS. History–New 10-17-90, Formerly 21A-20.013, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-20.016  
 RULE TITLE: Non-CPA Shareholders, Partners, and Members

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning the certified public accountant.

SUMMARY: Language concerning the certified public accountant will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 473.304 FS., s. 1, Chapter 97-35, Laws of Florida.

LAW IMPLEMENTED: s. 1, Chapter 97-35, Laws of Florida.  
 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.016 Non-CPA Shareholders, Partners and Members.

(1) For purposes of Chapter 473, F.S., and these rules, the terms non-CPA shareholders, partners, and members shall be deemed and construed to mean natural persons materially participating in the business conducted by the firm and when their participation ceases, their interest shall revert to the firm.

(2) Non-CPA shareholders, partners, and members shall not hold themselves out as ~~c~~Certified ~~p~~Public ~~a~~Accountants ~~or~~ ~~Public Accountants~~.

Rulemaking Specific Authority 473.304 FS., s. 1, Chapter 97-35, Laws of Florida. Law Implemented s. 1, Chapter 97-35, Laws of Florida. History–New 2-5-98, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NOS.:	RULE TITLES:
61K1-1.003	Licenses, Permits; Requirement, Procedure and Period, Fee
61K1-1.004	Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee
61K1-1.005	Promoter and Matchmaker; Licensing and Bond; Duties and Conduct
61K1-1.0055	Concessionaire; License; Bond
61K1-1.010	Physician; License and Duties; Authority
61K1-1.011	Manager; License; Contract Between Manager and Participant
61K1-1.013	Judge; License and Duties
61K1-1.040	Post-Match Reports Required to be Filed; Penalty for Late Filing

PURPOSE AND EFFECT: To update language, incorporate forms by reference and how to obtain the forms.

SUMMARY: To update and incorporate State of Florida, Boxing Commission forms, and to bring the rules into compliance with statutory requirements.

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: 548.003 FS.

LAW IMPLEMENTED: 548.003, 548.006, 548.0065, 548.008, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.043, 548.046, 548.057, 548.066, 548.071, 548.075 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: Thomas Molloy, Executive Director, Florida State Boxing Commission, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61K1-1.003 Licenses, Permit; Requirement, Procedure and Period, Fee.

(1) License; Requirement, Procedure and Period, Fee.

(a) through (b) No change.

1. All applications for a license shall be in writing on a form provided by the commission and available at the commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>, verified by the applicant, complete and have any required attachments, and accompanied by the required fee. An applicant for a license as an announcer, booking agent, concessionaire, foreign copromoter, judge, manager, matchmaker, participant, physician, promoter, referee, representative of a booking agent, second, timekeeper or trainer shall utilize Form BPR-0009-450, entitled "Application for License" (1/10), incorporated herein by reference. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html> and effective June 21, 2004.

2. through 3. No change.

(2) Permit; Requirement, Procedure and Period, Fee.

(a) No change.

(b) Permit Applications – Live Events Held in This State.

1. For live events held in this state, the application for permit accompanied by the required fees shall be submitted by a promoter licensed under Chapter 548, F.S., and shall be required to be on file with the commission at least 7 calendar days prior to the scheduled program of matches. An applicant for a permit shall utilize Form BPR-0009-454, entitled "Application for Permit" (1/10), incorporated herein by reference ~~and effective June 21, 2004.~~ The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

2. No change.

3. The promoter or matchmaker shall be required to provide the proposed fight card not later than 7 calendar days prior to the proposed date of the program. The promoter or matchmaker shall utilize Form BPR-0009-456, entitled "Proposed Fight Card" (1/10), incorporated herein by

reference. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

Once a promoter has identified a licensed matchmaker for a specific program of matches, any proposed matches submitted by the promoter will be deemed to be received from the matchmaker. The promoter or matchmaker will be allowed to propose additional matches until 12 noon on the day prior to the scheduled program of matches. After such time, matches may only be proposed if records can be verified to the satisfaction of the executive director and prior to the conclusion of the weigh-in. At the conclusion of the weigh-in no further matches may be proposed or approved. The executive director shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of Chapter 548, F.S., and the rules set forth herein, he shall approve the proposed fight card or match(es). If the executive director determines that the proposed fight card or match(es) is not in compliance with Chapter 548, F.S., or the rules set forth herein, the executive director shall not approve the proposed fight card and shall immediately advise the promoter or matchmaker that the proposed fight card has been disapproved and the reasons for the disapproval. Approvals and disapprovals may be communicated for individual matches comprising the proposed fight card.

4. through 7. No change.

~~Rulemaking Specific~~ Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.046, 548.057, 548.066 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.03, Amended 4-6-89, 8-28-89, 5-13-90, Formerly 7F-1.003, Amended 9-10-95, 4-3-00, 6-21-04,\_\_\_\_\_.

61K1-1.004 Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee.

(1) No change.

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

(f) ~~The participant shall be required to complete a participant information form which shall be provided by the commission. The participant shall utilize Form BPR-0009-455, entitled "Participant Information and Medical Sheet" (1/10), incorporated herein by reference. This form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016 effective June 21, 2004. The participant shall submit a completed Form BPR-0009-665, entitled "Dilated Ophthalmological Exam" (1/10), incorporated herein by reference. This form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.~~ Any participant who refuses to submit either of these completed forms ~~complete this form~~ shall not be allowed to engage in any match in Florida.

- (g) No change.
- (3) Pre-Match Physical of Participant and Referee.

(a) Each participant shall, at the time of the weigh-in, be examined by a physician. The physician shall certify in writing the participant's physical condition and a professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative a written report of examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he has been examined and pronounced fit to do so by a physician. Physicians shall utilize the information provided on the front and complete the reverse side of Form BPR-0009-455, entitled "Participant Information and Medical Sheet" (1/10), incorporated herein by reference ~~and effective June 21, 2004.~~

- (b) through (f) No change.

Rulemaking Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046, 548.071, 548.075 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.04, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.004, Amended 9-10-95, 4-3-00 6-21-04, 3-15-10,\_\_\_\_\_.

61K1-1.005 Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.

- (1)(a) through (b) No change.
- (c) Ownership of Promoter License.
  - 1. No change.

2. Any license issued to and in the name of a corporation shall not be transferable or assignable to another. If such corporation is no longer in business or no longer operates as the corporation, the license shall become void. If any officer of the corporation is added or deleted, the licensee shall, within 10 calendar days, notify the commission of such addition or deletion. A newly added officer shall be required to submit an Application for ~~Promoter or Foreign Copromoter~~ License.

- 3. No change.
- (d) through (e) No change.
  - 1. through 3. No change.

4. A bond or additional bond shall be acceptable if the following conditions are met:

a. The bond or additional bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The promoter shall use Form BPR-0009-465, entitled "Surety Bond for Promoter" (1/10), incorporated herein by reference ~~and effective May, 1990,~~ and shall use Form BPR-0009-472, entitled "Additional Surety Bond for Promoter" (1/10), incorporated herein by reference ~~and effective May, 1990,;~~ The forms can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

- b. through d. No change.
- (I) through (III) No change.

5. Other security may be provided in lieu of the bond or additional bond provided the following conditions are met:

- a. through d. No change.
- (I) through (III) No change.

(IV) A period of 1 year has elapsed since the security was deposited with the commission.

e. The promoter shall use Form BPR-08-468, entitled "Security in Lieu of Bond for Promoter" (1/10), incorporated herein by reference ~~and effective May, 1990,~~ and shall use Form BPR-08-471, entitled "Additional Security in Lieu of Bond for Promoter" (1/10), incorporated herein by reference ~~and effective May, 1990.~~ The forms can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

- (2) Duties and Conduct.
  - (a) through (b) No change.
    - 1. through 2. No change.
  - (c) No change.

(d)1. Contracts between each participants and the promoter for each bout shall be filed with the commission no later than at the time of weigh-in and shall be on Form BPR 466, entitled "Letter of Agreement Between Promoter and Participant" (1/10), incorporated herein by reference. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>. and shall contain:

- a. The name of each licensed promoter and ~~each both~~ participants;
- b. through h. No change.
- 2. Once the contracts are filed and after determination that they are in compliance with these rules, each contract will be affixed with the signature of the commission representative.
- (e) through (h) No change.

(i) The promoter shall be responsible for ensuring that each participant scheduled to be engaged in a match shall have received any medical examination deemed necessary by the commission through its executive director, and that an ophthalmic examination has been performed within the immediate past 12-month period. The results of the examinations shall be filed with the commission prior to the match. The promoter shall submit Form BPR-0009-665, entitled "Dilated Ophthalmological Exam" (1/10), incorporated herein by reference, ~~participant and examining professional shall utilize Form BPR 0009 455, entitled "Participant Information and Medical Sheet" (1/10), incorporated herein by reference, and effective June 21, 2004~~ or a forms submitted by an ophthalmologist providing

~~submitted by the examining professionals which forms provides the same information as required in Form BPR-0009-665 Form BPR-0009-455 and Form BPR-0009-665 can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.~~

(j) through (u) No change.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.028, 548.032, 548.037, 548.046, 548.049, 548.05, 548.052, 548.053, 548.054, 548.056, 548.058, 548.06, 548.061, 548.064, 548.066, 548.071 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.05, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.005, Amended 9-10-95, 4-3-00, 6-21-04,\_\_\_\_\_.

61K1-1.0055 Concessionaire; License; Bond.

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

(2) Bond.

(a) through (b) No change.

1. A bond shall be acceptable if the following conditions are met:

a. The bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The concessionaire shall use Form BPR-0009-465, entitled “Surety Bond For Promoter” (1/10), incorporated herein by reference ~~and effective May, 1990.~~ The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

b. through d. No change.

2. a. through d. No change.

e. The concessionaire shall use Form BPR-08-468, entitled “Security in Lieu of Bond for Promoter” (1/10), incorporated herein by reference ~~and effective May, 1990.~~ The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.002, 548.011, 548.015, 548.025, 548.026, 548.028, 548.06, 548.061, 548.064, 548.071 FS. History–New 6-1-04, Amended \_\_\_\_\_.

61K1-1.010 Physician; License and Duties; Authority.

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

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

(d) Whenever a knockout occurs in any match, the physician shall examine the participant knocked out at the time of the knockout and in the dressing room immediately after the match. In the event of a knockout or other serious injury, the physician shall remain on the premises to provide medical

attention as needed. When the physician is satisfied that the injured or knocked out participant has recovered to the extent that the physician releases the participant from the physician's care, the physician shall, prior to releasing participant, instruct participant as to the danger signs of which the participant should be aware and which would indicate the need to seek immediate medical attention. The physician shall give to the injured participant Form BPR-0009-458, entitled “Post-Match Physical Examination Report” (1/10) ~~Danger Signs, incorporated herein by reference and effective May, 1990.~~ The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

(e) No change.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.011, 548.017, 548.021, 548.046, 548.047, 548.056 FS. History–New 2-7-85, Formerly 7F-1.10, Amended 5-8-88, 4-6-89, 5-13-90, Formerly 7F-1.010, Amended 9-10-95, 4-3-00, 6-1-04,\_\_\_\_\_.

61K1-1.011 Manager; License; Contract Between Manager and Participant.

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

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

(g) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh-in by completing and signing Form BPR-0009-481, entitled the “Pro Debut Release Form” (1/10) as incorporated herein by reference herein effective 6-1-04. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

(h) through (j) No change.

(3)(a) through (f) No change.

(g) All contracts entered into in Florida between a manager and a participant, and all such contracts entered into outside of Florida involving participants and managers licensed by or subsequently licensed by the commission, shall expressly contain all provisions specifically as worded in Form BPR-0009-451, entitled “Letter of Agreement Between Participant and Manager” (1/10), incorporated herein by reference ~~and effective May, 1990,~~ and if they do not, shall be deemed to contain such provisions as required by Section 548.05(2), F.S. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.011, 548.017, 548.05, 548.053, 548.054, 548.056, 548.057, 548.058 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.11, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.011, Amended 9-10-95, 4-3-00, 6-1-04,\_\_\_\_\_.

61K1-1.013 Judge; License and Duties.

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

(2) Applications for a professional judge license will be reviewed, evaluated, and processed in the following manner:

(a) Any person desiring to become licensed for the first time as a professional boxing, kickboxing, or mixed martial arts judge shall submit to the commission the appropriate application using Form BPR-0009-450, entitled "Application for License" (1/10), incorporated herein by reference effective June 21, 2004. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

1. through 3. No change.

(3)(a) through (c) No change.

(d) Judges who are officially scoring a match shall utilize Form BPR-0009-459, entitled "Round Score Card", incorporated herein by reference ~~and effective May, 1990~~, and Form BPR-0009-457, entitled "Match Score Card" (1/10), incorporated herein by reference ~~and effective May, 1990~~. The forms can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.011, 548.017, 548.056, 548.057 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.13, Amended 4-6-89, 5-13-90, 1-9-91, Formerly 7F-1.013, Amended 9-10-95, 4-3-00, 6-21-04,\_\_\_\_\_.

61K1-1.040 Post-Match Reports Required to be Filed; Penalty for Late Filing.

(1) through (2) No change.

(3) Following a program of matches held in Florida, the promoter shall file with the commission as required by Section 548.06, F.S., a written report of gross receipts on a Form BPR-0009-453, entitled "Post Event Tax Report for Live Event" (1/10), incorporated herein by reference ~~and effective May, 1993, which form shall be provided by the commission. The form can be obtained from the Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016, or at the Commission's website at: <http://www.myfloridalicense.com/dbpr/pro/sbc/index.html>.~~ This form shall be accompanied by a tax payment of 5 percent of the total gross receipts excluding any federal tax or state sales tax, except that the tax payment derived from the gross price charged for the sale or lease of broadcasting, television and motion picture rights shall not exceed \$40,000 for any single program of matches. All ticket stubs and unused tickets or an independently prepared ticket manifest shall be retained by the promoter for a period of 6 months and shall be provided to the commission upon request.

(4) No change.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.053, 548.06, 548.075 FS. History--New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.040, Amended 9-10-95, 4-3-00, 6-1-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.0135  
 RULE TITLE: Dental Hygiene Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify grade requirements for the clinical (or practical) portion of the examination.

SUMMARY: The rule amendment will add new language to clarify grade requirements for the clinical (or practical) portion of the examination.

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: 456.017, 466.004(4), 466.007 FS.

LAW IMPLEMENTED: 456.017, 466.007, 466.009(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0135 Dental Hygiene Examination.

(1) through (2) No change.

(3) The clinical (or practical) portion of the examination consists of two parts. One part of the clinical examination shall consist of a computer based assessment involving simulated patients and one part of the clinical examination shall consist of a patient based assessment.

(a) No change.

1. A final grade of 75% or better is required to pass the simulated patient part of the clinical examination. Passing scores earned on the Florida certified computer based assessment provided to obtain North East Regional Board of Dental Examiners, Inc. status can be used to fulfill this requirement if the examination was taken after January 6, 2010.

2. through 4. No change.

(c) No change.

(4) through (11) No change.

Rulemaking Authority 456.017, 466.004(4), 466.007 FS. Law Implemented 456.017, 466.007, 466.009(3) FS. History--New 3-16-82, Amended 5-2-84, 5-19-85, 10-8-85, 12-8-85, Formerly 21G-2.135, Amended 12-31-86, 10-19-87, 2-21-88, 5-29-88, Formerly 21G-2.0135, 61F5-2.0135, Amended 11-15-95, Formerly 59Q-2.0135, Amended 10-31-01, 7-6-05, 12-31-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.017  
RULE TITLE: Acceptable Variance of Examiners  
PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language.

SUMMARY: The rule amendment will delete unnecessary language.

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

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

RULEMAKING AUTHORITY: 466.004(3), 466.006(4)(b)5. FS.

LAW IMPLEMENTED: 466.006(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.017 Acceptable Variance of Examiners.

(1) All clinical gradings by examiners are to be made independently. Each clinical procedure shall be graded by three (3) examiners. ~~However, a score of 0 or 1 that is not corroborated by another score of either 0 or 1 will be discarded and will not be used in averaging. A critical difference score, which means there is one score that is either pass or fail while the other two scores are in the opposite pass/fail category, will be discarded and will not be used in averaging. The critical difference analysis shall precede the discarding of the uncorroborated 0 or 1. On the clinical examinations described in Rules 64B5-2.013 and 64B5-2.019, F.A.C., the three independent grades shall be averaged to determine an applicant's final grade on each procedure of the clinical examination.~~ On the clinical portion of the dental hygiene examination described in Rule 64B5-2.0135, F.A.C., the three independent grades shall be utilized in a system of corroborated errors to determine an applicant's final grade on each procedure of the clinical portion. The corroborated errors grading system requires that at least two (2) of the independent examiners must agree on the presence of the error before the error may be used in calculating an applicant's grade.

(2) through (3) No change.

Rulemaking Specific Authority 466.004(3), 466.006(4)(b)5. FS. Law Implemented 466.006(4) FS. History--New 12-10-79, Amended 6-22-80, 4-20-81, 5-24-82, 12-6-82, 5-24-83, 5-2-84, 5-19-85, Formerly 21G-2.17, 21G-2.017, 61F5-2.017, 59Q-2.017, Amended 10-12-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2009

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-12.013  
RULE TITLE: Continuing Education Requirements  
PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify continuing education credit requirements.

SUMMARY: The rule amendment will add new language to clarify continuing education credit requirements.

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

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

RULEMAKING AUTHORITY: 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3),(4) FS.

LAW IMPLEMENTED: 456.013(8), 456.031, 466.0135, 466.014, 466.017(3), (5), 466.028(1)(i),(bb) 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: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.013 Continuing Education Requirements.

(1) through (2) No change.

(3) Continuing education credit shall be awarded only for educational experiences that are specifically appropriate for, and contain useful information directly pertinent to, dentistry and only if received through the following methods:

(a) through (h) No change.

(i) By participating as an anesthesia inspection consultant, a licensee may receive two hours of continuing education credit each biennium.

(4) through (6) No change.

Rulemaking Specific Authority 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3), (4) FS. Law Implemented 456.013(8), 456.031, 466.0135, 466.014, 466.017(3), (5), 466.028(1)(i), (bb) FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99, 11-9-00, 5-20-01, 8-25-03, 5-31-04, 7-13-05, 2-14-06, 12-25-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2009

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-16.005  
RULE TITLE: Remediable Tasks Delegable to Dental Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify remediable tasks delegable to dental assistants.

SUMMARY: The rule amendment will add new language to clarify remediable tasks delegable to dental assistants.

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

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

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

LAW IMPLEMENTED: 466.024 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.005 Remediable Tasks Delegable to Dental Assistants.

(1) The following remediable tasks may be performed by a dental assistant who has received formal training and who performs the tasks under direct supervision:

(a) through (r) No change.

(s) Apply bleaching solution, active light source, monitor and remove in-office bleaching materials;

(2) through (5) No change.

Rulemaking Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.005, Amended 3-30-94, Formerly 61F5-16.005, Amended 1-9-95, 9-27-95, 6-12-97, Formerly 59Q-16.005, Amended 1-8-01, 4-22-03, 7-13-05, 3-24-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2010

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



**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-16.006  
 RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify remediable tasks delegable to a dental hygienist.

SUMMARY: The rule amendment will add new language to clarify remediable tasks delegable to a dental hygienist.

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

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

RULEMAKING AUTHORITY: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

(a) through (h) No change.

(i) Apply bleaching solution, activate light source, monitor and remove in-office bleaching materials;

(2) through (5) No change.

Rulemaking Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08, 7-20-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2010

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-27.006  
 RULE TITLE: Biennial Renewal Fee for Massage Therapist

PURPOSE AND EFFECT: The purpose of this proposed rule development is to reduce the fee charged for licensure and renewal.

SUMMARY: The rule amendment will reduce the fees for licensure and renewal.

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: 480.035(7), 480.044(1) FS

LAW IMPLEMENTED: 480.044(1), (1)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, 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:

64B7-27.006 Biennial Renewal Fee for Massage Therapist.

The fee for biennial renewal of a massage therapist’s license shall be ~~\$100.00~~ 450.00.

Rulemaking Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1), (1)(f) FS. History—New 11-27-79, Amended 11-20-84, Formerly 21L-27.06, Amended 12-18-88, Formerly 21L-27.006, 61G11-27.006, Amended 7-30-02,\_\_\_\_\_.

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: June 18, 2010

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-27.007  
RULE TITLE: Biennial Renewal Fee for Massage Establishments

PURPOSE AND EFFECT: The purpose of this proposed rule development is to reduce the fee charged for licensure and renewal.

SUMMARY: The rule amendment will reduce the fees for licensure and renewal.

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: 480.035(7), 480.044(1) FS

LAW IMPLEMENTED: 480.044(1)(e) 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: Anthony Jusevitch, 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:

64B7-27.007 Biennial Renewal Fee for Massage Establishments.

The fee for biennial renewal of a massage establishment license shall be \$~~100.00~~ 150.00.

Rulemaking Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1)(e) FS. History–New 11-27-79, Amended 11-20-84, Formerly 21L-27.06, Amended 12-18-88, Formerly 21L-27.006, 61G11-27.006, 7-30-02,\_\_\_\_\_.

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: June 18, 2010

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-27.008  
RULE TITLE: Initial Fee for Licensure

PURPOSE AND EFFECT: The purpose of this proposed rule development is to reduce the fee charged for licensure and renewal.

SUMMARY: The rule amendment will reduce the fees for licensure and renewal.

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

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

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), 480.035(7), 480.044(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 480.044(1)(e) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, 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:

64B7-27.008 Initial Fee for Licensure.

(1) Any person who is initially licensed pursuant to Rule 64B7-25.001, F.A.C., shall pay a fee of \$~~100.00~~ 150.00.

(2) Any person who is initially licensed pursuant to Rule 64B7-25.004, F.A.C., shall pay a fee of \$~~100.00~~ 150.00.

Rulemaking Specific Authority 456.013(2), 456.025(1), 480.035(7), 480.044(1) FS. Law Implemented 456.013(2), 456.025(1), 480.044(1) FS. History–New 5-13-82, Amended 11-11-82, 1-7-86, Formerly 21L-27.08, Amended 12-18-88, Formerly 21L-27.008, Amended 1-29-97, Formerly 61G11-27.008, Amended 7-30-02,\_\_\_\_\_.

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: June 18, 2010

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-27.010  
RULE TITLE: Renewal Fee for Inactive License

PURPOSE AND EFFECT: The purpose of this proposed rule development is to reduce the fee charged for licensure and renewal.

SUMMARY: The rule amendment will reduce the fees for licensure and renewal.

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: 480.0425, 480.044(1) FS.

LAW IMPLEMENTED: 480.044(1), (1)(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, 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:

64B7-27.010 Renewal Fee for Inactive License.

The fee for renewal of an inactive license shall be ~~\$150.00~~ \$100.00.

Rulemaking Specific Authority 480.0425, 480.044(1) FS. Law Implemented 480.044(1), (1)(1) FS. History--New 12-18-84, Formerly 21L-27.10, 21L-27.010, 61G11-27.010, Amended 7-30-02,\_\_\_\_\_.

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: June 18, 2010

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-27.012  
 RULE TITLE: Licensure of Establishment Fee

PURPOSE AND EFFECT: The purpose of this proposed rule development is to reduce the fee charged for licensure and renewal.

SUMMARY: The rule amendment will reduce the fees for licensure and renewal.

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

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

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.044(1) FS.

LAW IMPLEMENTED: 456.013(2), 480.044 (1)(d) 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: Anthony Jusevitch, 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:

64B7-27.012 Licensure of Establishment Fee.

The fee for licensure of an establishment shall be ~~\$150.00~~ \$100.00.

Rulemaking Specific Authority 456.013(2), 480.035(7), 480.044(1) FS. Law Implemented 456.013(2), 480.044 (1)(d) FS. History--New 2-6-85, Formerly 21L-27.12, 21L-27.012, 61G11-27.012, Amended 8-16-98, 7-30-02,\_\_\_\_\_.

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: June 18, 2010

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-9.001  
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to establish the amount of continuing education credit that will be given for college courses.

SUMMARY: The amount of continuing education credit that will be given for college courses will be established.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Allen Hall, Executive Director, at the address listed below. The following is a summary of the SERC:

- (1) An estimate of the number of licensed physical therapists and physical therapist assistants is 16,107. Only licensees taking courses from an accredited physical therapy program to obtain a higher degree would be affected by the proposed amendment.
- (2) The only costs to be incurred are rulemaking costs.
- (3) No effect on state or local revenue is expected.
- (4) No transactional costs are expected to be incurred by

applicants or other entities. (5) The proposed change is not expected to impact small business, small counties or small cities.

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

RULEMAKING AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-9.001 Continuing Education.

(1) Every person licensed pursuant to Chapter 486, F.S., shall be required to complete twenty-four contact hours of continuing education courses approved by the Board in the twenty-four months preceding each biennial renewal period as established by the Department. With the exception of the required courses in the prevention of medical errors and HIV/AIDS. However, applicants who become licensed in the second half of the biennium are exempt from this continuing education requirement for their first renewal.

(2) through (5) No change.

(6) The Board approves for continuing education credit:

(a) Courses sponsored by a program in physical therapy at a college or university which provides a curriculum for training physical therapists or physical therapist assistants, when approved by the physical therapy or physical therapy assistants program, which is accredited by, or has status with an accrediting agency approved by the United States Department of Education. One credit hour is the equivalent of one contact hour.

(b) Courses sponsored or approved by the American Physical Therapy Association or any of its components.

(c) through (f) No change.

(7) through (8) No change.

Rulemaking Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History—New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06, 2-17-08, 5-21-09, 8-10-09, \_\_\_\_\_.

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

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

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

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: RULE TITLES:

64E-19.002	Definitions
64E-19.004	Requirements for Premises
64E-19.006	Piercing Procedures
64E-19.007	Other Operations

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate standards to fulfill the intent of Section 381.0075, F.S., and to remove standards that were time-limited. The incorporated language will maintain consistency with statutory language, provide flexibility to body piercers who pierce with devices other than needles, and remove language that is now superfluous.

SUMMARY: Areas addressed encompass devices used to pierce the skin, building and equipment requirements, and training of operators and piercers.

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: 381.0075(10) FS.

LAW IMPLEMENTED: 381.0075(10), (11) 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: Ed Golding, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-19.002 Definitions.

(1) through (11) No change.

(12) “Instruments” – means hand pieces, ~~needles~~, and other tools that may come in contact with a customer’s body or be exposed to body fluids during body-piercing procedures.

(13) through (19) No change.

(20) “Single use” – means products or items that are intended for one-time, one-person use and are disposed of after use on each customer such as, cotton swabs or balls, tissues or

paper products, paper or plastic cups, gauze and sanitary coverings, razors, instruments that pierce the skin, piercing needles, scalpel blades, and protective gloves.

(21) through (22) No change.

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10) FS. History--New 1-24-00, Amended \_\_\_\_\_.

64E-19.004 Requirements for Premises.

(1) through (14) No change.

~~(15) Body piercing salons not in full compliance with the building and equipment requirements of this section on the effective date of this chapter, shall have six months from the effective date of this chapter to comply with these requirements; provided that no complaints of injury validated by the department are reported to the department during that time period; further provided that no uncorrected sanitary nuisances, as defined by Chapter 386, F.S., occur at the salon during that time period. This subsection does not apply to temporary establishments.~~

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10), (11) FS. History--New 1-24-00, Amended \_\_\_\_\_.

64E-19.006 Piercing Procedures.

(1) through (3) No change.

(4) Only jewelry and instruments single use needles that are sterilized and free of nicks, scratches, or irregular surfaces, and prepackaged single use sterile gauze or cotton swabs shall be used in piercing procedures. Jewelry must meet the requirements of subparagraph 381.0075(11)(a)5., F.S.

(5) through (8) No change.

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10), (11) FS. History--New 1-24-00, Amended 1-28-03, \_\_\_\_\_.

64E-19.007 Other Operations.

(1) through (5) No change.

(6) Training.

(a) through (c) No change.

(d) Operators and piercers must complete the required training prior to assuming responsibilities in a salon, according to the following time frames:

~~1. Operators hired on or after the effective date of this chapter must complete the required training prior to assuming responsibilities in a salon.~~

~~2. Operators and piercers hired before the effective date of this chapter must complete the required training prior to a salon being licensed.~~

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(7), (10), (11) FS. History--New 1-24-00, Amended 1-28-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Golding, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

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

PURPOSE AND EFFECT: The purpose of the proposed rule change is to better manage hunting opportunities in Florida by allowing additional choices of methods of take. The effect would be to allow the use of crossbows during the archery season as authorized by Commission rules.

SUMMARY: The proposed rule would allow the use of crossbows during archery seasons on lands otherwise not established as a wildlife management area, wildlife and environmental area or miscellaneous area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_X\_\_have an impact on small business. A SERC has \_\_\_ or has not \_\_X\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (9) No change.

(10) Archery season – The calendar period during which certain game may be taken only by the use of a bow or crossbow when authorized by Commission rules.

(11) through (99) No change.

PROPOSED EFFECTIVE DATE: January 1, 2011.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81,6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94,7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10, 1-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2010

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-12.002  
RULE TITLE: General Methods of Taking Game; Prohibitions

PURPOSE AND EFFECT: The purpose of the proposed rule change is to better manage hunting opportunities in Florida by allowing additional choices of methods of take. The effect would be to allow the use of crossbows during archery seasons as authorized by Commission rules.

SUMMARY: The proposed rule would allow the use of crossbows during archery seasons on lands otherwise not established as a wildlife management area, wildlife and environmental area or miscellaneous area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.002 General Methods of Taking Game; Prohibitions.

(1) through (2) No change.

(3) Game birds, crows or game mammals may be taken with any of the following:

(a) through (c) No change.

(d) Bow or crossbow.

1. through 3. No change.

4. The take of game, except migratory birds, with any gun other than a bow or crossbow is prohibited during any special archery season.

5. No change.

(e) No change.

(4) through (9) No change.

**PROPOSED EFFECTIVE DATE:** January 1, 2011.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, mended 6-4-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-12.02, Amended 6-1-86, 4-11-90, 4-14-92, 4-20-93, 3-1-94, 3-30-95, 4-1-96, 12-28-98, Formerly 39-12.002, Amended 7-1-05, 7-1-06, 7-1-08, 10-23-08, 1-1-11.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 23, 2010

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-15.004 **RULE TITLE:** General Regulations Relating to Wildlife Management Areas

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to address safety concerns of spring turkey hunters on public lands. The effect of the proposed rule change is to limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons on Wildlife Management Areas.

**SUMMARY:** The proposed rule would prohibit the use of modern and muzzle loading rifles, handguns, and the use of shot with a diameter larger than number 2 shot for taking wild turkey during the spring turkey season on Wildlife Management Areas. The intent of this rule is to address increasing safety concerns of public land spring turkey hunters.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

68A-15.004 General Regulations Relating to Wildlife Management Areas.

(1) through (5) No change.

(6) Guns:

(a) through (e) No change.

(f) Taking wild turkey with firearms other than shotguns using number 2 or smaller diameter shot during the spring turkey season is prohibited.

(g)~~(f)~~ No change.

(7) through (15) No change.

**PROPOSED EFFECTIVE DATE:** January 1, 2011.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 379.354 FS. History--New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2010

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.006  
 RULE TITLE: Regulations Relating to Miscellaneous Areas

PURPOSE AND EFFECT: The purpose of the proposed rule change is to better manage fish and wildlife resources and public hunting on miscellaneous areas. The effects of the proposed rule changes are to limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons on all miscellaneous areas managed by FWC; to prohibit the use crossbows during archery season on all miscellaneous areas managed by FWC; and to delegate the authority to manage hunting and fishing opportunities to the Preserve Manager on Babcock Ranch Preserve, consistent with the Babcock Ranch Preserve Act, the Management Agreement and legislative intent to further the purposes of the Preserve. This amendment will allow the Preserve Manager the opportunity to accrue revenue by instituting hunting and fishing opportunities envisioned by the Recreation Master Plan within the constraints of the approved Management Plan and statewide regulatory hunting framework. These opportunities would be subject to oversight of Commission staff and the Florida Division of Forestry. This proposed rule amendment does not apply to that portion of the Preserve owned by Lee County. Interim public hunting opportunities currently offered by the Commission will continue until the Preserve Manager is able to assume this role.

SUMMARY: The proposed rule changes would revise or establish specific area regulations on miscellaneous areas as follows:

Kissimmee River Public Use Area – The proposed rule changes would limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons; and to prohibit the use crossbows during archery season.

Babcock Ranch Preserve – The proposed rule changes would limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons and prohibit the use crossbows during archery season

on the FWC managed hunting area; clarify that the Preserve Manager (Babcock Ranch Management, LLC, or any successor as authorized by Section 259.1053, F.S.) may authorize public access and use in addition to the access and use currently allowed in the FWC hunt area, establish the framework and sideboards within which the Preserve Manager may issue permits or authorizations for the take of fish and wildlife. Any authorizations must be consistent with the approved management plan and additional conditions that will apply include the issuance of a written permit which outlines the provisions of the hunting opportunity and that any authorization must comply with the zonal seasons, bag limits and methods of take.

Kissimmee Chain of Lakes Area – The proposed rule changes would limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons; and to prohibit the use crossbows during archery season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_X\_\_have an impact on small business. A SERC has \_\_\_ or has not \_\_X\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:



## 68A-15.006 Regulations Relating to Miscellaneous Areas.

- (1) No change.
- (2) Kissimmee River Public Use Area.
- (a) through (b) No change.
- (c) General regulations:

1. Taking wildlife with guns shall be prohibited in the marshes and uplands except during the period beginning on the opening day of rail season established in Rule 68A-13.008, F.A.C., and ending on the closing day of spring turkey season established in Rule 68A-13.004, F.A.C. Taking wildlife with centerfire rifles is prohibited. Taking wildlife with crossbows is prohibited during the archery season. The marshes shall be those lands outside the Kissimmee River channel, the C-38 canal, and the Istokpoga canal. In posted archery/muzzleloading gun areas, only bows may be used during the zonal archery season, only muzzleloading guns may be used during the zonal muzzleloading gun season, only bows may be used during the antlered deer season, and only bows and muzzleloading guns may be used during other established seasons. The possession of guns shall be prohibited in the marshes and uplands in the northern portion of Bluff Hammock lying in the west 1/2 of Section 26 and the east 1/2 of Section 27, Township 34 South, Range 31 East, which are posted as closed to possession of guns.

- 2. through 9. No change.

10. Taking wild turkey with firearms other than shotguns using number 2 or smaller diameter shot during the spring turkey season is prohibited.

- (3) Babcock Ranch Preserve.
- (a) Open season (in the FWC designated hunting area):
- 1. through 8. No change.

(b) The following are the only species of wildlife legal to take within the FWC designated hunting area: All legal game (except quail) and wild hog. One antlered and one antlerless deer may be taken per quota permit during the archery season, family and general gun for mobility-impaired hunts. Only mobility-impaired hunters may take antlerless deer during the general gun for mobility-impaired hunt. One antlered deer may be taken per person and per quota permit during the muzzleloading gun and general gun hunts. One turkey per quota permit may be taken during spring turkey season. Turkey may only be taken during the spring turkey season.

(c) Regulations controlling activities within the FWC designated hunting area: ~~General regulations:~~

- ~~1. Hunting is prohibited except in the designated hunting area(s):~~
- 2. through 8. renumbered 1. through 7. No change.
- ~~9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.~~
- 10. through 13. renumbered 8. through 11. No change.

12. Public access during the open seasons described in paragraph (a) is limited to those persons participating in the hunt.

~~13.14. Except Outside of the designated hunting area and during periods described in paragraph (a) and subparagraph (c)10. closed to hunting,~~ public access and use is allowed only by Babcock Ranch Management, LLC, or any successor authorized by Section 259.1053, F.S., collectively herein referred to as "Preserve Manager".

14. The Preserve Manager shall authorize the take of fish and wildlife within the FWC designated hunting area pursuant to subparagraph (d)2. except during periods described in paragraph (a) and subparagraph (c)10.

(d) Regulations controlling activities outside the FWC designated hunting area:

1. Outside the FWC designated hunting area, public access and use is allowed only by the Preserve Manager.

2. The Preserve Manager shall authorize the take of fish and wildlife provided all such authorizations shall be consistent with the currently approved management plan, adopted pursuant to Section 253.034, F.S., and the following conditions shall apply:

a. A written authorization or permit issued by the Preserve Manager, in addition to licensing as required by Section 379.354, F.S., shall be required to take fish or wildlife. These authorizations and permits shall be displayed for inspection upon the request of any law enforcement officer.

b. Open season for non-migratory game shall be consistent with zone A as specified in Rule 68A-13.004, F.A.C., in areas and during days specified by the Preserve Manager.

c. Open season for migratory game shall be consistent with Rules 68A-13.003 and 68A-13.008, F.A.C., in areas and during days specified by the Preserve Manager.

d. Open season for non-native species shall be year-round in areas and during days specified by the Preserve Manager.

e. Fishing shall be allowed in areas and during days specified by the Preserve Manager.

f. Legal to take, size limits, bag limits, season dates, locations, method of take and any additional restrictions shall be specified on each authorization or permit issued by the Preserve Manager, provided these authorizations shall not be more liberal than those found in Titles 68 and 68A, F.A.C.

(4) Kissimmee Chain of Lakes Area.

- (a) through (b) No change.
- (c) General regulations:

1. through 14. No change.

15. Taking wild turkey with firearms other than shotguns using number 2 or smaller diameter shot during the spring turkey season is prohibited.

16. Taking wildlife with crossbows is prohibited during the archery season.

Rulemaking Authority Art. IV, Sec 9, Fla. Const. Law Implemented Art IV, Sec 9, Fla. Const. History–New 12-9-99, Amended 5-13-02, 5-1-03, 5-23-04, 7-1-06, 7-1-08, 7-1-09, 7-1-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2010

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-17.004  
RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule change is to address safety concerns of spring turkey hunters on public lands. The effect of the proposed rule change is to limit firearms to shotguns utilizing number 2 or smaller diameter shot for taking wild turkey during spring turkey seasons on Wildlife and Environmental Areas.

SUMMARY: The proposed rule would prohibit the use of modern and muzzle loading rifles, handguns, and the use of shot with a diameter larger than number 2 shot for taking wild turkey during the spring turkey season on Wildlife and Environmental Areas. The intent of this rule is to address increasing safety concerns of public land spring turkey hunters.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not Xhave an impact on small business. A SERC has \_\_\_ or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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: 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (5) No change.

(6) Guns:

(a) through (d) No change.

(e) Taking wild turkey with firearms other than shotguns using number 2 or smaller diameter shot during the spring turkey season is prohibited.

(e) renumbered (f) No change.

(7) through (17) No change.

PROPOSED EFFECTIVE DATE: January 1, 2011.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354, 375.313 FS. History–New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2010

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-24.002  
RULE TITLE: Methods of Taking Fur-Bearing Animals; Possession; Open Season

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to address the taking of fox or coyote by dog(s) within an enclosure. The proposed rule will define an “enclosure” and prohibit the taking of any fox and/or coyote by a dog or dogs within an enclosure.

**SUMMARY:** The proposed rule will define an “enclosure” as an area of land enclosed in such a manner as to prevent the natural ingress or egress of fox or coyote. The proposed rule prohibits the taking of any fox and/or coyote by a dog or dogs within an enclosure.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will X or will not     have an impact on small business. A SERC has X or 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, September 1-3, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, Florida 32561

Pursuant to the provisions of 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

68A-24.002 Methods of Taking Fur-Bearing Animals; Possession; Open Season.

(1) Certain furbearers and those non-protected mammals as listed in subsection 68A-12.002(9), F.A.C., may be taken by guns, live traps and snares during specified open seasons. Live traps and snares shall be visited at intervals not exceeding 24 hours.

(2) Fur-bearing animals may be taken in accordance with the following:

(a) Raccoon, coyote, opossum, skunk, nutria, beaver and non-protected mammals may be taken throughout the year by the use of guns, dogs, live traps or snares, and may be possessed or transported alive only as authorized by Chapter 68A-6, F.A.C.

(b) Raccoon or opossum may be taken at night by the aid of a light and dogs, with .22 rimfire firearms other than .22 magnum, or with a single-shot .410 gauge shotgun using shot no larger than No. 6 provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a treed or bayed raccoon or opossum. The hunting of raccoon or opossum under the provisions of this paragraph by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) Bobcat or otter may be taken only from December 1 through March 1 by live traps, guns, dogs or snares. Fox and bobcats may be chased by the use of free-running dogs throughout the year. The taking of any fox and/or coyote by a dog or dogs within an enclosure is prohibited. For the purposes of this subsection, in relation to using dogs for the taking of fox or coyote, an “enclosure” is defined as an area of land enclosed in such a manner as to prevent the natural ingress or egress of fox or coyote. No person shall kill or possess fox unless authorized by permit from the executive director.

(d) The taking or possession of mink, weasel, round-tailed muskrat or Key Vaca raccoon is prohibited.

(3) No person shall use, place, or maintain any set gun or steel trap for the purpose of taking or attempting to take wildlife.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-5-84, 7-1-85, Formerly 39-24.02, Amended 10-8-87, 4-11-90, Formerly 39-24.002, Amended 5-13-02, 7-1-08,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Colonel Jim Brown, Director, Division of Law Enforcement

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 23, 2010

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

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

#### BDEPARTMENT OF TRANSPORTATION

RULE NO.: 14-90.0041  
RULE TITLE: Medical Examinations for Bus  
Transit System Drivers  
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. 22, June 4, 2010 issue of the Florida Administrative Weekly.

In response of comments from the Joint Administrative Procedures Committee and in order to clarify the requirements for medical examination certificates, changes to the language of Rule 14-90.0041 have been made. The proposed language is shown below.

(3)(c) Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination certificate and provide a copy to the driver’s employer. If the transit agency decides to adopt qualification standards other than those listed in Department form 725-030-11, the adopted standard’s medical examination certificate or a signed letter from the medical examiner attesting to the completion of a medical examination shall be given to the transit agency in lieu of the Department’s medical examination certificate. The adopted standards medical certification or letter must provide all of the information required on the Department’s medical examination certificate.

(4) Bus transit systems shall have on file ~~proof of a medical examination, i.e.,~~ a completed and signed medical examination ~~certificate report~~ or a signed letter from the medical examiner attesting to the completion of a medical examination for each bus driver, dated within the past 24 months. Medical examination reports certificates of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(a) Medical examination certificates or a signed letter from the medical examiner attesting to the completion of a medical examination of the employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(b) Bus Transit Systems shall not allow a driver to operate a transit bus without having on file a completed medical examination certificate or a signed letter from the medical examiner attesting to the completion of a medical examination dated within the past 24 months.

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

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

#### AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid  
RULE NO.: 59G-4.070  
RULE TITLE: Durable Medical Equipment and Medical Supplies  
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. 22, June 4, 2010 issue of the Florida Administrative Weekly.

The amendment to Rule 59G-4.070, F.A.C., Durable Medical Equipment and Supplies, incorporates by reference in rule the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010. The following changes have been made to the handbook.

Page 1-8, HME Providers Exempt from Licensure. The paragraph is changed to read: Providers exempt from holding a current, standard HME license are those operated by the federal government, nursing homes, assisted living facilities, home health agencies, hospices, intermediate care facilities, hospitals and ambulatory surgical centers, pharmacies, manufacturers, or wholesale distributors when not selling directly to consumers, and licensed health care practitioners who utilize HME in the course of their practice, but do not sell or rent HME to their patients.

Page 1-10, Requirements for Medical Oxygen Providers and Retailers. The third paragraph is changed to read: Oxygen providers must have a licensed certified respiratory therapist (CRT), registered respiratory therapist (RRT), registered nurse (RN), or respiratory care practitioner (RCP) under contract or on staff to provide management and consumer instruction, at the provider’s physical DME business location or in the recipient’s home.

Page 1-24, Solicitation. The paragraph is changed to read: Providers are not permitted to knowingly solicit, offer, pay, or receive any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind, in return for referring an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made, in whole or in part, under the Medicaid program, or in return for obtaining, purchasing, leasing, ordering, or arranging for or recommending, obtaining, purchasing, leasing, or ordering any goods, facility, item, or service, for which payment may be

made, in whole or in part, under the Medicaid program. A person who violates this subsection commits a felony as reference in Section 400.93, F.S.

Page 2-17, Prior Authorization (PA) Process. The first paragraph is changed to read: Except for the items specified below, PA requests for durable medical equipment must be submitted to the Medicaid fiscal agent on a Florida Medicaid Authorization Request, PA01, 07/08. The Florida Medicaid Authorization Request, PA01, is incorporated by reference in Rule 59G-4.001, F.A.C. After initial processing, the Medicaid fiscal agent forwards the PA request packets to the appropriate office for review.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:                    RULE TITLE:  
 61C-1.004                    General Sanitation and Safety Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

61C-1.004 General Sanitation and Safety Requirements.

The following general requirements and standards shall be met by all public lodging establishments and public food service establishments.

(1) Water, plumbing and waste.

(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term “food establishment” as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, F.S.

~~(a) The water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555, F.A.C., where applicable.~~

~~(b) Bottled and packaged potable water shall be transported and obtained in accordance with the requirements of Title 21, Code of Federal Regulation, Parts 129 and 165, as adopted by the Department of Agriculture and Consumer Services in Rule 5K 4.002, F.A.C.~~

~~(b)(e) Steam used in contact with food or food-contact surfaces shall be governed by Chapter 3, Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and free from any materials or additives except as allowed by Chapter 7, Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. other than those specified in Title 21, Code of Federal Regulations 173.310.~~

(d) Sewage shall be disposed of in a public sewage system or other approved sewage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C., whichever is applicable. Grease interceptors shall be designed and installed in accordance with provisions of Chapter 64E-6, F.A.C., or the local building authority having jurisdiction.

~~(e) All garbage and rubbish shall be removed from the establishment premises with sufficient frequency to prevent nuisance conditions and shall be disposed of in accordance with provisions of Chapter 62-701, F.A.C.~~

(2) Public and employee bathrooms.

(a) Each public lodging establishment and public food service establishment shall provide a minimum of one conveniently located bathroom facility for its employees and customers in accordance with provisions of these rules, ~~the Florida Building Code~~, and as approved by the local building authority having jurisdiction. Public bathroom facilities shall be located so that customers are not required or allowed to pass through food preparation, storage, or warewashing areas to access the public bathroom facility. Bathroom fixtures shall be of readily cleanable sanitary design. Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. Bathroom facilities shall provide at least 20 foot candles of light. The walls, ceilings and floors of all bathroom facilities shall be kept in good condition. Toilet paper shall be provided in each bathroom facility.

(b) through (e) No change.

(3) Vermin Control – Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks. ~~Pesticides Insecticides or rodenticides~~, when used, shall be used in compliance with Chapter 7, Food Code, ~~as adopted by reference in Rule 61C-1.001 5E-14, F.A.C.~~

(4) through (6) No change.

~~(7) Fire safety.~~

~~(a) All fire safety, protection and prevention equipment must be installed, approved, maintained and used in accordance with the Florida Fire Prevention Code as approved by the local fire authority.~~

~~(a)(b) Carbon dioxide and helium tanks shall be adequately secured so as to preclude any danger to safety.~~

~~(b)(e) Specialized Smoke Detectors – Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in transient public lodging establishments without charge. Failure of the operator to~~

inform any employee charged with registering guests of the location of such detector constitutes failure to make such detectors available.

(8) through (9) No change.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:	RULE TITLE:
61G7-5.005	Deficiency in Tangible Accounting and Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor’s Adequate Resources

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

These corrections is being made in response to comments received from the Joint

Administrative Procedures Committee on June 9, 2010. The corrections are as follows:

This is an amended summary of the Statement of Estimated Regulatory Costs (SERC).

Currently there are 298 licensed controlling persons, and 406 licensed employee leasing companies in the State of Florida. The amended rule will apply to all employee leasing companies using a guaranty to offset any deficiency in tangible accounting net worth or working capital. The board has never asked the Employee Leasing Companies to provide an audited financial statement, or asked the new guaranty to replace the previously filed guaranty. The rule amendment would require employee leasing companies to provide proof that a guaranty is in place and valid until any deficiency is corrected or replaced by way of an audited financial statement or a new guaranty filed with the board. There may be a financial impact on the companies that make this request in the form of the cost of an audited financial statement.

**PURPOSE AND EFFECT:** To amend the rule adding the Department’s web address where the form may be obtained, and to make the guarantor financially responsible until the deficiency has been corrected or until a new guarantor has filed an acceptable guaranty with the Board to replace the original guaranty.

These corrections do not affect the substance of the rule as it appeared in the Florida Administrative Weekly.

These corrections do not affect the substance of the rule as it appeared in the Florida Administrative Weekly.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NOS.:	RULE TITLES:
61H1-20.003	Client
61H1-20.004	Enterprise
61H1-20.0051	Assembled Financial Statements
61H1-20.0052	Offer to Perform or Perform Services Involving Assembled Financial Statements
61H1-20.0053	Standards for Assembled Financial Statements
61H1-20.007	Generally Accepted Accounting Principles
61H1-20.008	Generally Accepted Auditing Standards
61H1-20.009	Standards for Accounting and Review Services
61H1-20.0092	Government Auditing Standards
61H1-20.0093	Rules of the Auditor General
61H1-20.0095	Standards for Consulting Services
61H1-20.0096	Services for Tax Practice
61H1-20.0097	Standards for Personal Financial Planning
61H1-20.0099	Standards for Attestation Engagements
61H1-20.010	Engagement
61H1-20.013	Employee
61H1-20.016	Non-CPA Shareholders, Partners, and Members

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 33, August 21, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.:	RULE TITLE:
61H1-20.0094	Standards for Accountants Services on Prospective Financial Statements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 43, October 30, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Probation**

RULE NO.:                   RULE TITLE  
63D-8.001                   Definitions

**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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

63D-8.001 Definitions.

For the purpose of Chapters 63D-9 through 63D-12 F.A.C., the following terms are defined as follows:

(1) through (18) No change.

~~(20)(19)~~ Probation Medical and Mental Health Clearance Form – The form used to screen for mental health, substance abuse and medical problems when law enforcement delivers a youth to the department upon apprehension. The purpose of the form is to comply with statutory requirements for diverting youth to the proper community resource if they require urgent treatment or intervention upon arrest. The form (HS 051, July 2010 January 2008) is incorporated, and is accessible electronically at: [http://www.djj.state.fl.us/forms/health\\_services](http://www.djj.state.fl.us/forms/health_services).

(21) through (24) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS. History–New\_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Probation**

RULE NOS.:                   RULE TITLES:  
63D-9.001                   Purpose and Scope  
63D-9.003                   Intake Services  
63D-9.004                   Risk and Needs Assessment  
63D-9.006                   Comprehensive Evaluation

**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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

63D-9.001 Purpose and Scope.

This rule establishes uniform procedures for conducting and documenting detention screening, intake, risk and needs assessments, comprehensive assessments, and comprehensive evaluations of youth to allow the department to provide the most appropriate services in the least intrusive manner.

(1) While the needs, strengths and history of the individual youth will determine the how, what, when and where of assessment, the process typically tracks the following sequence:

(a) Detention Screening is completed following the arrest and delivery of the youth to the department. The critical component of detention screening is the Detention Risk Assessment Instrument (DRAI). The DRAI is used to determine if a youth meets detention criteria and to determine whether a youth should be placed in secure, non-secure, or home detention care prior to a detention hearing. The DRAI (DJJ 2049, July 2010 March 2008) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. When a youth is delivered to the department for detention screening, the screener shall also look into the risk of suicidal behaviors. This screening is initiated through a process which includes administration of the Positive Achievement Change Tool (PACT) the primary assessment instrument used by the JPO to determine the youth’s risk to re-offend and identify criminogenic needs that require intervention and administration of the Suicide Risk Screening Instrument (SRSI) a form that documents the standardized questions asked by trained, designated staff upon a youth’s intake into the juvenile justice system, and upon admission to a detention center, to identify suicide risk factors and the need for referral for assessment of suicide risk as well as a review of any other documentation of suicide risk factors that are available at the time of screening. The PACT (PACT 1.1, September 10, 2007) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. The SRSI (MHSA 002, July 2010 August 2007) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, Florida 32399-3100.

(b) through (d) No change.

(2) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS. History–New\_\_\_\_\_.

63D-9.003 Intake Services.

(1) through (4) No change.

(5) As with complainant and victim information, the information gathered during the initial conference is part of the youth’s assessment of risk and needs and is used in developing the State Attorney Recommendation (SAR) and Pre-Disposition Report (PDR), if ordered.

(a) The SAR is a report detailing the department’s recommendation and justification as to how the state attorney should proceed with case. The three primary options in making the recommendation to the state attorney are non-judicial handling, judicial handling, or handling as an adult.

(b) The SAR shall address the following: attitude of youth, cooperation of parent(s)/guardian(s), ability of parent(s)/guardian(s) to control youth, attitudes of complainant and victim, information related to youth's involvement or association with a criminal street gang, and any available information on mental and substance abuse needs. The SAR (DJJ/PACT Form 3, July 2010 ~~October 2006~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(c) The JPO shall submit the SAR within statutorily mandated timeframes.

(6) The PDR is a multidisciplinary assessment that reports the youth's priority needs, recommendations as to a classification of risk for the youth in the context of his or her program and supervision needs, and a plan for treatment that recommends the most appropriate placement setting to meet the youth's needs with the minimum program security that reasonably ensures public safety. The PDR (DJJ/IS Form 5 8, July 2010 ~~April 2008~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(a) The PDR shall include an intervention plan that recommends the most appropriate placement to meet the youth's needs at the minimum restrictiveness level that reasonably ensures public safety and the youth's accountability.

(b) While the JPO has the final responsibility for making recommendations, the youth and parent(s)/guardian(s) shall be given an opportunity to be involved in the development of sanctions and intervention plans.

(c) If the PDR includes a recommendation for residential commitment, the recommendation must be the result of a pre-staffing between the JPO and JPOS, and a commitment conference with the Commitment Manager.

(d) The JPO shall submit the PDR within statutorily mandated timeframes.

(e) The JPO shall complete a Post-Disposition Report, which, like the predisposition report, indicates what the child's risks and priority needs are, but is only completed if residential commitment has been ordered by the court without a predisposition report ever having been ordered. In order to ensure appropriate placement and services, the Post-Disposition Report shall be completed within 14 working days following the disposition. The Post-Disposition Report (DJJ/IS Form 5 8, July 2010 ~~April 2008~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(7) The department is required to complete an Adult Sentencing Summary for youth being tried as an adult. This is a written summary regarding a youth's history with the

Department of Juvenile Justice, which is used when the court is deciding whether a youth should be sentenced to the adult or juvenile justice system. This document provides detailed information relevant to the youth's current status and history with the department, programs and services provided or arranged by the department, family situation, any known special mental health or substance needs, and a recommendation as to whether the youth should be sentenced to the adult or juvenile justice system. The Adult Sentencing Summary (DJJ/IS Form 29, July 2010 ~~February 2009~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145, 985.43, 985.565, 985.43, 985.435, 985.46, FS. History--New\_\_\_\_\_.

#### 63D-9.004 Risk and Needs Assessment.

(1) The JPO shall conduct a risk and needs assessment on all youth charged with a criminal or delinquent offense using the Positive Achievement Change Tool (PACT). The PACT is completed while screening a youth for detention eligibility or during the initial intake conference.

(2) The JPO administering the PACT shall use the results to determine whether a referral for further assessment or immediate intervention shall be made. The JPO shall refer youth directly to the designated assessment provider(s) for the comprehensive assessment using the PACT Mental Health and Substance Abuse Screening Report and Referral Form. The PACT Mental Health and Substance Abuse Screening Report and Referral Form (DJJ/PACTFRM 1, July 2010 ~~10/2006~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Dr., Suite 1300, Tallahassee, FL 32399-3100.

(a) through (b) No change.

(3) When the PACT results or other information obtained at intake/admission indicates possible suicide risk, the youth shall be referred for an assessment of suicide risk to be conducted within 24 hours or immediately if the youth is in crisis. Assessment of Suicide Risk Form (MHSA 004, July 2010 ~~August 2006~~) must be utilized when the assessment of suicide risk is conducted in a DJJ facility or program. If the youth is released to the custody of the parent or legal guardian, the parent/legal guardian must be provided the form entitled Suicide Risk Screening Parent/Guardian Notification (MHSA 003, July 2010 ~~August 2006~~). These forms are incorporated, and are available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, Florida 32399-3100.

(4) No change.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145 FS. History--New\_\_\_\_\_.



63D-9.006 Comprehensive Evaluation.

(1) No change.

(2) The JPO shall forward the signed authorization and referral packet to the provider that is responsible for completing the comprehensive evaluation. The referral packet shall include the following items:

(a) through (h) No change.

(i) Latest PDR (if available), and

(j) A signed Authority for Evaluation and Treatment (AET), which is the document that, when signed by a parent or guardian, gives the department the authority to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department's physical custody. The AET (HS 002, July 2010 ~~May 2007~~) is incorporated into this rule and is accessible electronically at [http://www.djj.state.fl.us/forms/health\\_services\\_forms\\_index.html](http://www.djj.state.fl.us/forms/health_services_forms_index.html).

(3) through (6) No change.

Rulemaking Authority 985.14, 985.145,985.64 FS. Law Implemented 985.14, 985.145, 985.18, 985.185 FS. History–New\_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Probation**

RULE NOS.:	RULE TITLES:
63D-10.002	Diversion Services
63D-10.003	Community Supervision Services
63D-10.004	Violations of Supervision
63D-10.005	Residential Case Management and Transitional Planning
63D-10.006	Termination of Supervision

**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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

63D-10.002 Diversion Services.

(1) Diversion services are non-judicial alternatives used to keep youth who have committed a delinquent act from being handled through the traditional juvenile justice system. These services are intended to intervene at an early stage of delinquency, prevent subsequent offenses during and after participation in the programs, and provide an array of services to juvenile offenders. Referrals are determined based upon the youth's current offense, delinquency history, and Positive Achievement Change Tool (PACT) results. The PACT is the primary assessment instrument used to determine the youth's risk to re-offend, and to identify criminogenic needs, which are those critical factors identified during the assessment process that have been statistically proven to predict future criminal behaviors that require intervention. The PACT (PACT 1.1, September 10, 2007) is incorporated, and is available from the

Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(2) through (9) No change.

Rulemaking Authority 985.14, 985.435, 985.64 FS. Law Implemented 985.12, 985.145, 985.155, 985.16, 985.601(3)(a) FS. History–New\_\_\_\_\_.

63D-10.003 Community Supervision Services.

(1) These rules address the supervision of youth in the community, to include youth on probation, conditional release (CR), and post-commitment probation (PCP). The Youth-Empowered Success (YES) Plan is the document developed by the youth, parent(s)/guardian(s), and JPO to plan for the completion of court-ordered sanctions and address criminogenic needs. The Youth-Empowered Success (YES) Plan (DJJ/PACT Form 4, July 2010 ~~October 2006~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 105, Tallahassee, FL.

(2) through (8) No change.

Rulemaking Authority 985.14, 985.435, 985.64 FS. Law Implemented 985.14, 985.435, 985.46, FS. History–New\_\_\_\_\_.

63D-10.004 Violations of Supervision.

(1) through (2) No change.

(3) In the case of a new law violation, the JPO shall file an Affidavit/Petition for Violation of Probation for any violation that results in the filing of a delinquency petition. All applicable technical violations shall be included in the affidavit. The JPO is not precluded from filing an affidavit based on the new law violation prior to the state attorney's decision to file a petition. The Affidavit/Petition for Violation of Probation (DJJ/IS Form 10, July 2010 ~~April 2008~~) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(4) No change.

(5) Absconding occurs when a supervised youth goes in a clandestine manner out of the jurisdiction of the court in order to avoid the legal process, or when the youth hides, conceals, or absents himself or herself with the intent to avoid the legal process. Mere absence or not appearing for appointments is not absconding, but may constitute a technical violation of supervision. In order for the youth to meet the criteria for absconding, the JPO shall have cause to believe that the youth is deliberately avoiding supervision, or has removed himself or herself from the home or community. A youth reported by parent(s)/guardian(s) to have run away is considered an absconder.

(a) At the point the JPO considers the youth to have absconded, the JPO shall document all efforts to locate the youth.

(b) Within one working day of determining that the youth has absconded, the JPO shall complete and file with the court an Affidavit for An Order to Take Into Custody, and an Affidavit/Petition for Violation of Probation. The Affidavit for Order to Take Into Custody (DJJ/IS Form 15, July 2010 February 2009) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

Rulemaking Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.439, 985.601 FS. History—New\_\_\_\_\_.

63D-10.005 Residential Case Management and Transitional Planning.

(1) through (4) No change.

(5) If the department concurs with the proposed release date, the JPO shall notify the committing judge of the program's intent to release and a plan for aftercare supervision using the Request for Release Letter. The Request for Release Letter (DJJ/IS Form 13, July 2010 May 2009) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. The letter, along with a copy of the program's release Performance Summary, shall be delivered to the judge within three working days of receipt of the PRN. The Performance Summary is a written document used by staff of residential facilities to inform the youth, committing court, JPO, parent or guardian, and other pertinent parties of the youth's performance in the program, including status of and progress toward performance plan goals, academic status, behavior and adjustment to the program, significant incidents (positive and negative), and justification for a request for release, discharge or transfer, if applicable. A Performance Summary can be in the form of a Release Summary, Discharge Summary, or Transfer Summary. The Performance Summary form is incorporated by subsection 63E-7.002(58), F.A.C., and is accessible as set forth therein. ~~(RS 007, September 2006) is incorporated and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).~~ Copies of the letter shall be provided to the parent(s)/guardian(s), commitment program, and JPO. The JPO shall return the completed PRN to the commitment program within five working days of receipt of the form.

(6) No change.

(7) In accordance with Chapter 394 F.S., the JPO shall notify the DCF Sexually Violent Predator Program Multidisciplinary Team of the anticipated release of any youth who has been convicted of a sexually violent offense using the approved form. The Sexually Violent Predator Program Multidisciplinary Team Notification Letter (DJJ/BCS Form 24,

July 2010 September 2006) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. A copy of the written notice shall also be forwarded to the state attorney in the circuit where the youth was adjudicated. Notification to the multidisciplinary team and the state attorney shall take place 180 calendar days prior to the anticipated release of persons age 18 and older from a commitment program and who have been convicted of the sexually violent offenses defined in statute. The transition process for sex offenders who meet the statutory criteria for involuntary civil commitment shall commence 210 calendar days prior to the youth's anticipated release from the commitment program if the program is a maximum or high-risk program or otherwise one with a length of stay of more than 180 calendar days.

(8) The residential commitment program shall not release any youth subject to the provisions of Chapter 394 F.S. until the DCF multidisciplinary team has determined eligibility and the state attorney's office has decided whether or not to file a petition. If it is determined that the youth will not be involuntarily committed to DCF, then the JPO shall notify the program using the Notification of the Decision to Not Involuntarily Commit to DCF form, which is the documentation required in order to release a Sexually Violent Predator (SVP) eligible youth from residential commitment. The form (DJJ/BCS ~~JHS~~ Form 25, July 2010 February 2005) is incorporated and is accessible electronically at [http://www.djj.state.fl.us/forms/health\\_services\\_forms\\_index.html](http://www.djj.state.fl.us/forms/health_services_forms_index.html).

(9) through (10) No change.

Rulemaking Authority 985.435, 985.46, 985.64 FS. Law Implemented 985.14, 985.435, 985.46, FS. History—New\_\_\_\_\_.

63D-10.006 Termination of Supervision.

(1) through (2) No change.

(3) If the youth is on probation or PCP, the Progress Report form will be used to request termination, and shall include the status of all court-ordered sanctions completed by the youth. The Progress Report Form (DJJ/IS Form 12, July 2010 December 2008) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. If the youth is on CR, the JPO will follow the procedure described in subsections 63D-10.005(4)-(5), F.A.C., wherein the JPO will complete all documents required of residential commitment facilities.

(4) through (7) No change.

Rulemaking Authority 985.14, 985.64 FS. Law Implemented 985.14, 985.435, 985.601 FS. History—New\_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Probation**

RULE NO.:                   RULE TITLE:  
63D-11.004               Admission of Youth  
                                  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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

63D-11.004 Admission of Youth.

(1) Each youth shall receive an initial medical and mental health clearance using the Probation Medical and Mental Health Clearance Form. The Juvenile Probation Officer (JPO) shall evaluate the condition of each youth prior to being accepted into the JAC for detention screening. The clearance process shall help ensure an appropriate response when law enforcement delivers a youth for screening who appears to be physically impaired due to drugs, alcohol, injury, or illness. The Probation Medical and Mental Health Clearance Form (HS 051, ~~July 2010 January 2008~~) is incorporated, and is available from the Office of Health Services at 2737 Centerview Drive, Suite 2426, Tallahassee, FL 32399-3100. Requirements governing the use of the form are detailed in rule 63D-8.001, F.A.C.

- (a) through (e) No change.
- (2) through (3) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.135 FS. History–New\_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Probation**

RULE NO.:                   RULE TITLE:  
63D-12.003               Service Delivery  
                                  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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

63D-12.003 Service Delivery.

- (1) through (4) No change.
- (5) Mental Health and Substance Abuse Treatment Services. Mental health and substance abuse treatment services shall be provided in accordance with the following provisions:

(a) through (c) No change.

(d) Suicide Prevention Services. Youth who demonstrate suicide risk factors shall be referred for assessment of suicide risk or emergency mental health services if the youth is in crisis. Assessment of Suicide Risk Form (MHSA 004, July 2010 August 2006) must be utilized when the assessment of suicide risk is conducted in a DJJ facility or program. If the youth is released to the custody of the parent or legal guardian, the parent/legal guardian must be provided the form entitled Suicide Risk Screening

Parent/Guardian Notification (MHSA 003, ~~July 2010 August 2006~~). These forms are incorporated, and are available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, Florida 32399-3100.

(e) through (g) No change.

Rulemaking Authority 985.435, 985.601, 985.64 FS. Law Implemented 985.03, 985.433, 985.435, 985.601 FS. History–New\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NOS.:	RULE TITLES:
64B8-9.0131	Standards of Practice for Physicians Practicing in Pain Management Clinics
64B8-9.0132	Requirement for Pain Management Clinic Registration; Inspection or Accreditation

**CORRECTED NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Medicine hereby gives notice of a correction to the additional public hearing notice on Rules 64B8-9.0131 and 9.0132 which published in Vol. 36, No. 27, of the July 9, 2010, issue of the Florida Administrative Weekly (FAW). The notice published in the July 9th FAW referenced the date of the hearing as Saturday, August 8th. The corrected date for the additional public hearing is Saturday, August 7, 2010, at 8:00 a.m., at the Renaissance Orlando, 5445 Forbes Place, Orlando, FL 32812.

The rule was originally published in Vol. 36, No. 16, of the April 23, 2010, issue of the Florida Administrative Weekly. The Board held a public hearing on these rules on June 4, 2010, in Fort Lauderdale, Florida. The Board will consider the recommendations from the Boards of Medicine and Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee which is scheduled to meet on July 24, 2010.

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

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:	RULE TITLE:
64B16-26.204	Licensure by Endorsement

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 41, October 16, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) shall now read as follows:

(1) All applications for licensure by endorsement shall be made on board approved form DOH/MQA 100 effective June 2010, Pharmacist Licensure by Endorsement Application and Instructions (U.S. and territories), which is hereby incorporated by reference, can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or (850)488-0595 to request a form or download the form from the board's website at <http://www.doh.state.fl.us/mqa/pharmacy>. The application must be accompanied with a non-refundable application fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16-26.1002, F.A.C.

2. Subsection (3) shall now read as follows:

(3) Completion of a Board approved course not less than 2 hours on medication errors that covers the study of root-cause analysis, error reduction and prevention, and patient safety. For applicants who apply within one year following receipt of their pharmacy degree, completed academic course work on medication errors will be accepted by the Board as an educational course under this section, provided such course work is no less than 2 contact hours and that it covers the study of root-cause analysis, error reduction and prevention, and patient safety as evidenced by a letter attesting to subject matter covered from an official of the university where the course was taken.

3. Section 456.033, F.S. will be removed from the Rulemaking Authority and Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.:	RULE TITLE:
64E-19.002	Definitions
64E-19.004	Requirements for Premises
64E-19.006	Piercing Procedures
64E-19.007	Other Operations

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 27, July 9, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Financial Services Commission**

RULE NOS.:	RULE TITLES:
69M-236.001	Purpose
69M-236.002	Definitions
69M-236.003	Methodology
69M-236.004	Limitations and Exclusions
69M-236.005	Data Sources

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly.

69M-236.001 Purpose.

The purpose of the rules is to establish procedures to be used by the Office of the Insurance Consumer Advocate in preparing an annual report card to grade personal residential property insurers on their complaint history and the timeliness of paying claims for each personal residential property insurer. The grades will be restricted to each personal residential property insurer's complaints and paid claims involving homeowners, mobile home owners, dwelling, tenants, condominium unit owners, cooperative unit owners, or similar personal residential property insurance policies. This rule does not apply to eligible surplus lines insurers or to insurers that do not write any homeowners, mobile home owners, dwelling, tenants, condominium unit owners, cooperative unit owners, or similar personal residential property insurance.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New\_\_\_\_\_.

69M-236.002 Definitions.

(1) "Complaint" means any written communication, or oral communication subsequently converted to a written form, received by the Division that expresses dissatisfaction with a specific personal residential property insurer and requires the Division of Consumer Services to contact the personal residential property insurer in order to address the dissatisfaction expressed in the communication subject to regulation under Florida's insurance laws. Communications received by the Division that are determined by the Division to be an inquiry that do not require contact with a particular insurer do not constitute a complaint. An oral communication which is subsequently converted to a written form meets the definition of a complaint for this purpose.

(2) through (3) No change.

(4) "Qualifying Premium" means the total personal residential direct written premium for the Experience Period. "Personal residential property insurer" means an insurer that writes personal residential property insurance such as homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, cooperative unit owner's and similar policies and includes an insurer that, in addition to

~~writing personal residential property insurance policies, also writes commercial residential property insurance policies such as condominium association, cooperative association, apartment building and similar policies.~~

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New\_\_\_\_\_.

#### 69M-236.003 Methodology.

All language in proposed subsections (1) through (5) has been deleted and will be replaced by the following subsections (1) through (6):

(1) The complaint grade for each insurer will be based on its average complaint ratio determined as follows: the average of the calendar year ratios of the insurer's market share of personal residential policy-related complaints compared to its market share of personal residential average in-force policies.

(2) Each insurer will receive a complaint grade in accordance with the following:

(a) A grade of A if the average complaint ratio is less than 50%:

(b) A grade of B if the average complaint ratio is between 51% and 85%:

(c) A grade of C if the average complaint ratio is between 86% and 115%:

(d) A grade of D if the average complaint ratio is between 116% and 149%:

(e) A grade of E if the average complaint ratio is greater than 150%.

(3) Each insurer's grade for timeliness of claim payment will be determined based upon the proximity of each insurer's average number of months to pay homeowners claims to the median number of months to pay homeowners claims of all personal residential property insurers. The calculation will be done for each calendar-accident year and then averaged for all calendar-accident years.

(4) Each insurer will receive a timeliness of claim payment letter grade based on the following:

(a) A grade of A if the insurer's average number of months to pay claims is more than one month less than the industry median:

(b) A grade of B if the insurer's average number of months to pay claims is between one and one half of a month less than the industry median:

(c) A grade of C if the insurer's average number of months to pay claims is within one half of a month of the industry median:

(d) A grade of D if the insurer's average number of months to pay claims is between one half of a month and one month more than the industry median; and

(e) A grade of E if the insurer's average number of months to pay claims is more than one month greater than the industry median.

(5) Each insurer is assigned an overall grade for the five year experience period based upon a weighted average determined as follows:

(a) 50% weight to complaints grade; and

(b) 50% weight to claims payment timeliness grade.

(6) If an insurer's overall grade falls between two grades, it will receive the higher grade.

~~(7)(6)~~ To provide appropriate incentives for the second and subsequent years' annual Insurer Report Cards, each insurer will be graded on absolute scales developed from the 2004 through 2009 calendar years' complaints history and 2004 through 2009 calendar-accident years' paid claims experience the first annual Insurer Report Card experience period. Absolute grading scales will reflect higher expected complaint ratios in hurricane years.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New\_\_\_\_\_.

#### 69M-236.004 Limitations and Exclusions.

~~(1) Complaints are classified as loss related, premium related and valid based upon an objective evaluation of the reason and disposition descriptions given to each complaint. Complaints will be evaluated on or after based on the reason and disposition descriptions in the complaint files as April 1 of the year following the experience period that is being graded.~~

~~(2) No change.~~

~~(3) Open complaint files or complaints for which the complaint disposition description is missing are treated as invalid complaints, except for complaints for which the reason description is judged to describe a valid complaint.~~

~~(4) Missing complaint reason descriptions are treated as premium related complaints.~~

~~(3)(5)~~ All flood complaints are excluded.

(4) The maximum complaint ratio in any one calendar year for any insurer will be limited to 350%.

~~(5)(6)~~ Claims are assumed to be paid on average in the middle of the calendar year in which they close.

~~(6)(7)~~ For calendar-accident years in which a company had fewer than 50 paid claims as of the end of the latest calendar year, such claims are assumed to have been paid in the industry median number of months for payment by all personal residential property insurers.

~~(7)(8)~~ Insurers with less than \$30 million in qualifying direct written personal residential premium are included in the grading process but are given grades in this state during the experience period, excluding the latest year, are graded on each of the four factors but are given an overall grade of "I" for "insufficient complaint history" due to a lack of actuarial credibility.

~~(8)(9)~~ Insurers with less than 5 years of experience are only graded for those years for which they had experience.

(9)(40) Insurers with less than \$100,000 in direct written personal residential premium in the latest calendar year will not be graded.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New\_\_\_\_\_.

69M-236.005 Data Sources.

The insurer report card will be based on data obtained from the following sources:

(1) Complaint data from the Division of Consumer Services, Florida Department of Financial Services;

(2) Paid ~~homeowners~~ claim data from the Statutory Annual Statements, Schedule P, Part 5A, Section 1, filed by insurers with the Office of Insurance Regulation; and

(3) In-force policy and direct written premium data from the Quarterly Summary Reports (QSR) of the Florida Office of Insurance Regulation.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New\_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:                   RULE TITLE:  
69O-137.002                Annual Audited Financial Reports  
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. 12, March 26, 2010 issue of the Florida Administrative Weekly.

Notice is hereby given that in the original notice of change published on July 16, 2010 in FAW the following changes were inadvertently omitted:

In 69O-137.002(14)(g), Note A will now read as follows: “The Office has authority afforded by Section 624.4085, F.S., to require the entity’s board to enact improvements to the independence of the Audit committee membership if the insurer is in a Risk Based Capital action level event, meets one or more of the standards of an insurer deemed to be in hazardous financial condition, or otherwise exhibits qualities of a troubled insurer.”

69O-137.002(17)(a) will now read as follows: “Upon written application of any insurer, the Office shall grant an exemption from compliance with any and all provisions of this rule the filing of an annual audited financial report received by the Office by March 1 of the year following the calendar year to which the application applies if the Office finds, upon review of the application, that compliance with this regulation would constitute an undue financial or organizational hardship upon the insurer ~~the insurer is under an order of receivership, conservatorship, rehabilitation, or is in another delinquency proceeding by the public insurance supervising official of any state, and the insurer has been granted an exemption from~~

~~filing an annual audited financial report by its state of domicile. An exemption shall be granted for one year only. Exemptions for future years require additional applications.”~~

The remainder of the rule reads as previously published and changed by the July 16, 2010 Notice of Change.

**Section IV  
Emergency Rules**

**DEPARTMENT OF REVENUE**

RULE NO.:                   RULE TITLE:  
12ER10-04                 Florida Tax Credit Scholarship  
Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 20, Chapter 2010-24, L.O.F., authorizes the Department of Revenue to promulgate an emergency rule to administer the provisions of the Florida Tax Credit Scholarship Program. This law authorizes the Department, and all conditions are deemed met, to adopt an emergency rule. To comply with the effective dates of this Program, the Department must adopt an emergency rule so that eligible taxpayers can apply under the Program for an allocation of the tax credit cap established in the law for the 2010-2011 state fiscal year. This emergency rule establishes the Department’s administration of the Florida Tax Credit Scholarship Program. Procedures governing the approval of tax credit allocations and rescindments, the claiming of allocated tax credits on a tax return, and the approval for carryforward tax credits to a subsequent tax year are included in this emergency rule.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized in Section 20, Chapter 2010-24, L.O.F., the promulgation of an emergency rule by the Department of Revenue to administer the provisions of Chapter 2010-24, L.O.F. This law expands the tax credits against corporate income tax and insurance premium tax previously established in Sections 220.187 and 624.51055, F.S., to establish the Florida Tax Credit Scholarship Program. Beginning July 1, 2010, taxpayers are allowed to apply for a credit allocation for contributions made to a nonprofit scholarship funding organization to receive a tax credit against excise taxes on liquor, wine, and malt beverages administered by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation. Beginning January 1, 2011, certain taxpayers are allowed to apply for a credit allocation to be taken as a tax credit against sales and use tax, and taxpayers who pay the tax on oil and gas production in Florida are allowed to apply for a credit allocation to be taken as a tax credit. This emergency rule establishes the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax

credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns. This emergency rule adopts those forms necessary to apply for an allocation of the credit and to rescind a previously awarded credit allocation.

SUMMARY: Emergency Rule 12ER10-04, F.A.C. (Florida Tax Credit Scholarship Program): (1) provides the taxpayers authorized under Chapter 2010-24, L.O.F., eligible to participate in the Florida Tax Credit Scholarship Program and when those taxpayers are authorized to participate in the Program; (2) requires eligible taxpayers to file an Application for Tax Credit Contributions to Nonprofit Scholarship Funding Organizations with the Department to receive a credit allocation from the tax cap authorized by the law for the 2010-2011 state fiscal year; (3) establishes the procedures the Department will use to notify an applicant of the taxpayer's credit allocation; (4) provides that a contribution to an eligible nonprofit scholarship funding organization must be made by an eligible taxpayer prior to taking a tax credit on a tax return; (5) establishes procedures for taxpayers to carry forward a tax credit for a period of up to three years when a taxpayer's tax liability is insufficient to take the full amount of the tax credit; (6) establishes procedures for taxpayers who are unable to use a credit allocation to submit an Application for Rescindment of Tax Credit Allocation to Nonprofit Scholarship Funding Organizations to rescind that credit and when those funds are eligible to other taxpayers for that state fiscal year; and (7) provides how taxpayers may obtain copies of the applications used in the administration of the Florida Tax Credit Scholarship Program.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER10-04 Florida Tax Credit Scholarship Program.

(1) SCOPE. This rule establishes the procedures the Department of Revenue will use to administer the Florida Tax Credit Scholarship Program, as provided in Section 1002.395, F.S., as amended by section 1, Chapter 2010-24, L.O.F. This program allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This rule establishes procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

(2) DEFINITIONS. For purpose of this rule, the following terms mean:

(a) "Contribution" means an eligible contribution, as defined in Section 1002.395(2), F.S., as amended by section 1, Chapter 2010-24, L.O.F., made to an eligible nonprofit scholarship funding organization.

(b) "Credit allocation" means an allocation to a taxpayer of an annual tax credit cap authorized under the Florida Tax Credit Scholarship Program.

(c) "Department" means the Florida Department of Revenue.

(d) "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(e) "Eligible nonprofit scholarship funding organization" means a charitable organization as defined in Section 1002.395(2), F.S., as amended by section 1, Chapter 2010-24, L.O.F. A list of eligible nonprofit scholarship funding organizations established by the Department of Education is available at [www.floridaschoolchoice.org/](http://www.floridaschoolchoice.org/).

(f) "State fiscal year" means the annual period beginning July 1 through June 30 of the following year.

(g) "Tax credit cap" means the maximum annual tax credit amount that the Department is authorized in Section 1002.395(5), F.S., as amended by section 1, Chapter 2010-24, L.O.F., to allocate. The Department will issue a Taxpayer Information Publication to announce increases in the maximum annual tax credit.

(3) TAXPAYERS ELIGIBLE TO PARTICIPATE IN THE PROGRAM. Taxpayers who pay any of the following taxes may apply to the Department for a credit allocation as follows:

(a) For the taxes administered by the Department:

1. Florida corporate income tax imposed under Chapter 220, F.S.

2. Florida insurance premium tax imposed under Section 624.509, F.S.

3. Beginning January 1, 2011, taxpayers who hold a valid Sales and Use Tax Direct Pay Permit, issued by the Department, as provided in Section 212.183, F.S., and Rule 12A-1.0911, F.A.C.

4. Beginning January 1, 2011, taxpayers who pay tax on oil production in Florida imposed under Section 211.02, F.S., or who pay tax on gas production in Florida imposed under Section 211.025, F.S.

5. Taxpayers who were eligible for tax credits authorized by Sections 220.187 and 624.51055, F.S., prior to July 1, 2010, remain eligible for the tax credit now authorized by Section 1002.395, F.S., beginning July 1, 2010.

(b) Beginning July 1, 2010, for excise taxes administered by the Division:

1. Excise tax on liquor beverages imposed under Section 565.12, F.S.:

2. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or,

3. Excise tax on malt beverages imposed under Section 563.05, F.S.

(4) APPLICATIONS FOR CREDIT ALLOCATIONS.

(a) To receive a credit allocation, taxpayers must submit an Application for Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116000, R. 07/10, hereby incorporated by reference, Effective 07/10) to the Department.

1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply online via the Department's Internet site at [www.myflorida.com/dor/taxes/tax\\_incentives.html](http://www.myflorida.com/dor/taxes/tax_incentives.html). When the application is completed and submitted online, a confirmation number will be provided to confirm receipt of the application.

2. The fastest and easiest way to apply for the credit is to use the online application at [www.myflorida.com/dor](http://www.myflorida.com/dor). Taxpayers who do not meet these requirements are encouraged to apply online. However, such taxpayers may apply for a credit allocation by filing a paper application with the Department.

(b) A separate application to receive a credit allocation is required for:

1. Each eligible nonprofit scholarship funding organization the taxpayer intends to support; and

2. Each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that began during that calendar year. The application must be made on or before the last day of the taxpayer's corporate income tax year. Taxpayers were eligible on January 1, 2010, to apply for a credit allocation under Section 220.187, F.S. (2009), and Rule 12C-1.0187, F.A.C., effective 4-26-10, for the 2010-2011 state fiscal year.

a. Example: A calendar year taxpayer remains eligible to apply for a credit allocation for the 2010-2011 state fiscal year credit. The application must be made on or before December 31, 2010.

b. Example: A taxpayer with a tax year beginning December 1, 2010, and ending November 30, 2011, remains eligible to apply for a credit allocation for the 2010-2011 state fiscal year. The application must be made on or before November 30, 2011.

2. Insurance Premium Tax – An application for a credit allocation may be made beginning on the first business day of January of each calendar year and may not be made after December 31 of that calendar year. Taxpayer remains eligible to apply for a credit allocation for the 2010-2011 state fiscal year credit. The application must be made on or before December 31, 2010. For the 2011-2012 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 3, 2011. The application must be made on or before December 31, 2011.

3. Sales and Use Tax – Tax on Oil and Gas Production – Taxayers are not eligible to apply for a credit allocation for sales and use tax or for the taxes on the oil and gas production in Florida until January 1, 2011. Beginning January 3, 2011 (the first business day of 2011), an application for a credit allocation may be submitted to the Department at any time during the state fiscal year.

a. For the 2010-2011 state fiscal year, taxpayers may apply for a credit allocation beginning January 3, 2011. The application must be made on or before June 30, 2011.

b. For the 2011-2012 state fiscal year and subsequent state fiscal years, taxpayers may apply for a credit allocation beginning on July 1. The application must be made on or before June 30 of the state fiscal year for which the taxpayer is applying.

4. Excise Taxes on Liquor, Wine, and Malt Beverages – Beginning July 1, 2010, an application for a credit allocation may be made at any time during the state fiscal year. Taxpayers may apply for a credit allocation beginning July 1 of a state fiscal year. The application must be made on or before June 30 of the state fiscal year for which the taxpayer is applying.

(d) The Department will accept applications until the tax credit cap is reached, or until the end of the state fiscal year or tax year for corporate income tax and insurance premium tax, whichever occurs first.

(5) NOTIFICATION.

(a) The Department will approve credit allocations on a first-come, first-served basis. Within ten days of receipt of an application, the Department will send written correspondence regarding the amount of the credit allocation for each tax applied for, or the reason the credit allocation could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the credit allocation before the Department will issue such correspondence.

(b) When approved, the Department's approval letter will specify the period in which the contribution to the designated nonprofit scholarship funding organization must be made. Contributions must be made during the year specified in the approval letter. The organization receiving a contribution will issue the taxpayer a certificate of contribution signed by an officer or authorized representative of the organization containing:

1. Contributor's name;



2. Contributor's federal identification number;

3. Contributor's license number issued by the Division, if applicable;

4. Amount of contribution;

5. Date of contribution; and

6. Name of eligible nonprofit scholarship funding organization.

(c) The amount of tax credit claimed on a tax return is limited to the amount of contribution contained in the certificate of contribution issued by an eligible nonprofit scholarship funding organization. The taxpayer must make the contribution before the credit is claimed on a tax return.

(d) No tax credit will be allowed when a taxpayer:

1. Fails to make the designated contribution;

2. Fails to make a contribution before claiming the tax credit on a tax return;

3. Makes a contribution to an ineligible organization; or,

4. Makes the contribution outside the period specified in the Department's approval letter.

(e) When an eligible nonprofit scholarship funding organization is unable to accept the taxpayer's contribution, or a part of the contribution, because of its obligations under Section 1002.395, F.S., the taxpayer may make a contribution or partial contribution to another eligible nonprofit scholarship funding organization. That organization must provide a written statement to the taxpayer declining the contribution. The taxpayer is required to keep the written statement in the taxpayer's books and records.

#### (6) TAX CREDITS.

(a)1. Corporate Income Tax – A tax credit of 100 percent of the contribution against any corporate income tax due for the tax year is allowed. The amount of the tax credit for a tax year:

a. Is limited to 75 percent of the corporate income tax due after application of any other allowable credits taken by the taxpayer for that tax year;

b. Must be reduced by the difference in federal corporate income tax due computed with the credit and without the credit; and

c. Must be added back to taxable income in determining Florida corporate income tax due.

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to 75 percent of the tax due after deducting:

a. Assessments made pursuant to Section 440.51, F.S. (workers compensation administrative assessments);

b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters' and police officers' pension trust funds); and

c. Credits for income taxes and emergency excise taxes paid under Chapters 220 and 221, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation).

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(c)1. Sales and Use Tax – Beginning January 1, 2011, a tax credit of 100 percent of the contribution is allowed against any sales and use tax due imposed under Chapter 212, F.S., to any taxpayer who holds a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to:

Florida Department of Revenue

Revenue Accounting

P. O. Box 6609

Tallahassee, FL 32314-6609

b. Within ten days of receipt of an application, the Department will send written instructions on how to claim the credit allocation as a tax credit on a sales and use tax return remitted to the Department by electronic means.

(d)1. Tax on Oil and Gas Production – Beginning January 1, 2011, a tax credit of 100 percent of the contribution is allowed against any tax due on oil production in Florida or against any tax due on gas production in Florida imposed under Sections 211.02 and 211.025, F.S. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken.

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(e)1. Excise Tax on Liquor, Wine, and Malt Beverages – Beginning July 1, 2010, a tax credit of 100 percent of the contribution is allowed against the following taxes administered by the Division.

a. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

b. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or

c. Excise tax on malt beverages imposed under Section 563.05, F.S.

2. The tax credit taken on a return filed with the Division is limited to 90 percent of the tax due on the return. Taxpayers must attach a copy of the certificate of contribution from each

eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(f) Contributions to an eligible nonprofit scholarship funding organization are not payments of estimated tax or installment payments of tax.

**(7) CARRYFORWARD OF UNUSED CREDITS.**

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the approval letter because the taxpayer's liability is insufficient, the taxpayer may apply to carry forward the unused tax credit amount for a period not to exceed three years. Taxpayers must submit an Application for Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116000, R. 07/10, hereby incorporated by reference, Effective 07/10) requesting approval to carry forward the unused portion of the tax credit during the year in which the taxpayer wants to carry forward the unused tax credit. Taxpayers must submit a separate application to carry forward any unused credit allocation for each state fiscal year. Applications to carry forward amounts beyond the three year period will not be accepted by the Department. See paragraph (4)(a) for submitting the application to the Department.

(b) A separate application to carry forward an unused tax credit is required for each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

(c) Within ten days of receipt of the application, the Department will send written correspondence regarding the amount of the credit carryforward, or the reason the carryforward request could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the carryforward before the Department will issue such correspondence. No request will be approved when the application for a credit allocation carryforward is submitted for a period beyond three years from the year in which the credit allocation was approved.

(d) A taxpayer may not convey, assign, or transfer a credit allocation to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

**(8) RESCINDMENT OF UNUSED TAX CREDITS.**

(a) The rescindment provision allows credit allocations that will not be used by the taxpayer to be reallocated to other taxpayers who may use the credit allocation. Taxpayers must submit an Application for Rescindment of Tax Credit Allocation for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116100, R. 07/10, hereby incorporated by reference, Effective 07/10) to the Department to rescind all or a portion of unused credit allocation.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. The amount of credit allocation requested to be rescinded has been claimed as a credit on a previously filed return;

2. The taxpayer has had more than one approved rescindment of credit within the last three tax years; or,

3. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on November 30 of the subsequent calendar year.

(c) Within ten days of receipt of an application, the Department will send written correspondence regarding the amount of the rescindment, or the reason rescindment could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the rescindment before the Department will issue such correspondence.

(d) When the approval of a rescindment allows the tax credit cap for a state fiscal year to be reopened and available for allocation, the Department will notify each nonprofit scholarship funding organization that the tax credit cap is available for allocation.

(9) APPLICATIONS. Copies of the applications used by the Department in the administration of the Florida Tax Credit Scholarship Program are available, without cost, by one or more of the following methods: 1) downloading the application from the Department's Internet site at [www.myflorida.com/dor/forms](http://www.myflorida.com/dor/forms); or, 2) calling the Department at (800)352-3671, Monday through Friday, 8 a.m. to 7 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center or, 4) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0112. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

Rulemaking Authority s. 20, Ch. 2010-24, L.O.F. Law Implemented 92.525(1)(b), 211.02, 211.026, 212.183, 213.37, 220.187, 624.51055 FS., Ch. 2010-24, L.O.F. History--New 7-21-10.

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: July 21, 2010

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:	RULE TITLE:
12AER10-05	Sales of Books, Clothing, and School Supplies During the Period August 13 through August 15, 2010

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 1, Chapter 2010-93, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the law specifying a period during which the sale of certain books, clothing, and school supplies are exempt from sales and use

tax. The law provides that conditions necessary for an emergency rule have been met. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate means regarding the exemption during the period from 12:01 a.m., August 13, 2010, through midnight, August 15, 2010, for sales of books, clothing, wallets, or bags having a selling price of \$50 or less per item and for sales of school supplies having a selling price of \$10 per item or less. The exemption does not apply to sales within a theme park or entertainment complex as defined in Section 509.013(9), F.S., or within a public lodging establishment as defined in Section 509.013(4), F.S., or within an airport as defined in Section 330.27(2), F.S. The rule defines "clothing," "books," "school supplies," "theme park or entertainment complex," "public lodging establishment," "airport" and "mail order sales." The rule describes the items that are included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, items normally sold as a unit, mail order sales, shipping and handling charges, layaway sales, rain checks, exchanges, refunds, coupons, rebates, and discounts, repairs and alterations, gift certificates, rentals of clothing, reporting requirements, documentation to be maintained, and merchant's license fees. The rule provides a list of items and their taxable status during the exemption period for clothing, school supplies, and books.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 1, Chapter 2010-93, Laws of Florida, which specify a period during which the sale of certain books, clothing, and school supplies are exempt from sales and use tax. Additionally, an emergency rule is the most expedient and appropriate means of notifying dealers and taxpayers of the provisions of Section 1, Chapter 2010-93, Laws of Florida.

SUMMARY: Emergency Rule 12AER10-05 notifies the general public and retailers of the exemption during the period from 12:01 a.m., August 13, 2010, through midnight, August 15, 2010, for sales of books, clothing, wallets, or bags having a selling price of \$50 or less per item and for sales of school supplies having a selling price of \$10 per item or less.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-6398

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER10-05 Sales of Books, Clothing, and School Supplies During the Period August 13 through August 15, 2010.

(1) Exempt Book and Clothing Sales.

(a) Beginning at 12:01 a.m. on August 13, 2010, and ending at midnight on August 15, 2010 (the exemption period), no tax is due on the sale or purchase of any book, article of clothing, wallet, or bag, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a selling price of \$50.00 or less. This exemption does not apply to sales of books, clothing, wallets, or bags within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible book, item of clothing, wallet, or bag, selling for \$50.00 or less. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$40.00 each. Both items will qualify for the exemption, even though the customer's total purchase price (\$80.00) exceeds \$50.00.

(c)1. The exemption does not apply to the first \$50.00 of price of an eligible book, item of clothing, wallet, or bag, selling for more than \$50.00.

2. Example: A customer purchases a pair of pants costing \$70.00. Tax is due on the entire \$70.00.

(2) Exempt Sales of School Supplies.

(a) Beginning at 12:01 a.m. on August 13, 2010, and ending at midnight on August 15, 2010 (the exemption period), no tax is due on the sale or purchase of any item of school supplies with a selling price of \$10.00 or less. This exemption does not apply to sales of school supplies within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of school supplies selling for \$10.00 or less. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases five composition books for \$2.50 each. All five items will qualify for the exemption, even though the customer's total purchase price (\$12.50) exceeds \$10.00.

(c)1. The exemption does not apply to the first \$10.00 of price of an eligible item of school supplies selling for more than \$10.00.

2. Example: A customer purchases a calculator costing \$18.00. Tax is due on the entire \$18.00.

(3) Definitions.

(a) "Clothing" means any article of wearing apparel, including all footwear, except skis, swim fins, in-line skates, and other skates, intended to be worn on or about the human body. "Clothing" does not include watches, watchbands, jewelry, umbrellas, or handkerchiefs.

(b) "Book" means a set of printed sheets bound together and published in a volume. The term "book" does not include newspapers, magazines, or other periodicals, or audio books.

Books are different from periodicals in that books, in addition to the above, are also generally identified with an International System Book Number (ISBN), while periodicals are dated and generally have an issue number, but not an ISBN.

(c) "School supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue, paste, rulers, computer disks, protractors, compasses, and calculators.

(d) "Theme park or entertainment complex" means a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually.

(e)1. "Public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings, which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. License classifications of public lodging establishments, and the definitions therefor, are set out in Section 509.242, F.S. For the purpose of licensure, the term does not include condominium common elements as defined in Section 718.103, F.S.

2. The following are excluded from the definition in subparagraph 1.:

a. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors;

b. Any hospital, nursing home, sanitarium, assisted living facility, or other similar place;

c. Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients;

d. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent;

e. Any migrant labor camp or residential migrant housing permitted by the Department of Health, under Sections 381.008-.00895, F.S.; and

f. Any establishment inspected by the Department of Health and regulated by Chapter 513, F.S.

(f) "Airport" means an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, accessory or relative areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use.

(g) "Mail order sale" is a sale of tangible personal property, ordered by mail or other means of communication, from a dealer who receives the order in another state of the United States, or in a commonwealth, territory, or other area under the jurisdiction of the United States, and transports the property or causes the property to be transported, whether or not by mail, from any jurisdiction of the United States, including this state, to a person in this state, including the person who ordered the property.

(4) Sales of Sets Containing Both Exempt and Taxable Items.

(a) When exempt items are normally sold together with taxable merchandise as a set or single unit, the full price is subject to sales tax.

(b) Example: A gift set consisting of a wallet and key chain is sold for a single price of \$35.00. Although the wallet would otherwise be exempt during the exemption period, the full price of the gift set is taxable because the key chain is taxable.

(c) Example: A desk set consisting of a stapler and a pair of scissors is sold for a single price of \$9.95. Although the scissors would otherwise be exempt during the exemption period, the full price of the desk set is taxable because the stapler is taxable.

(5) Articles Normally Sold as a Unit.

(a) Articles that are normally sold as a unit must continue to be sold in that manner; they cannot be separately stated and sold as individual items in order to obtain the exemption.

(b) Example: A pair of shoes normally sells for \$80.00. The pair cannot be split in order to sell each shoe for \$40.00 to qualify for the exemption.

(c) Example: A suit is normally priced at \$125.00 on a single price tag. The suit cannot be split into separate articles so that any of the components may be sold for \$50.00 or less in order to qualify for the exemption. However, components that are normally priced as separate articles may continue to be sold as separate articles and qualify for the exemption if the price of an article is \$50.00 or less.

(d) Example: A pen and pencil set is normally priced at \$18.00 on a single price tag. The set cannot be split into separate articles so that either of the components may be sold for \$10.00 or less in order to qualify for the exemption.

(e) Example: A set of five books normally sells for \$199.95 on a single set price. The set cannot be split into separate articles so that each books sells for \$50.00 or less.

(6) Buy One, Get One Free or for a Reduced Price.

(a) The total price of items advertised as “buy one, get one free,” or “buy one, get one for a reduced price,” cannot be averaged in order for both items to qualify for the exemption.

(b) Example: A retailer advertises pants as “buy one, get one free.” The first pair of pants is priced at \$70.00; the second pair of pants is free. Tax is due on \$70.00. The store cannot sell each pair of pants for \$35.00 in order for the items to qualify for the exemption. However, the retailer may advertise and sell the items for 50% off, selling each pair of \$70.00 pants for \$35.00, making each pair eligible for the exemption.

(c) Example: A retailer advertises shoes as “buy one pair at the regular price, get a second pair for half price.” The first pair of shoes is sold for \$60.00; the second pair is sold for \$30.00 (half price). Tax is due on the \$60.00 shoes, but not on the \$30.00 shoes. The store cannot sell each pair of shoes for \$45.00 in order for the items to qualify for the exemption. However, a retailer may advertise the pairs for 25% off, thereby selling each pair of \$60.00 shoes for \$45.00, making each pair eligible for the exemption.

(7) Mail Order Sales.

(a) For purposes of this exemption, eligible items purchased by mail order, including sales transactions over the Internet, will receive the exemption if the order is accepted by the mail order company during the exemption period for immediate shipment. When the acceptance of the order by the mail order company occurs during the exemption period, the exemption will apply even if delivery is made after the exemption period.

(b) An order is accepted by the mail order company when it has taken an action to fill the order for immediate shipment. Actions to fill an order include, but are not limited to, placing an “in date” stamp on a mail order, assigning an “order number” to a telephone order, or confirming an Internet order by e-mail message.

(c) An order is for immediate shipment when delayed shipment is not requested by the customer. An order is for immediate shipment notwithstanding that the shipment may be delayed because of a backlog of orders or because stock is currently unavailable to, or on back order by, the company.

(8) Shipping and Handling Charges.

(a) Shipping and handling charges are included as part of the sales price of the eligible item, whether or not separately stated. If multiple items are shipped on a single invoice, to determine if any items qualify for the exemption, the shipping and handling charge must be proportionately allocated to each item ordered, and separately identified on the invoice.

(b) Example 1: A customer orders a jacket for \$50.00. The shipping charge to deliver the jacket to the customer is \$5.00. The selling price of the jacket is \$55.00. Tax is due on the full selling price.

(c) Example 2. A customer orders a suit for \$300.00 and a shirt for \$40.00. The transportation charge to deliver the items is \$15.00. The \$15.00 transportation charge must be proportionately and separately allocated between the items:  $\$300 / \$340 = 88\%$ ; therefore, 88% of the \$15.00 shipping charge, or \$13.20, must be allocated to the suit, and separately identified on the invoice as such. The remaining 12% of the \$15.00 shipping charge, or \$1.80, must be allocated to the shirt, and separately identified on the invoice as such. The selling price of the shirt is \$40.00 plus \$1.80, totaling \$41.80, and therefore qualifying for the exemption.

Suit	\$300.00
Shipping for suit	13.20
Shirt	40.00
Shipping For shirt	1.80

(d) Example 3. A customer orders a suit for \$300.00 and a shirt for \$45.00. The transportation charge to deliver the items is \$50.00. The \$50.00 transportation charge must be proportionately and separately allocated between the items:  $\$300 / \$345 = 87\%$ . Therefore, 87% of the \$50.00 shipping charge, or \$43.50, must be allocated to the suit, and separately identified on the invoice as such. The remaining 13% of the \$50.00 shipping charge, or \$6.50, must be allocated to the shirt, and separately identified on the invoice as such. The selling price of the shirt is \$45.00 plus \$6.50, totaling \$51.50. Since the selling price of the shirt exceeds \$50.00, the purchase of the shirt is taxable.

Suit	\$300.00
Shipping for suit	43.50
Shirt	45.00
Shipping For shirt	6.50

(9) Layaway sales. A layaway sale is a transaction in which merchandise is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time, and receives the merchandise at the end of the payment period.

(a) For purposes of this exemption, eligible items will qualify for the exemption if:

1. A retailer and a customer enter into a contract for a layaway sale during the exemption period;
2. The customer makes the usual deposit in accordance with the retailer’s layaway policy;
3. The merchandise is segregated from the retailer’s inventory; and
4. The final payment is made during or after the exemption period.

(b) If final payment on a layaway order is made by and the merchandise is given to the customer during the exemption period, that sale of eligible items will qualify for the exemption, even when the qualified items were placed on layaway before the exemption period.

(10) Rain checks. Eligible items purchased during the exemption period using a rain check will qualify for the exemption regardless of when the rain check was issued. However, issuance of a rain check during the exemption period will not qualify eligible items for the exemption if the item is actually purchased after the exemption period.

(11) Exchanges.

(a) If a customer purchases an eligible item during the exemption period, then later exchanges the item for the same item (different size, different color, etc.), no additional tax will be due even if the exchange is made after the exemption period.

(b) If a customer purchases an eligible item during the exemption period, then later returns the item and receives credit on the purchase of a different item, the appropriate sales tax will apply to the sale of the newly purchased item.

(c) Examples:

1. During the exemption period, a customer purchases a \$50.00 dress that qualifies for the exemption. Later, during the exemption period, the customer exchanges the \$50.00 dress for a \$75.00 dress. Tax is due on the \$75.00 dress. The \$50.00 credit from the returned item cannot be used to reduce the sales price of the \$75.00 item to \$25.00 for exemption purposes.

2. A customer purchases a \$35.00 shirt during the exemption period. After the exemption period, the customer exchanges the shirt for a \$35.00 jacket. Since the jacket was not purchased during the exemption period, tax is due on the \$35.00 price of the jacket.

3. A customer purchases notebook filler paper for \$3.95 during the exemption period. Later during the exemption period, the customer exchanges the notebook filler paper for note pads costing the same amount. Tax is due on the note pads, because they are not eligible for the exemption.

(12) Refunds.

(a) A customer who pays tax to a dealer on an eligible item when no tax is due must secure a refund of the tax from the dealer and not from the Department of Revenue.

(b) For the period August 13, 2010, through October 31, 2010, when a customer returns an item that would qualify for the exemption, no refund of tax shall be given unless the customer provides a receipt or invoice showing tax was paid, or the retailer has sufficient documentation to show that tax was paid on the specific item.

(13) Coupons, Rebates, and Discounts.

(a)1. Manufacturer's coupons. Manufacturer's coupons do not reduce the sales price of an item. Therefore, a manufacturer's coupon cannot be used to reduce the selling price of a book or an item of clothing to \$50.00 or less, or a school supply item to \$10.00 or less, in order to qualify for the exemption.

2. Example: A jacket sells for \$55.00. The customer has a \$10.00 manufacturer's coupon good for the purchase of the jacket. The manufacturer's coupon does not reduce the sales price of the jacket. Tax is due on \$55.00, even though the customer only pays the retailer \$45.00 for the jacket.

2. Example: A customer buys a \$400.00 suit and a \$55.00 shirt. The retailer is offering a 10 percent discount. After applying the 10 percent discount, the final sales price of the suit is \$360.00, and the sales price of the shirt is \$49.50. The suit is taxable (its price is over \$50.00), and the shirt is exempt (its price is less than \$50.00).

(b)1. Store coupons and discounts. Store coupons and discounts reduce the sales price of an item. Therefore, a store coupon or discount can be used to reduce the sales price of an item to \$50.00 or less, or of a school supply item to \$10.00 or less, in order to qualify for the exemption.

(c)1. Rebates. Rebates occur after the sale and do not affect the sales price of an item purchased.

2. Example: A jacket sells for \$55.00. The customer receives a \$10.00 rebate from the manufacturer. The rebate occurs after the sale, so it does not reduce the sales price of the jacket. Tax is due on \$55.00.

(14) Repairs and Alterations to Eligible Items.

(a) Repairs to eligible items do not qualify for the exemption.

(b)1. Alterations to clothing or footwear do not qualify for the exemption, even though alterations may be sold, invoiced, and paid for at the same time as the item to be altered.

2. Example: A customer purchases a pair of pants for \$49.00 and pays \$5.00 to the retailer to have the pants cuffed. The \$49.00 charge for the pants is exempt; however, tax is due on the \$5.00 alterations charge.

(15) Gift Certificates.

(a) Eligible items purchased during the exemption period using a gift certificate will qualify for the exemption, regardless of when the gift certificate was purchased. Eligible items purchased after the exemption period using a gift certificate are taxable, even if the gift certificate was purchased during the exemption period. A gift certificate cannot be used to reduce the selling price of a book or an item of clothing to \$50.00 or less, or of a school supply item to \$10.00 or less, in order for the item to qualify for the exemption.

(b) Example: A customer purchases a dress priced at \$90.00 and uses a \$50.00 gift certificate. Tax is due on \$90.00. The gift certificate does not reduce the selling price to \$40.00 for purposes of the exemption.

(16) Rentals. Rentals of books, clothing, or footwear do not qualify for the exemption.

(17) Reporting. No special reporting procedures are necessary to report exempt sales made during the exemption period. Sales should be reported as currently required by law.

(18) Record Retention and Documentation. No special record keeping requirements are necessary. Records should be maintained as currently required by law.

(19) License Fees or Other Fees imposed by Panama City and Panama City Beach.

(a) The cities of Panama City and Panama City Beach impose upon retailers a Merchant’s License Tax or similar gross receipts tax or fee, which may be passed on to the customer. The Merchant’s License Tax is included in the sales price of each item, whether or not the tax is separately stated on the invoice.

(b) Example: A jacket sells for \$49.95. The separately stated 1% gross receipts fee for this item is \$0.50. Since the gross receipts fee is part of the sales price of the item (\$50.45), the jacket will not qualify for the exemption.

(20) List of Items of Clothing and Their Taxable Status During the Exemption Period. The following is a list of items of clothing and their taxable status during the exemption period, if they are sold for \$50.00 or less. This is not an inclusive list. T = Taxable, E = Exempt.

A

- T Accessories (generally)
- E Belt buckles
- E Bow ties
- E Hair nets, bows, clips, and bands
- E Handbags
- T Handkerchiefs
- T Jewelry
- E Neckwear
- E Ponytail holders
- E Scarves
- E Ties
- E Wallets
- T Watch bands
- T Watches
- E Aerobic clothing
- E Antique clothing
- E Aprons/Clothing shields
- T Athletic gloves
- T Athletic pads
- E Athletic supporters

B

- E Baby clothes
- E Backpacks
- E Bandanas
- E Baseball cleats
- E Bathing suits, caps, and cover-ups
- E Belt buckles
- E Belts

- T Belts for weightlifting
- E Bibs
- E Blouses
- E Book bags
- E Boots (except ski boots)
- E Bowling shoes (sold)
- T Bowling shoes (rented)
- E Bow ties
- E \*Braces and supports worn to correct or alleviate a physical incapacity or injury
- E Bras
- T Briefcases

C

- E Caps and hats
- T Checkbook covers (separate from wallets)
- T Chest protectors
- E \*Choir and altar clothing
- E Cleated or spiked shoes
- E \*Clerical vestments
- T Cloth and lace, knitting yarns, and other fabrics
- T Clothing repair items, such as thread, buttons, tapes, iron-on patches, zippers
- E Coats and wraps
- E Coin purses
- T Corsages and boutonnières
- E Corsets and corset laces
- T Cosmetic bags
- E Costumes
- E Coveralls
- T Crib blankets
- T Cufflinks

D

- E Diaper bags
- E Diapers, diaper inserts (adult and baby, cloth or disposable)
- T Diving suits
- E Dresses
- T Duffel bags

E

- T Elbow pads
- E Employee uniforms

F

- E Fanny packs
- T Fins
- T Fishing boots (waders)
- E Fishing vests (nonflotation)

- T Football pads
- E Formal clothing (unless rented)
  
- G
- T Garment bags
- E Garters and garter belts
- E Girdles, bras, and corsets
- E Gloves (generally)
- T Baseball
- T Batting
- T Bicycle
- E Dress (unless rented)
- E Garden
- T Golf
- T Hockey
- E Leather
- T Rubber
- T Surgical
- T Tennis
- E Work
- T Goggles (except \*prescription)
- E Graduation caps and gowns
- E Gym suits and uniforms
  
- H
- E Hair nets, bows, clips, and bands
- E Handbags
- T Handkerchiefs
- T Hard hats
- E Hats
- T Helmets (bike, baseball, football, hockey, motorcycle, sports)
- E Hosiery, including support hosiery
- E Hunting vests
  
- I – J
- T Ice skates
- T In-line skates
- E Insoles
- E Jackets
- E Jeans
- T Jewelry
  
- K
- T Key chains
- T Knee pads
  
- L
- E Lab coats
- E Leg warmers
  
- E Leotards and tights
- T Life jackets and vests
- E Lingerie
- T Luggage
  
- M – N
- T Make-up bags
- E Martial arts attire
- E Neckwear and ties
  
- O – P
- E Overshoes
- T Pads (football, hockey, soccer, elbow, knee, shoulder)
- T Paint or dust masks
- E Pants
- E Panty hose
- T Patterns
- E Ponchos
- T Protective masks (athletic)
- E Purses
  
- R
- E Raincoats and rainhats
- E Receiving blankets
- E \*Religious clothing
- T Rented clothing (including uniforms, formal wear, and costumes)
- T Repair of wearing apparel
- E Robes
- T Roller blades
- T Roller skates
- E Rubber shoes
  
- S
- E Safety clothing
- T Safety glasses (except \*prescription)
- E Safety shoes
- E Scarves
- E Scout uniforms
- T Shaving kits/bags
- E Shawls and wraps
- T Shin guards and padding
- E Shirts
- E Shoe inserts
- E Shoes (including athletic)
- E Shoulder pads (for dresses, jackets, etc.)
- T Shoulder pads (football, hockey, sports)
- E Shorts
- T Skates (ice, in-line, roller)
- T Ski boots (snow)



- T Ski vests (water)
- E Ski suits (snow)
- T Skin diving suits
- E Skirts
- E Sleepwear, nightgowns, pajamas
- E Slippers
- E Slips
- E Socks
- T Sports helmets
- T Sports pads (football, hockey, soccer, knee, elbow, shoulder)
- E Sports uniforms (except pads, helmets)
- T Suitcases
- E Suits, slacks, and jackets
- T Sunglasses (except \*prescription)
- E Suspenders
- E Sweatbands
- E Sweaters
- T Swimming masks
- E Swim suits and trunks

- T
- E Ties (neckties - all)
- E Tights
- E Tuxedos, excluding cufflinks and rentals

- U
- T Umbrellas
- E Underclothes
- E Uniforms (work, school, and athletic - excluding pads)

- V – W
- E Vests
- E Wallets
- T Watchbands
- T Water ski vests
- T Weight lifting belts
- T Wet and dry diving suits
- T Wigs, toupees, and chignons
- E Work clothes and uniforms

\*These items are always exempt as prosthetic or orthopedic appliances, or due to another specific exemption.

(21) List of School Supplies and Their Taxable Status During the Exemption Period. The following is a list of school supplies and their taxable status during the exemption period if they are sold for \$10.00 or less. This is not an inclusive list. T = Taxable, E = Exempt.

- E Binders
- E Calculators

- E Cellophane (transparent) tape
- E Colored pencils
- E Compasses
- E Composition books
- E Computer disks (floppies and blank CDs)
- T Computer paper
- E Construction paper
- T Correction tape, fluid, or pens
- E Crayons
- E Erasers
- E Folders
- E Glue (stick & liquid)
- E Highlighters
- E Legal pads
- E Lunch boxes
- E Markers
- T Masking tape
- E Notebook filler paper
- E Notebooks
- E Paste
- E Pencils, including mechanical and refills
- E Pens, including felt, ballpoint, highlighters, and fountain, and refills
- E Poster board
- E Poster paper
- T Printer paper
- E Protractors
- E Rulers
- E Scissors
- T Staplers
- T Staples

(22) List of Books and Their Taxable Status During the Exemption Period. The following is a list of books and their taxable status during the exemption period if they are sold for \$50.00 or less. This is not an inclusive list. T = Taxable, E = Exempt.

- T Audio books
- E Bibles\*
- T Books with no publisher
- E Books with a publisher
- E Children’s books (published)
- E Foreign and old books (even without ISBN)
- T Greeting cards
- E Instruction manuals (bound and published)
- T Magazines\*
- T Movies
- E Music books
- T Newspapers\*
- T Periodicals
- E Textbooks (published)

\*Subscriptions to newspapers and magazines that are delivered by mail remain exempt from tax. Bibles are always exempt.

This rule shall take effect on August 2, 2010.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1), (2) FS., Section 1, Chapter 2010-93, L.O.F. Law Implemented 95.091, 212.02(16), 212.05, 212.0596, 212.06, 212.13, 213.35, 215.26(1), 330.27(2), 509.013(4), (9) FS., Chapter 2010-93, L.O.F. History—New 8-2-10.

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: August 2, 2010

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

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

**EXECUTIVE OFFICE OF THE GOVERNOR**

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

RULE NOS.:	RULE TITLES:
27MER10-1	Definitions and Forms
27MER10-2	Application Process
27MER10-3	Certification

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Florida Legislature designated Emergency Rulemaking as the appropriate process for promulgating rules for the Manufacturing and Spaceport Investment Incentive Program in Section 288.1083(9), Florida Statutes.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Office of Tourism, Trade, and Economic Development has developed the proposed rules and corresponding forms in consultation with representation from Enterprise Florida, Florida Department of Revenue, the Agency for Workforce Innovation, and Florida House and Senate Staff. Agency and legislative staff reviewed the forms incorporated into the rules, and the rules were drafted with Office and outside counsel in accordance with the direction provided in the forms. Such process is fair since a cross section of interested agencies have been involved along with staff involved in drafting the legislation. Additionally, the rules provide that any final agency action made under these rules is subject to Chapter 120, Florida Statutes.

SUMMARY: The rules govern the allocation and certification process for the Manufacturing and Spaceport Investment Incentives Program.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902 The Capitol, Tallahassee, Florida 32399, (850)487-2568, [michelle.dennard@eog.myflorida.com](mailto:michelle.dennard@eog.myflorida.com)

THE FULL TEXT OF THE EMERGENCY RULES IS:

27MER10-1 Definitions and Forms.

As used in Emergency Rules 27MER10-1 and 27MER10-2, the following capitalized terms have the meanings indicated. All referenced forms are available on the internet at [http://www.flgov.com/financial\\_incentives](http://www.flgov.com/financial_incentives) or may be obtained from the Office.

(1) "Allocation" means a set aside of available tax refund amounts.

(2) "Allocation Application" means the standard "Manufacturing and Spaceport Investment Incentives Program Allocation Application" form OTTED 9102-1 (6/10), which is hereby incorporated by reference.

(3) "Applicant" means a business that seeks Certification under Section 288.1083, F.S.

(4) "Application Period" means July 1, 2010 through June 30, 2011 for the 2010-11 Fiscal Year and then January 1 through June 30 of each fiscal year thereafter.

(5) "Certification" means the approval of eligible equipment purchases required for application to the Department of Revenue for a tax refund payment.

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

(7) "Request for Certification" means the standard "Manufacturing and Spaceport Investment Incentives Program Request for Certification" form OTTED 9102-2 (6/10) which is hereby incorporated by reference.

Rulemaking Authority 288.1083(9) FS. Law Implemented 288.1083 FS. History—New 7-22-10.

27MER10-2 Application Process.

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

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

(3) The Office shall have 10 business days to review each Allocation Application for completeness and to notify any Applicant in writing if the Office determines that its Allocation Application is incomplete. The Office's notice shall specify the reasons for its determination, and the Applicant shall have five

(5) business days after receipt of such notice to submit a revised Allocation Application to the Office. If the Applicant fails to submit a revised Allocation Application within the required time, the Office shall notify the Applicant in writing that it is removed from further consideration.

(4) The Office shall evaluate each complete Allocation Application in accordance with the requirements of Section 288.1083, Florida Statutes.

(5) Within thirty (30) days after an Allocation Application is deemed complete, the Office shall approve or disapprove each Allocation Application. If an Allocation Application is approved, the Office shall issue an Allocation up to \$50,000 of tax refunds to the successful Applicant, providing written notice of such Allocation to the Applicant.

Rulemaking Authority 288.1083(9) FS. Law Implemented 288.1083 FS. History—New 7-22-10.

27MER10-3 Certification.

(1) Within thirty (30) days after the Applicant has purchased the eligible equipment that was the basis for the original Allocation, the Applicant shall provide a Request for Certification and required supporting documentation to the Office prior to September 1st of the fiscal year following the fiscal year the Allocation was issued.

(2) If the Request for Certification and supporting documentation is not received prior to September 1st of the fiscal year following the fiscal year the Allocation was issued, the allocation will be withdrawn and issued to the next Applicant in the queue.

(3) The Office shall review such documentation to confirm the cost of eligible equipment purchases supporting the claim of State sales and use tax paid thereon.

(4) If the Office disapproves the request for certification, the Office shall notify the Applicant, specifying the reason for such determination.

(5) If the Office approves the Request for Certification, the Office shall notify the Applicant and the Florida Department of Revenue.

(6) The Office’s decisions shall be subject to review under Chapter 120, F.S.

Rulemaking Authority 288.1081(7) FS. Law Implemented 288.1081 FS. History—New 7-22-10.

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: July 22, 2010

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-26  
 RULE TITLE: Instant Game Number 1064, 2 FOR THE MONEY

SUMMARY: This emergency rule describes Instant Game Number 1064, “2 FOR THE MONEY,” 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:

53ER10-26 Instant Game Number 1064, 2 FOR THE MONEY.

(1) Name of Game. Instant Game Number 1064, “2 FOR THE MONEY.”

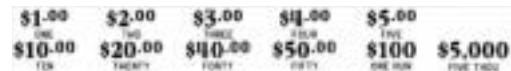
(2) Price. 2 FOR THE MONEY lottery tickets sell for \$1.00 per ticket.

(3) 2 FOR THE MONEY 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 2 FOR THE MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The play symbols and play symbol captions are as follows:



(5) The “PRIZE” symbols and prize symbol captions are as follows:



(6) The legends are as follows:



(7) Determination of Prizewinners.

(a) There are two games on a ticket; each game is played separately. A ticket having three “2” play symbols and corresponding play symbol captions in any vertical, horizontal or diagonal row in a game shall entitle the claimant to the prize shown in the PRIZE area of that game.

(b) The prizes are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100 and \$5,000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 1064 are as follows:

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-27  
 RULE TITLE: Instant Game Number 1067, LUCKY \$100,000 A YEAR FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1067, "LUCKY \$100,000 A YEAR FOR LIFE," 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:

53ER10-27 Instant Game Number 1067, LUCKY \$100,000 A YEAR FOR LIFE.

(1) Name of Game. Instant Game Number 1067, "LUCKY \$100,000 A YEAR FOR LIFE."

(2) Price. LUCKY \$100,000 A YEAR FOR LIFE lottery tickets sell for \$10.00 per ticket.

(3) LUCKY \$100,000 A YEAR FOR LIFE 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 LUCKY \$100,000 A YEAR FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

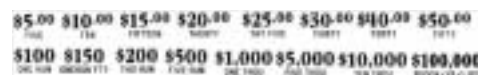
(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(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

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 + \$2	\$3	150.00	80,000
\$3	\$3	150.00	80,000
\$1 + \$3	\$4	300.00	40,000
\$2 x 2	\$4	300.00	40,000
\$4	\$4	300.00	40,000
\$2 + \$3	\$5	300.00	40,000
\$1 + \$4	\$5	300.00	40,000
\$5	\$5	300.00	40,000
\$5 x 2	\$10	150.00	80,000
\$10	\$10	300.00	40,000
\$10 x 2	\$20	500.00	24,000
\$20	\$20	750.00	16,000
\$20 x 2	\$40	3,000.00	4,000
\$40	\$40	3,000.00	4,000
\$10 + \$40	\$50	4,800.00	2,500
\$50	\$50	4,800.00	2,500
\$50 x 2	\$100	6,000.00	2,000
\$100	\$100	6,000.00	2,000
\$5,000	\$5,000	240,000.00	50

(9) The estimated overall odds of winning some prize in Instant Game Number 1064 are 1 in 4.81. 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 1064, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for 2 FOR THE MONEY lottery tickets shall be made in accordance with 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 7-9-10.

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: July 9, 2010

in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “**\$\$**” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown

for that symbol. A ticket having a “**★**” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to ten times the prize shown for that symbol.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$40.00, \$50.00, \$100, \$150, \$200, \$500, \$1,000,

\$5,000, \$10,000 and **LIFE** FOR LIFE.

(9) Prize Payment Options.

(a) The winner of a \$100,000 a year for life 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 a \$100,000 a year for life prize is claimed, the terminal will produce a top prize 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 a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund \$100,000 per year for twenty years, less applicable federal withholding taxes. This figure will be determined at the time the \$100,000 a year for life prize is claimed, or as soon thereafter as possible based on investment market hours, by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(c) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$100,000 for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$100,000, less applicable federal withholding taxes.

(d) Any interest or earnings accruing on a \$100,000 a year for life prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1067 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 125 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	60.00	250,000
\$5 (\$\$)	\$10	30.00	500,000
\$10	\$10	30.00	500,000
\$5 x 3	\$15	60.00	250,000
\$5 + \$10	\$15	60.00	250,000
\$5 (\$\$) + \$5	\$15	30.00	500,000
\$15	\$15	60.00	250,000
\$5 x 4	\$20	60.00	250,000
(\$5 x 2) + \$10	\$20	100.00	150,000
\$10 x 2	\$20	150.00	100,000
\$10 (\$\$)	\$20	60.00	250,000
\$20	\$20	60.00	250,000
\$5 x 5	\$25	300.00	50,000
(\$5 x 3) + \$10	\$25	300.00	50,000
\$5 + (\$10 x 2)	\$25	300.00	50,000
\$5 (\$\$) + \$15	\$25	300.00	50,000
\$25	\$25	300.00	50,000
\$5 x 6	\$30	500.00	30,000
\$5 (\$\$) + (\$10 x 2)	\$30	500.00	30,000
\$10 x 3	\$30	600.00	25,000
\$15 (\$\$)	\$30	600.00	25,000
\$30	\$30	600.00	25,000
\$5 x 8	\$40	600.00	25,000
(\$5 x 2) + (\$10 x 3)	\$40	600.00	25,000
\$10 x 4	\$40	600.00	25,000
\$20 (\$\$)	\$40	600.00	25,000
\$40	\$40	960.00	15,625
\$5 x 10	\$50	750.00	20,000
\$5 (STAR)	\$50	750.00	20,000
\$20 + (\$15 x 2)	\$50	750.00	20,000
\$10 (\$\$) + \$15 (\$\$)	\$50	750.00	20,000
\$50	\$50	750.00	20,000
(\$5 x 10) + (\$10 x 5)	\$100	400.00	37,500
\$10 x 10	\$100	400.00	37,500
\$10 (STAR)	\$100	400.00	37,500
\$20 x 5	\$100	400.00	37,500
\$50 (\$\$)	\$100	400.00	37,500
\$100	\$100	480.00	31,250
\$10 x 15	\$150	10,000.00	1,500
\$15 x 10	\$150	10,000.00	1,500
\$15 (STAR)	\$150	10,000.00	1,500
\$50 + \$100	\$150	12,000.00	1,250
\$150	\$150	12,000.00	1,250
(\$10 x 10) + (\$20 x 5)	\$200	8,000.00	1,875
\$20 (STAR)	\$200	8,000.00	1,875

\$25 x 8	\$200	10,000.00	1,500
\$100 (\$\$)	\$200	10,000.00	1,500
\$200	\$200	10,000.00	1,500
(\$25 x 10) + (\$50 x 5)	\$500	12,000.00	1,250
\$50 (STAR)	\$500	12,000.00	1,250
(\$25 x 4) + (\$50 x 4) + \$100 (\$\$)	\$500	15,000.00	1,000
\$200 (\$\$) + \$100	\$500	12,000.00	1,250
\$500	\$500	12,000.00	1,250
(\$50 x 10) + (\$100 x 5)	\$1,000	24,000.00	625
\$100 (STAR)	\$1,000	24,000.00	625
\$200 x 5	\$1,000	24,000.00	625
\$500 (\$\$)	\$1,000	24,000.00	625
\$1,000	\$1,000	24,000.00	625
\$500 x 10	\$5,000	120,000.00	125
\$1,000 x 5	\$5,000	120,000.00	125
\$5,000	\$5,000	120,000.00	125
\$10,000	\$10,000	120,000.00	125
LIFE (\$100K/YR/LIFE)	TOP PRIZE	3,750,000.00	4

(11) The estimated overall odds of winning some prize in Instant Game Number 1067 are 1 in 3.45. 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 1067, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY \$100,000 A YEAR FOR LIFE 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 7-9-10.

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: July 9, 2010

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER10-28  
RULE TITLE: Instant Game Number 7011, LUCKY SYMBOL CROSSWORD

SUMMARY: This emergency rule describes Instant Game Number 7011, “LUCKY SYMBOL CROSSWORD,” 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:

53ER10-28 Instant Game Number 7011, LUCKY SYMBOL CROSSWORD.

(1) Name of Game. Instant Game Number 7011, “LUCKY SYMBOL CROSSWORD.”

(2) Price. LUCKY SYMBOL CROSSWORD lottery tickets sell for \$3.00 per ticket.

(3) “LUCKY SYMBOL CROSSWORD” lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning LUCKY SYMBOL CROSSWORD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The “YOUR LETTERS” play symbols are as follows:

ABCDEFGHIJKLM  
NOPQRSTUVWXYZ

(5) The “CROSSWORD PUZZLE” play symbols are as follows:

ABCDEFGHIJKLMNO  
PQRSTUVWXYZ ■■■■

(6) The legend is as follows:

YOUR  
LETTERS

(7) The prizes are as follows:

\$3, \$5, \$10, \$15, \$20, \$50, \$100, \$500, \$1,000 and \$25,000.

(8) Determination of Prizewinners.

(a) The holder of a ticket whose letters (Play Symbols) under the caption YOUR LETTERS match the letters (Play Symbols) in the CROSSWORD PUZZLE to form at least two (2) different complete words wins the corresponding prize in the PRIZE LEGEND. A word must contain at least three (3) letters. A word cannot be formed by linking letters diagonally or by reading the letters from the bottom to top. Letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the CROSSWORD PUZZLE that is not interrupted by a black space and contains every single letter square between two black spaces. Every letter in the unbroken string must be revealed in YOUR LETTERS and be included to form a word. The possible complete words are shown in the CROSSWORD PUZZLE. Each possible complete word consists of three or more letters and occupies an entire word space. All of the letters in a possible complete word must be matched in order to complete

the word. The three letters that appear in the YOUR LETTERS box under the scratch-off coating on the ticket that are smaller in size than the 20 YOUR LETTERS, are not play symbols to be used in playing the game.

(b) A ticket having a LUCKY SYMBOL (🍀 🎰 🎲 🎮) in place of a letter in any one of the winning matched words shall entitle the claimant to double the prize shown in the PRIZE LEGEND.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 7011 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 84 POOLS OF TICKETS PER POOL
2 WORDS	\$3.00	1 IN 10.20	987,840
3 WORDS	\$5.00	33.33	302,400
2 WORDS DBL	\$6.00	21.74	463,680
4 WORDS	\$10.00	83.33	120,960
3 WORDS DBL	\$10.00	35.71	282,240
5 WORDS	\$15.00	100.00	100,800
6 WORDS	\$20.00	250.00	40,320
4 WORDS DBL	\$20.00	166.67	60,480
5 WORDS DBL	\$30.00	338.03	29,820
6 WORDS DBL	\$40.00	438.26	23,000
7 WORDS	\$50.00	560.00	18,000
8 WORDS	\$100.00	1,482.35	6,800
7 WORDS DBL	\$100.00	1,362.16	7,400
8 WORDS DBL	\$200.00	6,000.00	1,680
9 WORDS	\$500.00	8,000.00	1,260
10 WORDS	\$1,000.00	72,517.99	139
9 WORDS DBL	\$1,000.00	72,517.99	139
10 WORDS DBL	\$2,000.00	1,120,000.00	9
11 WORDS	\$25,000.00	1,120,000.00	9
11 WORDS DBL	\$50,000.00	840,000.00	12

(10) The estimated overall odds of winning some prize in Instant Game Number 7011 are 1 in 4.12. 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 7011, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for LUCKY SYMBOL CROSSWORD 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 7-9-10.

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: July 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**

NOTICE IS HEREBY GIVEN THAT on July 16, 2010, the Florida Department of Education received a petition for an emergency petition for a one-time variance or waiver from subsection 6A-6.03315(2), F.A.C., from Taylor County Christian Academy. Specifically Taylor County Christian Academy requests a variance or waiver from the time limit in subsection (2) of Rule 6A-6.03315, F.A.C., which requires that any outstanding compliance issues, including submission of the annual survey be resolved by the private school prior to May 1 of each year or within 45 days of receipt of notification from the Department of any noncompliance issue, whichever is later, for the school to remain eligible to participate in the scholarship program. The Agency Case No.: DOE-2010-2121. A copy of the Petition for Variance or Waiver may be obtained by contacting: Lynn Abbott, Agency Clerk, [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org), (850)245-9661 or from the Department's web site at: [https://app1.fldoe.org/DOE\\_Calendar/default.aspx?WhichCalendar=4](https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4).

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on July 16, 2010, the Criminal Justice Standards and Training Commission, received a petition for received a petition for permanent waiver of subsection 11B-27.00213(4), F.A.C., by Tabitah Williams. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's

employer terminated her employment while she was on a TEA. Petitioner seeks a waiver of this rule so that she may seek another TEA immediately at another facility and, thereby, remain employed while she fulfills the requirements of Section 943.13, F.S., to become certified.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

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

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

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from of subsection 59A-1.005(35), Florida Administrative Code, from TISSUE BANKS INTERNATIONAL, INCORPORATED. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT on July 16, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from of subsection 59A-1.005(35), Florida Administrative Code, from SURGICAL TISSUE NETWORK, INC. d/b/a TISSUENET. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on June 17, 2010, the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order.

The Division grants Waterbrook's petition. This waiver is limited to extending the approval of Waterbrook's filing; it does not exempt Real Property Holding or any person acquiring the property who later offers these units for sale to the public from the successor developer filing requirements of the Condominium Act.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

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NOTICE IS HEREBY GIVEN THAT on July 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 Bank of America Bldg., filed July 9, 2010, and advertised in Vol. 36, No. 20, 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 January 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 2010-251).

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

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NOTICE IS HEREBY GIVEN THAT on July 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 Ocean Club Condo, filed April 12, 2010, and advertised in Vol. 36, No. 17 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 because the Petitioner failed to meet its burden by not providing the information necessary for the Division to make an informed decision (VW 2010-252).



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.

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NOTICE IS HEREBY GIVEN THAT on July 12, 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 FL-1200 Corporate LLC, filed April 14, 2010, and advertised in Vol. 36, No. 20 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 because the Petitioner has failed to meet its burden by not providing the information requested by the Division (VW 2010-255).

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.

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NOTICE IS HEREBY GIVEN THAT on July 14, 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 Belmont Park Apartments, filed April 16, 2010, and advertised in Vol. 36, No. 17, 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, until July 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 2010-258).

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

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NOTICE IS HEREBY GIVEN THAT on July 12, 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 Bay Tree Club Assoc., filed April 16, 2010, and advertised in Vol. 36, No. 17, 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 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 2010-259).

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

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NOTICE IS HEREBY GIVEN THAT on July 14, 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 USF Marine Science, filed April 19, 2010, and advertised in Vol. 36, No. 17, 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)(1) & (2), 3.4.5, 3.10.5, 3.10.3 and 2.2.2, 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 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 2010-265).

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

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NOTICE IS HEREBY GIVEN THAT on July 12, 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 Arlington by the River Condo Assoc., filed June 15, 2010, and advertised in Vol. 36, No. 26 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 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 not demonstrated that the purpose of the statute underlying the rule will be met (VW 2010-410).

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.

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NOTICE IS HEREBY GIVEN THAT on July 12, 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 Arlington by the River Condo Assoc., filed

June 15, 2010, and advertised in Vol. 36, No. 26, 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 June 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 2010-411).

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

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NOTICE IS HEREBY GIVEN THAT on July 12, 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 Beau Ciel Condo, filed June 16, 2010, and advertised in Vol. 36, No. 26 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 2.8.1, 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 2010-414).

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.

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NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sheraton Suites Tampa Airport. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and ASME A17.1, Section 111.12, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-459).

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

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NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Gulf Cove Condos. Petitioner seeks a variance of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-460).

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

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NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Hillcrest Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-461).

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

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NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sand Dollar Villas. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-462).

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

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NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Treasure Bay Apartments. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, 3.3.2, 3.3.5, 3.10.3, 3.10.4(q) and 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the restricted door openings, platform guards, protection of platforms against fire, top-of-car operating devices, electrical protective devices, firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-463).

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

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NOTICE IS HEREBY GIVEN THAT on July 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from St. Anthony's Park. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-464).

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

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NOTICE IS HEREBY GIVEN THAT on July 9, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from St. Anthony's SARC. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file

comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-465).

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

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NOTICE IS HEREBY GIVEN THAT on July 12, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Ciega Cove Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-466).

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

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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NOTICE IS HEREBY GIVEN THAT on July 14, 2010, the Florida Department of Environmental Protection has issued an order.

On April 28, 2010, Pinellas County applied for a variance from the provisions of subparagraph 62-701.500(7)(e)1., F.A.C., which requires daily cover at Class I landfills. Petitioner alleged that requiring daily cover at its Bridgeway Acres Landfill would create a substantial hardship. Notice was published in the F.A.W. on May 14, 2010. The Order Granting Variance allows the petitioner to continue applying weekly cover at those parts of the landfill that accept only non-putrescible waste.

A copy of the Order 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.

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#### **DEPARTMENT OF HEALTH**

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Ivette Contreas, D.D.S. The Notice of Petition for Variance was

published in Vol. 36, No. 17, of the April 30, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 18, 2010. The petition requested a waiver or variance from the requirement imposed by subsection 64B5-2.021(1), F.A.C., whereby the Petitioner requested that she be allowed to sit for the next examination without the requirement of taking additional education.

The Board's Order, filed on July 12, 2010, denies the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has not demonstrated how the purpose of the underlying statute has been achieved or will be achieved by other means. Additionally, Petitioner has not demonstrated that strict application of subsection 64B5-2.021(1), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of subsection 64B5-2.021(1), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edward A. Bayo, Esq. on behalf of Richard Rolle, D.D.S. The Notice of Petition for Variance was published in Vol. 36, No. 22, of the June 4, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 18, 2010. The petition requested a waiver or variance from the requirement imposed by paragraph 64B5-2.013(1)(c) and subsection 64B5-2.021(1), F.A.C., whereby Petitioner requests that the remediation course and third year of residency be counted as the remediation coursework required by the above rules in order to sit for the examination again. The Petitioner further requests that he be permitted to sit only for the restorative portion, along with the Diagnostic and Laws and Rules portion of the examination.

The Board's Order, filed on July 12, 2010, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute has been achieved or will be achieved by other means. Additionally, Petitioner has demonstrated that strict application of paragraph 64B5-2.013(1)(c) and subsection 64B5-2.021(1), Florida Administrative Code, would create a substantial hardship or violate principles of fairness within the meaning of Section 120.542(2), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or

variance of paragraph 64B5-2.013(1)(c) and subsection 64B5-2.021(1), F.A.C., and that upon completion of the remedial education course, he be permitted to sit for the examination and only take the restorative portion of the examination, along with the Diagnostic and Laws and Rules examination.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on June 22, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Transitions Home, Children's Home Society, and Joan Jordan, assigned Case No.: 10-039W. Subsection 65C-14.055(4), F.A.C. requires staff of licensed child caring agencies responsible for supervision of direct care staff have a bachelor's degree in social work or a related field with two years of experience, or two years of college and four years of experience.

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

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## DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on June 14, 2010, the Department of Financial Services, Division of State Fire College, received a petition for Variance from Petitioner, Patrick Pointu. The Petition has been assigned the number 111315-10-FM. Petitioner seeks a variance of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, which set forth the requirements for firefighter supplemental compensation. Because Petitioner holds a degree from a foreign educational institution, Petitioner seeks a variance from the requirement that an "eligible Bachelor's Degree" must be conferred by a post-secondary institution that has received accreditation "from an accrediting agency that is recognized by the U.S. Department of Education."

A copy of the Petition for Variance or Waiver may be obtained by contacting: Nic Thornton, Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4300.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, August 9, 2010, 11:00 a.m. – to conclusion

**PLACE:** Mission San Luis Conference Room, 2100 West Tennessee Street, Tallahassee, FL 32304

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Executive Committee will meet to discuss fall events, budgets, and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)487-1666.

Pursuant to the provisions of 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: Jessica Shiver at (850)487-1666. If you are 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: Jessica Shiver at (850)487-1666 or jbshiver@dos.state.fl.us.

The **Division of Cultural Affairs** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday August 6, 2010, 10:00 a.m. – conclusion

**PLACE:** This meeting will be held via teleconference. Please visit <http://www.florida-arts.org/about/calendar/> for more instructions.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Legislative Affairs Committee will meet to discuss legislative issues pertaining to the Division of Cultural Affairs, and discuss strategies for addressing the legislature regarding arts, cultural policy and support.

A copy of the agenda may be obtained by contacting: Michelle Proctor at (850)245-6337, email: mproctor@dos.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Jennifer Hoelsing at (850)245-6462 or by email at: jshoelsing@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Division of Cultural Affairs at (850)245-6470 or visit our website at: [www.florida-arts.org](http://www.florida-arts.org).

#### DEPARTMENT OF LEGAL AFFAIRS

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

**DATE AND TIME:** August 10, 2010, 11:00 a.m.

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

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

**DATE AND TIME:** August 10, 2010, 3:00 p.m.

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

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

**DATE AND TIME:** August 11, 2010, 10:00 a.m.

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

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

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

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

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

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

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

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

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

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Women's Hall of Fame Committee.

**DATE AND TIME:** August 19, 2010, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Commission.

DATE AND TIME: August 19, 2010, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mentoring Task Force.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

DATE AND TIME: August 26, 2010, 11:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCSW Foundation.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

NOTICE OF CHANGE – The Florida **Peanut Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Time has been changed to Wednesday, August 6, 2010, 1:30 p.m. (EDT)

PLACE: Conference Call: 1(888)808-6959 and when prompted enter 4873444 followed by the # key to join the call  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Mandated language to be added to contracts.

A copy of the agenda may be obtained by contacting: Paul Davis at (850)488-4366.

Pursuant to the provisions of 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: Paul Davis at (850)488-4366. If you are 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: August 24, 2010, 1:00 p.m., Probable Cause Panel. Although this meeting is open to the public, portions may be closed consistent with law; August 25, 2010, 8:30 a.m., Committee Meetings and General Session if time allows; August 26, 2010, 8:30 a.m., General Session

PLACE: Hyatt Place Coconut Point, 23120 Via Villagio, Estero, FL 33928

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: August 24, 2010, 2:30 p.m.

PLACE: Hyatt Place Coconut Point, 23120 Via Villaggio, Estero, FL 33928

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop to discuss changes to existing administrative rules. Regarding Rules 5J-17.012 and 5J-17.016, F.A.C., subjects considered will include extending the time period for complying with Final Orders. Also regarding Rule 5J-17.016, F.A.C., a repeal of the administrative rule regarding awarding restitution will be discussed. Regarding Rule 5J-17.070, F.A.C., subjects considered will include but not be limited to, examination fees, reexamination fees, the fee to change licensure status from inactive to active, and the fee to certify a public record. Regarding Rule 5J-17.081, F.A.C., a repeal of the administrative rule regarding issuing a Notice of Noncompliance to business entities that engage in first time unauthorized practice of surveying and mapping will be discussed.

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.

For more information, you may contact: Leon M. Biegalski, Executive Director, Board of Professional Surveyors and Mappers at (850)410-3833.

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The Florida **Department of Agriculture and Consumer Services, Division of Food Safety** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 20, 2010, 10:00 a.m. – 12:00 Noon  
PLACE: Conference Call: 1(888)808-6959, Passcode: 2455575#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Teleconference call of the Florida Food Safety & Food Defense Advisory Council Subcommittee on Small Farms.

For more information, you may contact: Carol Windham at (850)245-5582.

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## DEPARTMENT OF EDUCATION

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 5, 2010, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

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The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 6, 2010, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, August 13, 2010, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084 or by calling (904)827-2210.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: L. Daniel Hutto, President, at the afore mentioned address.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 13, 2010, 1:00 p.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084, or by calling (904)827-2210.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: L. Daniel Hutto at (904)827-2210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: L. Daniel Hutto, President, at the afore mentioned address.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Building Commission**, “The Commission” announces a public meeting to which all persons are invited.

DATES AND TIME: August 8, 9, 10, 11, 2010, 2:00 p.m. – completion

PLACE: Crowne Plaza Melbourne Oceanfront Hotel, 2605 North A1A Highway, Melbourne, FL 32903, (321)777-4100

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Sunday, August 8, 2010

2:00 p.m. Roofing TAC meeting to consider proposed 2010 Florida Building Code roofing and related amendments in a Rule Development Workshop

Monday, August 9, 2010

8:00 a.m. Roofing TAC meeting continued to consider proposed 2010 Florida Building Code roofing and related amendments in a Rule Development Workshop

8:00 a.m. Plumbing TAC meeting concurrent with Swimming Pool Subcommittee to consider proposed 2010 Florida Building Code swimming pool related amendments and to consider plumbing and related amendments in a Rule Development Workshop

8:00 a.m. Swimming Pool Subcommittee meeting concurrent with Plumbing TAC to consider proposed 2010 Florida Building Code swimming pool related amendments in a Rule Development Workshop

1:00 p.m. Code Administration TAC meeting to consider proposed 2010 Florida Building Code administrative and related amendments in a Rule Development Workshop

Tuesday, August 10, 2010

8:30 a.m. Plenary session meeting of the Florida Building Commission  
Review and Approve Agenda



Review and Approve June 8, 2010 Meeting Minutes and Facilitator's Report  
 Chair's Discussion Issues and Recommendations  
 Update of the Commission Workplan and Review Code Development Process  
 Consider Accessibility Waiver Applications  
 Fidelity National Financial Aircraft Hanger, 14601 Whirlwind Avenue, Jacksonville, FL  
 AME Research Building, Florida State University, Tallahassee, FL  
 Picerne Building Storage Annex, 247 North Westmonte Drive, Altamonte Springs, FL  
 University of South Florida Soccer Park, 4202 E. Fowler Avenue, Tampa, FL  
 Miami Beach Cineatheque, 1130 Washington Avenue, Miami Beach, FL  
 Consider Applications for Product and Entity Approval  
 Consider Applications for Accreditor and Course Approval  
 Consider Binding Interpretations:  
 Consider Petitions for Declaratory Statement:

Second Hearing-  
 DCA09-DEC-259 by Robert S. Fine Counsel for Malibu Lodging Investments, LLC

First Hearing-  
 DCA10-DEC-059 by Paul T. Myers, Building Official of Putnam County  
 DCA10-DEC-146 by Gary Harrison, Building Official of Collier County  
 Consider other Legal Issues  
 Rule Development Workshop on Chapter 9N-3 (Formerly 9B-72), F.A.C., Product Approval  
 Consider Publishing Formats for the 2010 Florida Building Code  
 Consider Committee Reports and Recommendations:  
 Meeting of the Code Administration TAC  
 Meeting of the Education POC  
 Meeting of the Fire TAC  
 Meeting of the Plumbing TAC  
 Meeting of the Product Approval POC  
 Meeting of the Roofing TAC  
 Meeting of the Special Occupancy TAC  
 Meeting of the Swimming Pool Sub-committee to the Plumbing TAC  
 Commission Member Comments and Issues  
 General Public Comment  
 Review Committee Assignments and Issues for the October 11, 12, 13, 2010 Commission Meeting and August 23, 24, 25, 2010 TAC Meetings

Summary Review of Meeting Work Products  
 Adjourn

Tuesday, August 10, 2010  
 1:00 p.m. Electrical TAC meeting to consider proposed 2010 Florida Building Code electrical and related amendments in a Rule Development Workshop  
 1:00 p.m. Fire TAC meeting to consider proposed 2010 Florida Building Code fire, life safety and related amendments in a Rule Development Workshop

Wednesday, August 11, 2010  
 8:00 a.m. Fire TAC meeting continued to consider proposed 2010 Florida Building Code fire, life safety and related amendments in a Rule Development Workshop  
 8:00 a.m. Mechanical TAC meeting to consider proposed 2010 Florida Building Code mechanical and related amendments in a Rule Development Workshop

Commission Structural and Energy TAC Meetings to Consider Proposed 2010 Florida Building Code Amendments  
 DATES AND TIME: August 23, 24, 25, 2010, 9:00 a.m. – completion  
 PLACE: Hilton Hotel, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Monday, August 23, 2010  
 9:00 a.m. Structural TAC meeting to consider proposed 2010 Florida Building Code structural and related amendments in a Rule Development Workshop

Monday, August 24, 2010  
 8:00 a.m. Structural TAC meeting continued to consider proposed 2010 Florida Building Code structural and related amendments in a Rule Development Workshop

Monday, August 25, 2010  
 8:00 a.m. Energy TAC meeting to consider proposed 2010 Florida Building Code energy and related amendments in a Rule Development Workshop

A copy of the agenda may be obtained by contacting: Ms. Jennifer Drake, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436 or see the Commission's website at: [www.floridabuilding.org](http://www.floridabuilding.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak

Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436 or see the Commission's website at: [www.floridabuilding.org](http://www.floridabuilding.org).

The **State Emergency Response Commission**, Training Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 10:00 a.m.–12:00 Noon

PLACE: This is a telephone conference call which can be attended via the internet and telephone. Go to the web site: <https://www2.gotomeeting.com/join/983611467>, then dial 1(888)808-6959, Password:4148565, Meeting ID: 983-611-467

GENERAL SUBJECT MATTER TO BE CONSIDERED: The following topics will be up for discussion.

- Finalization of the SERC TTF Membership Guidelines.
- Final Review of Ops level training guidelines.
- Review of ORE deficiencies as presented by the Fire College.
- Haz Mat FOG.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF LAW ENFORCEMENT**

The **Region XIV Trust Fund Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2010, 10:00 a.m.

PLACE: Miami Dade College, North Campus, Room 9118, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV reports and other Region XIV business matters.

A copy of the agenda may be obtained by contacting: Maevis Manoly, Interim, Region XIV Secretary at (305)237-1327, email: [mkean@mdc.edu](mailto:mkean@mdc.edu).

**DEPARTMENT OF REVENUE**

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

DATE AND TIME: August 10, 2010, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, the Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule to repeal rule provisions in Rule Chapter 12D-15, F.A.C. (Approved Bidders and The Minimum Standards Contract). This repeal is to implement the provisions of Section 25 of Chapter 2010-138, Laws of Florida. The Department will hold a public hearing if requested.

A copy of the agenda may be obtained by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)617-8886, [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)617-8886 or [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIMES: Thursday, August 26, 2010, 5:30 p.m., Open House; 6:30 p.m., Presentation

PLACE: Kissimmee Civic Center, 201 East Dakin Avenue, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information workshop is being held to afford interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number: 424135-1-22-01, otherwise known as the OBT/US 441 Project Development and Environment (PD&E) Study in Osceola County, Florida. The project involves the widening of OBT/US 441 from US 192 (Vine Street) to Country Boulevard, a distance of approximately 2 miles.

This project is being developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Mr. Bill Walsh at the address below or call (386)943-5411 at least seven days prior to the workshop.

A copy of the agenda may be obtained by contacting: Mr. Bill Walsh, Project Manager, Florida Department of Transportation District Five, 719 South Woodland Boulevard, DeLand, Florida 32720.

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

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

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### **STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, August 5, 2010, 1:30 p.m.

**PLACE:** The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business of the Audit Committee.

A copy of the agenda may be obtained by contacting: Camielle Adams, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **State Board of Administration of Florida (SBA)** announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 10, 2010, 9:00 a.m. – conclusion (ET)

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Trustees of the SBA to appoint a Chair for the Florida Commission on Hurricane Loss Projection Methodology, and to address other general business.

Pursuant to the provisions of 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: Tracy Allen, Florida Hurricane Catastrophe Fund at (850)413-1341 or [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tracy Allen at the number or email listed above.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** August 17, 2010, 9:30 a.m.

**PLACE:** Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider those matters ready for decision.

**LEGAL AUTHORITY AND JURISDICTION:** Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting: The Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website: <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: August 17, 2010, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: The Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

\*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces its Lifeline Service Working Group to which all interested persons are invited.

DATE AND TIME: Wednesday, August 18, 2010, 9:30 a.m. – 12:00 Noon

PLACE: Room 140, Easley Building (Internal Affairs Room), Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Senate Bill 814 requires the establishment of a Lifeline Working Group to discuss how an eligible subscriber's personal identifying information should be shared, the obligations of each party with respect to the use of that information, and the procedures to be implemented to increase enrollment and verify eligibility in these programs. In accordance with SB 814, the Lifeline Working Group shall consist of the Commission, the Department of Children and Families, the Office of Public Counsel, and each eligible telecommunications carrier offering Lifeline and Link-Up services in Florida. Undocketed. One or more Commissioners may attend and participate in the meeting.

Members of the Lifeline Working Group are asked to come to the meeting prepared to answer the following questions:

1. How should an eligible subscriber's personal identifying information be shared?
2. Should an eligible subscriber's personal identifying information be used by an ETC for marketing purposes?

3. What should be the obligations of each party with respect to the use of an eligible subscriber's personal identifying information?

4. What procedures should be implemented to increase enrollment and verify eligibility in these programs?

A copy of the agenda may be obtained by contacting: Robert Casey, Division of Regulatory Analysis at (850)413-6974.

Pursuant to the provisions of 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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Any person requiring some accommodation at this workshop because of a physical impairment should call: The Office of Commission Clerk, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TTY). If a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: The Office of the General Counsel at (850)413-6199.

THE PERSON TO BE CONTACTED REGARDING THIS MEETING IS: Robert Casey, Division of Regulatory Analysis 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6974.

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## EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 13, 2010, 1:00 p.m. – until completion

PLACE: Sebastian L1-2, Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy & Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business. Staff will conduct the meeting from Sebastian L1-2, Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, FL 32819, where members of the public are invited to attend.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brittany Cummins at (850)487-3800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brittany Cummins at (850)487-3800.

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### REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, August 16, 2010, 4:00 p.m.; Audit Committee, 2:45 p.m.; Executive Committee, 3:30 p.m.

PLACE: Niceville City Hall, 208 Partin Drive, Niceville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Council.

A copy of the agenda may be obtained by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at terry.joseph@wfrpc.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 business days before the workshop/meeting by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at terry.joseph@wfrpc.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: Ms. Terry Joseph, Executive Director, WFRPC, at terry.joseph@wfrpc.org or (850)332-7976.

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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2010, 10:00 a.m.

PLACE: Suwannee County Sheriff's Office, 617 Ontario Avenue Southwest, Suite 200, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, FL 32653.

Pursuant to the provisions of 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.

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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2010, 1:30 p.m.

PLACE: Suwannee County Sheriff's Office, 617 Ontario Avenue, Southwest, Suite 200, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, 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.

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The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting. Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at this meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

Pursuant to the provisions of 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: Bonnie Magee at (904)279-0880. If you are 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: Jason Taylor or Bonnie Magee at (904)279-0880 or via email: jtaylor@nefrc.org or bmagee@nefrc.org.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2010, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2010, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **District XI Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 25, 2010, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 10-11.

A copy of the agenda may be obtained by contacting: Manny Cela at (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Manny Cela at (954)985-4416, celam@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Manny Cela at (954)985-4416, celam@sfrpc.com.

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## DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Tuesday, August 3, 2010, 10:30 a.m.

PLACE: Reception and Medical Center (Warden's Conference Room), 7765 South CR 231, Lake Butler, FL 32054

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the RMC Hospital Governing Body.

A copy of the agenda may be obtained by contacting: Gerda Godwin at (386)496-6074.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Gerda Godwin at (386)496-6074. If you are

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

For more information, you may contact: Gerda Godwin at (386)496-6074.

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## WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District (District)** announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2010, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website at: [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 6, 2010, 9:30 a.m. – 5:00 p.m.

PLACE: Leroy Wright Park, North side of S.R. 520, St. Johns River, 8190 King Street (Hwy. 520), Cocoa, FL. Directions from I-95: Take the S.R. 520 Exit-201 west 4.9 miles. The park is on the right.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scientific Peer Review Field Trip to Lake Poinsett in Brevard County for proposed Minimum Lake Levels. Field trip will be conducted to familiarize the peer reviewers with the field site in advance of performing the scientific peer review for Minimum Lake Levels proposed for Lake Poinsett in Brevard County.

NOTE: Although prior notification is not required, attendees who wish to participate in the boating portion of the field trip are asked to notify Sonny Hall at (386)329-4368, in advance of the trip to allow for better capacity planning.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Dina Hutchens, 4049 Reid Street, Palatka, Florida 32177, (386)329-4239.

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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2010, 9:30 a.m. – 5:00 p.m.

PLACE: Gemini Springs' Volusia County Park, 37 Dirksen Drive, DeBary, FL. Meet at the parking area inside the park, which is just beyond the entrance station and to the right, adjacent to a playground.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scientific Peer Review Field Trip to Gemini Springs and Green Springs in Volusia County for proposed Minimum Flows Regimes. Field trip will be conducted to familiarize the peer reviewers with the field sites in advance of performing the scientific peer review for Minimum Flow Regimes proposed for Gemini Springs and Green Springs in Volusia County.

NOTE: Although prior notification is not required, attendees who wish to participate in the boating portion of the field trip are asked to notify Sonny Hall at (386)329-4368, in advance of the trip to allow for better capacity planning.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Dina Hutchens, 4049 Reid Street, Palatka, Florida 32177, (386)329-4239.

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The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 6, 2010, 9:30 a.m.

PLACE: SWFWMD Bartow Service Office, 170 Century Boulevard, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget followed by adoption of a final millage rate and budget. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Phyllis.Young@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0063).

**The Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council.

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), extension 4227 or online at [www.watermatters.org/waterways](http://www.watermatters.org/waterways).

Pursuant to the provisions of 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 (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 7:30 p.m.

PLACE: Plant City Town Hall, 302 W. Reynolds St., Plant City, FL 33563

GENERAL SUBJECT MATTER TO BE CONSIDERED: Plant City Commission Meeting: Discussion of the January 2010 freeze event. One or more Governing Board or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: Lou Kavouras, Deputy Executive Director, at the email address and phone numbers 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 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD

(FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4336 (Ad Order EXE0062).

**The Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Manasota Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget followed by adoption of final millage rate and budget. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Phyllis.Young@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0061).

**The Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATES AND TIMES: 1) Thursday, August 12, 2010, 9:00 a.m.; 2) Thursday, August 12, 2010, 1:00 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Withlacoochee River Basin Board Meeting, and 2) Coastal Rivers Basin Board Meeting: Consider Basin business



including discussion of the fiscal year 2011 budget followed by adoption of a final millage rate and budget. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Tahla.Paige@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0060).

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Audit and Finance Committee Meeting

DATE AND TIME: August 11, 2010, 10:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Workshop Meeting

DATE AND TIME: August 11, 2010, 12:00 Noon

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Regular Business Meeting

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

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on 8/11, the items may be discussed on 8/12.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or at: [http://my.sfwmd.gov/portal/page/portal/pg\\_grp\\_govboard/pg\\_paa\\_gbggroup\\_archives](http://my.sfwmd.gov/portal/page/portal/pg_grp_govboard/pg_paa_gbggroup_archives).

Pursuant to the provisions of 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.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Quarterly meeting of the Everglades Technical Oversight Committee (TOC), August 31, 2010, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website: <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 7282, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

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### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The **Commission for the Transportation Disadvantaged** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 18, 2010, 10:00 a.m. – until completion

PLACE: 2740 Centerview Drive, Tallahassee, FL. Contact: Bobby Jernigan at (850)410-5700 or 1(800)983-2435 for Conference call phone number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Bobby Jernigan, (850) 410-5700 or 1(800)983-2435.

Pursuant to the provisions of 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: Bobby Jernigan at (850)410-5700 or 1(800)983-2435. If you are 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: Bobby Jernigan at (850)410-5700 or 1(800)983-2435.

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### REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

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

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting, and a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss possible litigation expenditures and/or settlement negotiations in Tampa Bay Water v. HDR Engineering, Inc., et al.

Attorney/Client Briefing Attendees: Board of Directors of Tampa Bay Water, General Manager Gerald Seeber, General Counsel Richard Lotspeich, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355 or can be accessed on the web at: [www.tampabaywater.org](http://www.tampabaywater.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: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Records Department at (727)796-2355

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### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 6, 2010, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142039#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the initiatives that the advisory council and the department wish to undertake.

A copy of the agenda may be obtained by contacting: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: [hultsw@elderaffairs.org](mailto:hultsw@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: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2000, email: [hultsw@elderaffairs.org](mailto:hultsw@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: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: [hultsw@elderaffairs.org](mailto:hultsw@elderaffairs.org).

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The **Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATES AND TIME: August 19, 26, 2010; September 2, 9, 16, 23, 30, 2010; October 7, 14, 21, 28, 2010, 8:30 a.m. – 9:30 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9247380#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Erika Burgess at (850)414-2381, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, email: burgesse@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: Erika Burgess at (850)414-2381, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, email: burgesse@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).

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2010, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Coordinating Committee will review and discuss strategies to increase electronic health record adoption and health information exchange in Florida.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, Florida 32308-5403. The agenda will be posted at: <http://www.fhin.net/FHIN/workgroups/HIECC.shtml> seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Carolyn H. Turner, at (850)412-3782. If you are 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: Dana Watson at (850)412-3784.

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The **Agency For Health Care Administration** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, August 10, 2010, 10:00 a.m. – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a hearing in Tallahassee for the purpose of taking public comment regarding proposed changes to the

Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2010, regarding intrathecal baclofen therapy (ITB).

A copy of the agenda may be obtained by contacting: Alyssa Anderson, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, e-mail: alyssa.anderson@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alyssa Anderson, Bureau of Medicaid Services at (850)412-4227. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Agency for Workforce Innovation**, Unemployment Compensation Claims and Benefits Information System, Executive Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399; Conference Call: 1(888)808-6959, Conference Code:7532872126#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/Events/index.html>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Corbett at (850)245-7285. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 13, 2010, 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879597#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Regulatory Council of Community Association Managers office at (850)922-5012 or via Fax: (850)617-4458.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Regulatory Council of Community Association Managers office at (850)922-5012 or via Fax: (850)617-4458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Regulatory Council of Community Association Managers office at (850)922-5012 or via Fax: (850)617-4458.

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The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATES AND TIME: August 16-17, 2010, 9:00 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082, 1(800)457-4653

GENERAL SUBJECT MATTER TO BE CONSIDERED: August 16, 2010

9:00 a.m. General Business including disciplinary cases, if time allows to be followed by General Business discussion items – architecture profession, interior design profession, rules, and reports.

August 17, 2010

9:00 a.m. General Business discussion items – architecture profession, interior design profession, rules, reports, and application reviews.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)922-5012.

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The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 6, 2010, 8:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

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

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

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The **Board of Pilot Commissioners** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 23, 2010, 1:00 p.m.; September 24, 2010, 9:00 a.m. (CST)

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions may be closed to the public), and regular board business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399-0773.

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

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

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 8:30 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303; Conference Call: 1(866)895-8146, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Shannon McCoy, smccoy@fbpe.org, at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by contacting: Shannon McCoy at smccoy@fbpe.org.

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

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

For more information, you may contact: Shannon McCoy at smccoy@fbpe.org.

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The **Florida Engineers Management Corporation**, Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 11:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303; Conference Call: 1(866)895-8146, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at rsammons@fbpe.org. If you

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

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

For more information, you may contact: Rebecca Sammons at rsammons@fbpe.org.

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The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, September 24, 2010, 10:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303; Conference Call: 1(866)895-8146, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons at rsammons@fbpe.org.

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The Florida **Board of Professional Engineers**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 1:00 p.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons at rsammons@fbpe.org.

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The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 8:30 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational Advisory Review Committee Meeting. Review applications for licensure and other general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons at rsammons@fbpe.org.

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The **Board of Professional Geologists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 922-6020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application review and general board business.

A copy of the agenda may be obtained by contacting: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, 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).

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: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

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The **Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, October 27, 2010, 1:00 p.m.; Thursday, October 28, 2010, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Professions' Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and General Board Business.

A copy of the agenda may be obtained by contacting: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, 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).

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: Stacey Merchant, Government Analyst, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 25, 2010, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 26, 2010, Probable Cause, 9:00 a.m. – until all business is concluded; Thursday, August 26, 2010, Board meeting, 1:00 p.m. – until all business is concluded; Friday, August 27, 2010, Board meeting, 9:00 a.m. – until all business is concluded

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: June Carroll at (352)333-2505. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: June Carroll at (352)333-2505.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, August 16, 2010, 2:30 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, August 17, 2010; Wednesday, August 18, 2010, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Chapter 61J2, F.A.C. rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 17, 2010, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, Suite N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rule amendment addressing electronic fingerprinting and experience requirement to become a broker to bring the rule into statutory compliance.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. If you are 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 Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 17, 2010, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, Suite N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61J2-24.004, F.A.C., to clarify and update language in the rules. Rule 61J2-24.006, F.A.C., to review rule amendment relating to paragraph (2)(a) for final approval.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. If you are 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 Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 17, 2010, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, Suite N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61J2-3.013, F.A.C., Distance Education Courses for Hardship Cases, and Rule 61J2-3.020, F.A.C., Post-licensing Education for Active and Inactive Broker and Sales Associates Licensees.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. If you are hearing



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

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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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, August 9, 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](mailto:rebecca.prado@dep.state.fl.us) or by phone (850)245-2094, 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](mailto: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).

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#### DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 27, 2010, 8:30 a.m.

PLACE: Gaylord Palms, 6000 West Osceola Parkway, Orlando, Florida 34746, (407)586-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: [www.doh.state.fl.us/mqa/chiro/index.html](http://www.doh.state.fl.us/mqa/chiro/index.html).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra Causey at (850)245-4444, ext. 3617. If you

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

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

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The Florida **Board of Nursing**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 10, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code: 2454640#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

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

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The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, August 20, 2010, 4:00 p.m. or shortly thereafter; Saturday, August 21, 2010, 9:00 a.m. or shortly thereafter

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819, (407)996-9700

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, or you may call (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 **Children’s Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 3, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room #301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health, will meet to discuss Florida KidCare, the state children’s health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Jennifer Mitchell at (850)245-4200, ext. 2251.

The **Drug Wholesale Distributor Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 9:30 a.m. or soon thereafter

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

The agenda will be placed on the Drug, Devices, and Cosmetics website at: [www.doh.state.fl.us/mqa/ddc](http://www.doh.state.fl.us/mqa/ddc) seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Drug, Devices, and Cosmetics Program at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Drug, Devices, and Cosmetics Program, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3256, (850)245-4292.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: August 3, 2010, 10:00 a.m. – 12:00 Noon (Central Time)

PLACE: Chipola Regional Workforce Development Board (One Stop Center), 4636 Highway 90, R, Chipola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Circuit 14 Community Alliance. The duties of the Community Alliance are, but not necessarily limited to needs assessment and establishment of community priorities for service delivery; promoting prevention and early intervention services; joint planning for resource utilization; serving as a catalyst for community resource development; providing for community education and advocacy on issues related to the delivery of services.

The agenda will include feedback from the Annual Community meeting that was held on June 3 as well as the Department’s Strategic Initiatives for 2010-11.

Pursuant to the provisions of 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: Shirley Little at (850)872-7648. If you are 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 Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 2:30 p.m.

PLACE: DCF, 1055 US Hwy. 17 N., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance Meeting.

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)534-7100.

Pursuant to the provisions of 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: Diane Dvorak, DCF at (863)534-7100. If you are

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: Diane Dvorak, DCF at (863)534-7100.

The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

**DATES AND TIMES:** Wednesday, August 11, 2010, 9:30 a.m. – 11:30 a.m.; Wednesday, August 18, 2010, 9:30 a.m. – 11:30 a.m.; Thursday, August 26, 2010, 2:00 p.m. – 4:00 p.m.

**PLACE:** Conference Call: 1(888)808-6959, Code: 4883169#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These are subcommittee meetings of the Advisory Committee on Economic Security subcommittee to strengthen economic security. The subcommittee will further discuss the target population of this subcommittee, subgroups and strategies for the target population.

A copy of the agenda may be obtained by contacting: ACCESS Headquarter's Office at (850)488-3169.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 9, 2010, 2:00, p.m.

**PLACE:** Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The initial meeting of Department Evaluators as provided for in Section 2.6 and Appendix XIII-a of RFP #06K10BS1, published on the Vendor Bid System (VBS) on July 6, 2010.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, August 11, 2010, 1:30 p.m. – 3:30 p.m.

**PLACE:** To be determined. Please contact: Pedro Padua at Pedro\_Padua@dcf.state.fl.us

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Central Region, Refugee Task Force.

Pursuant to the provisions of 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: Pedro Padua at email: Pedro\_Padua@dcf.state.fl.us or Fax: (407)245-0584. If you are 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: Pedro Padua at (407)317-7336, email: Pedro\_Padua@dcf.state.fl.us or Fax: (407)245-0584; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

The **Refugee Services Program** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, August 13, 2010, 10:00 a.m. – 12:00 Noon

**PLACE:** Miami-Dade College, 300 N. E. 2nd Avenue, Building 3, Room 3208-09, Miami, Florida 33132

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of these meetings is to share best practices and build collaborations between agencies; spot trends in refugee populations, characteristics or movements; help create good communication among service providers; discuss refugee program service needs and possible solutions to meeting those needs. Meeting participants also receive updates, information and clarification on new federal and state regulations and policy changes pertaining to refugees.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Adria Dilme at email: Adria\_Dilme@dcf.state.fl.us, Lourdes Leconte at email: Lourdes\_Leconte@dcf.state.fl.us, Fax: (305)377-5399 or mail: Adria Dilme or Lourdes Leconte, 401 N. W. 2nd Avenue, Suite N-820, Miami, Florida 33128. If you are 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: Adria Dilme at (305)377-7518, email: Adria\_Dilme@dcf.state.fl.us, Lourdes Leconte at (305)376-1947, email: Lourdes\_Leconte@dcf.state.fl.us, Fax: (305)377-5399 or mail: Adria Dilme or Lourdes Leconte, 401 N. W. 2nd Avenue, Suite N-820, Miami, Florida 33128; Taddese Fessehayee at email: Taddese\_Fessehayee@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: August 10, 2010, 12:00 Noon

PLACE: 211 Easton Drive, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sara Howerton at (863)413-3360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sara Howerton at (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sara Howerton at (863)413-3360.

The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

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

PLACE: Children's Advocacy Center, 1000 S. Highlands Avenue, Sebring, Florida 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.

Pursuant to the provisions of 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: Sara Howerton at (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sara Howerton at (863)413-3360.

#### FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, August 25, 2010; Tuesday, August 31, 2010, 10:00 a.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Two Review Committee meetings will be held regarding the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals #2010-06 for Management Company Services for multifamily housing developments. The first Review Committee meeting will be to discuss and answer any questions the review committee may have and any other subject the Review Committee deems necessary. The second Review Committee meeting will be to give final scores, rank the proposals and to submit a recommendation to the Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.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: Sherry Green at (850)488-4197 or sherry.green@floridahousing.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.

#### DEPARTMENT OF FINANCIAL SERVICES

The Rules Committee of the **Board of Funeral, Cemetery, and Consumer Services**, operating under Chapter 497, Florida Statutes announces a public meeting to which all persons are invited.

**DATES AND TIME:** August 5, 12, 19, 26, 2010; September 2, 9, 16, 23, 30, 2010; October 7, 14, 21, 28, 2010, 10:00 a.m. (One or more of the scheduled meetings may be cancelled. Before traveling to any of the scheduled meetings, interested persons are urged to email or call Division employee LaTonya Bryant-Parker at (850)413-4083 to verify that the meeting has not been cancelled.)

**PLACE:** 2020 Capital Circle, S. E., Alexander Building #2100, Koger Center, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** regular Rules Committee business.

A copy of the agenda may be obtained by contacting: Division employee LaTonya Bryant-Parker at (850)413-4083. The agenda for each meeting will be available at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-4083. If you are 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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3083.

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#### **FINANCIAL SERVICES COMMISSION**

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

**DATE AND TIME:** August 26, 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:** This is the Final Public Hearing on the adoption of proposed new Rules 69M-236.001, .002, .003, .004, .005, Florida Administrative Code, published on November 25, 2009 in Vol. 35, No. 47, of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Debra Seymour, Office of Insurance Regulation at email: debra.seymour@flor.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: Debra Seymour, Office of Insurance Regulation at email: debra.seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debra Seymour, Office of Insurance Regulation at email: debra.seymour@flor.com.

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#### **FLORIDA HEALTH MAINTENANCE ORGANIZATION CONSUMER ASSISTANCE PLAN**

The **Florida Health Maintenance Organization Consumer Assistance Plan (FLHMOCAP)** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, September 20, 2010, 2:00 p.m.

**PLACE:** The Fairmont Turnberry Isle Resort, 19999 West Country Club Drive, Aventura, FL 33180; Conference Call: 1(877)434-2293, Passcode: 8504251634#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Annual Meeting of the Florida HMO Consumer Assistance Plan Board of Directors.

A copy of the agenda may be obtained by contacting: Terri Jay at (850)425-1628 or by email: terri.jay@akerman.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 3 days before the workshop/meeting by contacting: Terri Jay at (850)425-1628 or terri.jay@akerman.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: Terri Jay at (850)425-1628 or terri.jay@akerman.com.

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#### **MID-FLORIDA AGENCY ON AGING**

The **Elder Options** announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 3, 2010, 10:00 a.m.

**PLACE:** MFAAA Board Room, 5700 S. W. 34th Street, Suite 222 (Florida Farm Bureau Building), Gainesville, Florida 32608

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the MFAAA Executive Committee to consider matters of general importance to the management and operations of the agency.

Should any person wish to appeal any decision with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review.

A copy of the agenda may be obtained by contacting: Kristen Longmore at (352)378-6649.

Pursuant to the provisions of 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: Kristen Longmore at (352)378-6649. If you are

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

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

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**FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY**

The **Florida Atlantic Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2010, 4:00 p.m.

PLACE: Technology Business Incubator Conference Room, 3701 FAU Blvd., Suite 210, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: President & CEO Selection Committee Meeting.

A copy of the agenda may be obtained by contacting: Christine Cannon-Burres at (561)620-8494, ext. 10.

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The **Florida Atlantic Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 31, 2010, 8:00 a.m.

PLACE: Technology Business Incubator Conference Room, 3701 FAU Blvd., Suite 210, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Director's meeting.

A copy of the agenda may be obtained by contacting: Christine Cannon-Burres at [ccannon@edc-tech.org](mailto:ccannon@edc-tech.org) or [cc@research-park.org](mailto:cc@research-park.org).

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**NORTHWOOD SHARED RESOURCE CENTER**

The **Northwood Shared Resource Center**, Administration Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2010, 1:30 p.m.

PLACE: Department of State, 1949 N. Monroe Street, Suite 79, Room 115, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General subject matter.

A copy of the agenda may be obtained by contacting: [monica\\_cash@nsrc.myflorida.com](mailto:monica_cash@nsrc.myflorida.com).

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 **Northwood Shared Resource Center**, Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 13, 2010, 9:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Subject Matter.

A copy of the agenda may be obtained by contacting: [monica\\_cash@nsrc.myflorida.com](mailto:monica_cash@nsrc.myflorida.com).

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

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The **Northwood Shared Resource Center**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: August 19, 2010, 1:30 p.m.

PLACE: Department of Business and Professional Regulation, DBPR Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Subject Matter.

A copy of the agenda may be obtained by contacting: [monica\\_cash@nsrc.myflorida.com](mailto:monica_cash@nsrc.myflorida.com).

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

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The **Northwood Shared Resource Center**, Administration Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 1:30 p.m.

PLACE: Department of State, 1949 N. Monroe Street, Suite 79, Room 115, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Subject Matter.

A copy of the agenda may be obtained by contacting: [monica\\_cash@nsrc.myflorida.com](mailto:monica_cash@nsrc.myflorida.com).

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

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The **Northwood Shared Resource Center**, Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2010, 9:00 a.m.  
 PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Subject Matter.

A copy of the agenda may be obtained by contacting: monica\_cash@nsrc.myflorida.com.

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

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### **CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA, INC.**

The **Center for Independent Living of South Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 31, 2010, 11:00 a.m. – 12:00 Noon

PLACE: 6660 Biscayne Boulevard, Miami, FL 33138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Executive Committee of the CILSF Board of Directors.

If alternative format (Braille, large print, electronic or audiotape), ASL interpreter, or other accommodation is required, please request at least 7 days in advance of the meeting date. RSVP to: Mary@soflacil.org or call (305)751-8025, (TDD) (305)751-8891.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or call (305)751-8025, ext. 110.

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### **SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or

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

For more information, you may contact: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

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### **SCRIPPS FLORIDA FUNDING CORPORATION**

The Board of Directors of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 3, 2010, 3:00 p.m. (EST)

PLACE: Conference Call: 1(213)289-5450, Passcode: 888954#

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board will hear reports from the investment and audit committees and discuss an amendment to the SBA Trust Agreement.

A copy of the agenda may be obtained by contacting: jenni.garrison@myflorida.com.

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

For more information, you may contact: jenni.garrison@myflorida.com.

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### **WORKFORCE FLORIDA**

The **Workforce Florida** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 10, 2010, Partners Council, 1:30 p.m. – 5:30 p.m.; August 11, 2010, Council meetings, 8:00 a.m. – 12:30 p.m.; Field Experience: UCF's Fairwinds Alumni Center and the Central Florida Research Park, Orlando, 1:30 p.m. – 8:00 p.m.; August 12, 2010, Board of Directors meeting, 8:00 a.m. – 1:00 p.m. (EDT)

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board meeting, Council meetings, discussion of workforce issues.

A copy of the agenda may be obtained by contacting: www.workforceflorida.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: Peggy Dransfield at (850)921-1119. If you are

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

**POLK TRANSPORTATION PLANNING ORGANIZATION**

The **Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2010, 1:30 p.m.  
 PLACE: Neil Combee Administration Building, Board Room, 330 W. Church Street, Bartow, FL 33830  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Diane Slaybaugh at (863)534-6495.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Diane Slaybaugh at (863)534-6495. If you are 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: Diane Slaybaugh at (863)534-6495.

**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces a hearing to which all persons are invited.

DATE AND TIME: August 13, 2010, 10:00 a.m.  
 PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:

Notice of Budget Hearing to present the Program's EPA Work Plan budget for fiscal year 2010-2011, beginning October 1, 2010. All citizens are invited to attend and express their support or objections to the work plan budget.

**SOURCES OF FUNDING**

Federal \$800,000  
 Non-Federal 800,000  
 Total Funding \$1,600,000

**PROJECTED EXPENDITURES**

Action Plan Implementation \$639,500  
 Contracted Technical Projects 498,000  
 Community Outreach 87,500

Partners Action Plan 375,000  
 Total Projected Expenditures \$1,600,000  
 For more information e-mail: Program Administrator at ron@tbep.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: Program Administrator at ron@tbep.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.

**SOIL AND WATER CONSERVATION DISTRICTS**

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2010, 1:00 p.m.  
 PLACE: Clay County Extension Office 2463 SR 16 W. Green Cove Springs, FL 32043  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sally Doyle at (904)284-6355.

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 19, 2010, 9:30 a.m.  
 PLACE: USDA SERVICE CENTER, South Dade Soil and Water Conservation District, 1450 N. Krome Ave., Suite 102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors, Nursery BMP & MIL Lab Reports and District projects and reports.

A copy of the agenda may be obtained by contacting: Norma Wilson, Administrative Assistant at (305)242-1288.

For more information, you may contact: Morgan Levy, SDSWCD Administrator at (305)242-1288.

**FLORIDA ASSOCIATION OF COMMUNITY COLLEGES**

The **Florida College System Council of Presidents**, Steering Committee announces a public meeting to which all persons are invited.



DATE AND TIME: August 11, 2010, 10:00 a.m.  
 PLACE: Seminole State College of Florida, Heathrow Center, 1055 AAA Drive, Heathrow, FL 32746  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.  
 A copy of the agenda may be obtained by contacting: Tina Ingram at (850)222-3222.  
 For more information, you may contact: Michael Brawer at (850)222-3222

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**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The **Florida Workers' Compensation Joint Underwriting Association**, Rates and Forms Committee announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: August 16, 2010, 1:00 p.m.  
 PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include the Policyholder Dividend Policy; review of rates, rating plans and policy forms and associated matters to include application forms; Operations Manual; and forms associated with agency authorization process.  
 A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

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The **Florida Workers' Compensation Joint Underwriting Association**, Audit Committee announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: August 19, 2010, 10:00 a.m.  
 PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the selection of a financial auditor and the Audit Committee Charter procedures checklist.  
 A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408, FWCJUA's website: www.fwcjua.com.

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The **Florida Workers' Compensation Joint Underwriting Association**, Investment Committee announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: August 20, 2010, 10:00 a.m.  
 PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include a compliance review of the current investment portfolio; a review of policy and guidelines for the investment of assets and associated matters; and investment software implementation.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

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The **Florida Workers' Compensation Joint Underwriting Association**, Reinsurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2010, 2:00 p.m.  
 PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne at (941)378-7408  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include the 2011 reinsurance program goals and market strategy; reinsurance intermediary confirmation; and commutation matters.  
 A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or the FWCJUA's website: www.fwcjua.com.

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**JACKSONVILLE TRANSPORTATION AUTHORITY**

The **Jacksonville Transportation Authority** announces a public meeting to which all persons are invited.  
 DATE AND TIME: Monday, August 23, 2010, 4:00 p.m. – 7:00 p.m.  
 PLACE: Best Western JTB/Southpoint (First Coast Room), 4660 Salisbury Road, Jacksonville, FL 32256  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to provide project information and seek public comments about the southeast corridor EA project features, station alternatives and potential impacts.  
 The meeting will be conducted as an open house where people can stop by during meeting hours to leisurely view materials. There will be an informative slide show continuously looping and other study materials available for review. Citizens are encouraged to view the study materials, discuss the project with staff and provide comments.  
 Comments may be submitted at the meeting or mailed to Mrs. Winova Hart-Mayer, Jacksonville Transportation Authority, 100 North Myrtle Avenue, Jacksonville, FL 32204 or email: whart@jtafla.com.  
 A copy of the agenda may be obtained by contacting: Mrs. Hart-Mayer at whart@jtafla.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: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation has received the petition for declaratory statement from Republic National Distributing Company and Johnson Brothers Liquor Company. The petition seeks the agency's opinion as to the applicability of Chapters 561 through 565, F.S., as it applies to the petitioner.

Whether Republic National Distributing Company (RNDC) and Johnson Brothers Liquor Company (JBL), two separately licensed distributors of alcoholic beverages in the state of Florida, can, in accordance with Chapters 561 through 565, Florida Statutes, and the implementing rules set forth in Chapter 61A, Florida Administrative Code, share licensed warehousing facilities owned by RNDC in Tampa, Florida, in which inventory would be commingled. The proposed business plan highlights that Petitioners do not distribute any of the same brands of alcoholic beverages in Florida, and that an automated electronic warehouse management system, owned by RNDC and designed by Manhattan Associates, would be used to facilitate inventory audits.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Michael Ross, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 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 John Cirigliano, Petitioner/Unit Owner, In Re: Bel-Aire on the Ocean Condominium Association, Inc., Docket No.:

2010035224. The petition seeks the agency's opinion as to the applicability of Chapter 2010-174, Section 16, Laws of Florida as it applies to the petitioner.

Whether Bel-Aire on the Ocean Condominium Association, Inc. can deny an 8th floor tenant's access to the common element front entry with easy access to the elevator while permitting access through the garage under Chapter 2010-174, Section 16, Laws of Florida.

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 declined to rule on the petition for declaratory statement filed by Desmond Fowles, In Re: Lansbrook Village Condominium Association, Inc., on May 11, 2010. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it cannot issue a statement concerning events that have already taken place; or because petitioner did not provide a complete current set of governing documents as competent substantial evidence for review.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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 Dave Hancock, Petitioner/Unit Owner, In Re: El Matador Association, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 2010-174, Section 9, Laws of Florida (2010) as it applies to the petitioner.

Whether disciplinary records of the manager of El Matador Association, Inc. are exempt from unit owner inspection under Chapter 2010-174, Section 9, Laws of Florida (2010).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from David H. Rogel, Esq., on behalf of Club Atlantis Condominium Association, Inc., Docket No.: 2010034373. The petition seeks the agency's opinion as to the applicability of Section 718.111(11), Florida Statutes (2010) as it applies to the petitioner.

Whether Club Atlantis Condominium Association, Inc. must insure the limited common element cabanas under Section 718.111(11), Florida Statutes (2010).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Jane Somers, Gordon Gould, and Richard Page, Unit Owners/Petitioners, In Re: Eastwood Shores Condominium No. 4 Association, Inc., on June 7, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a Declaratory Statement because it cannot issue a statement concerning events that have already taken place; or because petitioners did not provide the division with a complete current set of governing documents as competent substantial evidence for review.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Construction Industry Licensing Board hereby gives notice that on July 7, 2010, it received a Petition for Declaratory Statement filed by Purl G. Adams, III. The petition seeks the Board's interpretation of Sections 489.105(3)(j), (k), (l), (m), (o), Florida Statutes, and whether a Swimming Pool/Spa Servicing Contractor is qualified to install solar pool heaters.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

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The Construction Industry Licensing Board hereby gives notice that on July 21, 2010, it received a Petition for Declaratory Statement filed by Fred R. Dudley, Esq. and Lawrence E. Sellers, Esq. on behalf of Malcolm Drilling Company. The petition seeks the Board's interpretation of Sections 489.103(1), Florida Statutes, and Rule 61G4-12.011, Florida Administrative Code, and whether any license is required under Chapter 489, Part 1, Florida Statutes, for work on a public transportation project in the State of Florida as a subcontractor to the general contractor.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

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The Construction Industry Licensing Board hereby gives notice that on June 30, 2010, it received a Petition for Declaratory Statement filed by Michael R. McCullough, Esq. on behalf of DeMay, Inc. The petition seeks the Board's interpretation of Sections 489.105(3)(n) and 633.021(19), Florida Statutes, to determine whether a licensed underground utility contractor is authorized to install combination lines to the point of service.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

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The Construction Industry Licensing Board hereby gives notice that on July 1, 2010, it received a Petition for Declaratory Statement filed by Jacqueline Watts. The petition seeks the Board's interpretation of Sections 489.105(3)(f), (g), (i), (m), Florida Statutes, and whether installing and servicing LP gas appliances is within the scope of an A/C A, A/C B, Mechanical Contractor's and Plumbing licenses.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on May 25, 2010, the Board of Pharmacy has received the petition for declaratory statement from Jeffrey Gibbs. The petition seeks the agency's opinion as to the applicability of Rule 64B16-27.700, F.A.C., as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding the applicability of Rule 64B16-27.700, F.A.C., and whether the rule would permit a non-resident pharmacy to compound medications for use in a doctor's office.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

NOTICE IS HEREBY GIVEN THAT the Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services has issued an order disposing of the petition for declaratory statement filed by the North Naples Fire Control and Rescue District on April 9, 2010. The following is a summary of the agency's disposition of the petition:

The petition was denied in part and granted in part as follows:

1. Questions 1 through 4 in the petition concern the actions of a person other than the Petitioner. A declaratory statement is not the appropriate means to determine the conduct of another person. Rule 28-105.001, F.A.C. Therefore, the petition as regards these questions is DENIED.
2. Question 5 in the petition requires an interpretation of corporate law, a matter over which the Department has no authority. Rule 28-105.001, F.A.C. Therefore, the petition as regards this question is DENIED.
3. Question 6 inquires as to whether the Petitioner can limit a medical director's authority by providing that all training requirements be developed with a third party. The petition regarding this question is GRANTED. The answer is NO. The statutory authority is the medical director's alone and is not shared or limited by external agreements. In re: Miami-Dade Fire Rescue, Petition for Declaratory Statement, DOH 2007-0102.

A copy of the Order Disposing 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, FL 32399, Fax: (850)488-9408, 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 Eric A. Neilinger on May 4, 2010. The following is a summary of the agency's disposition of the petition:

The Petitioner asks in several different ways whether the local authority having jurisdiction has the discretion to deny the use of the AES brand radio mesh network as an alternative means of emergency resources notification. The answer is yes. The petitioner must demonstrate to the satisfaction of the local authority having jurisdiction that the system is functionally equivalent to the requirements set forth in Rule 69A-48.008, Florida Administrative Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

**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**

A/E Advertisement – BT 653  
 Florida Atlantic Boulevard Northern Four Lane  
 Boca Campus

**NOTICE OF CORRECTION**

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Civil Engineer, will be required for the project listed below:

Project No. BT-653 Florida Atlantic Blvd. Northern Four Lane  
 This notice of correction for the above referenced project, originally posted last Friday, July 23, 2010 (F.A.W. notice ID #8886963), has been revised to reflect a new submittal due date of September 8, 2010. This revision allows for the required 40 day posting of the advertisement prior to the submittal due date.

The complete advertisement and Project Fact Sheet are available on the FAU website: <http://www.fau.edu/facilities/uavp/AE-CM-advertise-home.php>.

For further questions please call: Jill Rosen at (561)297-4110 or email: [jrosen58@fau.edu](mailto:jrosen58@fau.edu).

**CALL FOR QUALIFICATIONS**  
**PROFESSIONAL SERVICES**

The University of West Florida Board of Trustees and the University of West Florida announce that it is accepting sealed qualifications submittals for professional services for minor projects on an as-needed basis in the following disciplines:

- Mechanical and Electrical Engineering Services
- Civil Engineering and Surveying Services
- Environmental Consultant Services

Sealed submittals will be received until August 17, 2010, 2:00 p.m. (Central Time), at the Office of Procurement and Contracts, Bldg. 90, Room 134, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

The solicitation documents and related information may be downloaded from <http://uwf.edu/procurement>.

Respondents must comply with all requirements of the solicitation documents.

All inquiries must be submitted in writing to: Judy Jasmyn at [jjasmyn@uwf.edu](mailto:jjasmyn@uwf.edu).

Remodeling, Renovations and New Construction at  
 Robert E. Lee High School No.: 33/DCSB  
 Project No.: C-91460/OFDC-RFQ-001-11

**NOTICE TO CONSTRUCTION MANAGEMENT FIRMS – OFFICE OF FACILITIES DESIGN AND CONSTRUCTION – Request for Qualifications (RFQ)/OFDC-RFQ-001-11 Construction Management Services**

Date of Publication: July 23, 2010 – The Office of Facilities Design and Construction announces that Construction Management services are required for the following project: Project Number/Title: C-91460 – Renovations, Remodeling and New Construction at Robert E. Lee High School No.: 33, 1200 S. McDuff Avenue, Jacksonville, FL 32205.

**RFQ RESPONSES ARE DUE ON OR BEFORE: August 24, 2010 and will be accepted until 4:30 p.m.**

Scope of Work: The project at Robert E. Lee High School No.: 33 is for a new cafeteria addition building, renovation and remodeling of existing classroom, administrative and athletic facilities and associated sitework. The estimated construction budget is “Budgeted Not to Exceed” \$28,000,000. The selected Construction Manager’s services will include preconstruction services including value engineering, constructability analysis, development of a cost model, and estimating and development of a Guaranteed Maximum Price at the applicable Construction Document phase. Selection of firms will be made on the basis of construction manager qualifications in accordance with the criteria outlined in the DCPS manual for the Selection of the Construction Manager. The Construction Manager must have previous experience with projects of similar size and scope with emphasis on active campus construction projects. Proposal requirements and information for Award Selection may be obtained at [http://www.duvalschools.org/static/aboutdcps/departments/facilities/selection\\_booklets.asp](http://www.duvalschools.org/static/aboutdcps/departments/facilities/selection_booklets.asp).

Selection of the Construction Manager.doc. The selected firm shall be required to execute the Duval County School Board standard form of agreement. All firms submitting proposals shall be required to be pre-qualified with Duval County Public Schools prior to the RFQ due date. Firms who are not approved as a pre-qualified bidder will not be considered for award. Prequalification forms and information may be obtained at [www.duvalschools.org](http://www.duvalschools.org), <http://www.duvalschools.org/static/>

aboutdcp/departments/facilities/general\_documents.asp.  
 “Contractor Prequalification Package for Educational Facilities Construction”.  
 Applications are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182.  
 PROJECT MANAGER: Tony Gimenez at (904)390-2279.  
 MBE GOALS: 20% overall.

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA HOUSING FINANCE CORPORATION**

RFQ 2010-09

Guaranteed Investment Contract (GIC) Broker Services

The Florida Housing Finance Corporation invites all qualified firms to submit proposals for consideration to act as Guaranteed Investment Contract (GIC) Brokers and to perform services for and on behalf of Florida Housing in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2010-09. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Thursday, September 2, 2010, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Sherry Green at (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org).

To obtain a copy of the Request for Qualifications, which outlines selection criteria and applicant’s responsibilities, please submit your request to the Attention: Sherry Green or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at: [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/AppPage\\_LegalRFQs.aspx](http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFQs.aspx). Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

**AMERICAN GUARANTY FUND GROUP**

The American Guaranty Fund Group is issuing a Request for Proposal for investment management services for the Florida Insurance Guaranty Association (FIGA) and the Florida Workers’ Compensation Insurance Guaranty Association (FWCIGA). FIGA and FWCIGA are 501(c)6 not-for-profit organizations established by the Florida Legislature. The detailed scope of investment management services is included in the RFP document.

Parties may apply by responding to the Request for Proposal through the AGFG ([www.agfg.org](http://www.agfg.org)), FIGA ([www.figafacts.com](http://www.figafacts.com)) and FWCIGA ([www.fwciga.org](http://www.fwciga.org)) website by clicking on <CONTACT US>, or by contacting: Tom Streukens at (850)523-1802 or [tstreukens@agfgroup.org](mailto:tstreukens@agfgroup.org).

The deadline for submitting written questions for the RFP is August 13, 2010, 5:00 p.m. (EST).

The deadline for RFP submission is August 30, 2010, 4:00 p.m. (EST).

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2), FLORIDA STATUTES DCA DOCKET NUMBER 08-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Charlotte County, Punta Gorda and the Charlotte County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Charlotte County Growth Management, Land Development Division, 18500 Murdock, Circle, B-208, Port Charlotte, Florida 33948.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555

Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to: Charlotte County, Punta Gorda and the Charlotte County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

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Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
INTERLOCAL AGREEMENT CONSISTENT WITH  
SECTION 163.31777(2), FLORIDA STATUTES  
DCA DOCKET NUMBER 32-12

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by the Town of Sneads and the Jackson County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Town of Sneads, Town Hall, 2028 Third Avenue, Sneads, Florida 32460.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the Town of Sneads and the Jackson County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

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Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-05-2010-001  
 DATE RECEIVED: July 20, 2010  
 DEVELOPMENT NAME: SEVILLE EAST  
 DEVELOPER/AGENT: Optima DHM Corporation  
 Jake Varn  
 DEVELOPMENT TYPE: 28-24.020, 28-24.023, F.A.C.  
 LOCAL GOVERNMENT: Hernando County

**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 JERR-DAN Corporation, intends to allow the establishment of Em Sil Enterprises, Inc., d/b/a Tri-County Truck & Equipment as a dealership for the sale of truck manufactured by JERR-DAN Corporation (JRDN) at 1440 North Powerline Road, Pompano Beach (Broward County), Florida 33069, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Em Sil Enterprises, Inc., d/b/a Tri-County Truck & Equipment are dealer operator(s): Michael Silveri, 1440 North Powerline Road, Pompano Beach, Florida 33069; principal investor(s): Michael Silveri, 1440 North Powerline Road, Pompano Beach, Florida 33069.

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: Rodney C. Berger, JERR-DAN Corporation, 1080 Hykes Road, Greencastle, Pennsylvania 17225.

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 Power Group International, LLC, intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd., (GUNG) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc., are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving



the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that B lenne, Inc., intends to allow the establishment of Lambretta South, Inc., d/b/a Riva World as a dealership for the sale of motorcycles manufactured by Chongqing Huansong Industries Group Co., Ltd. (HUAN) at 3671 North Dixie Highway, Pompano Beach (Broward County), Florida 33064, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Lambretta South, Inc., d/b/a Riva World are dealer operator(s): Steve Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, Lynn Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, David Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, Joe Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, Leslie Ferrera, 3671 North Dixie Highway, Pompano Beach, Florida 33064; principal investor(s): Steve Bamdas, 3671 N Dixie Highway, Pompano Beach, Florida 33064, Lynn Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, David Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, Joe Bamdas, 3671 North Dixie Highway, Pompano Beach, Florida 33064, Leslie Ferrera, 3671 North Dixie Highway, Pompano Beach, Florida 33064.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Johnny Tai, B lenne, Inc., 1441 Patton Place, Suite 163, Carrollton, Texas 75007.

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 JERR-DAN Corporation, intends to allow the establishment of Palmetto Ford Truck Sales, Inc., d/b/a Palmetto Truck Center as a dealership for the sale of trucks manufactured by JERR-DAN Corporation (JRDN) at 7245 Northwest 36th Street, Miami (Miami-Dade County), Florida 33166, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Palmetto Ford Truck Sales, Inc., d/b/a Palmetto Truck Center are dealer operator(s): David Yglesias, 5440 Northwest 104 Court, Doral, Florida 33178; principal investor(s): David Yglesias, 5440 Northwest 104 Court, Doral, Florida 33178, Robert Yglesias, 8445 Southwest 138th Street, Palmetto Bay, Florida 33158, Deborah Tucker, 17220 Southwest 84th Court, Palmetto Bay, Florida 33157, Daniel Yglesias, 8640 Southwest 163rd Terrace, Palmetto Bay, Florida 33157.

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: Rodney C. Berger, JERR-DAN Corporation, 1080 Hykes Road, Greencastle, Pennsylvania 17225.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Scoot, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd., (DAIX) at 5045 South Tamiami Trail, Sarasota (Sarasota County), Florida 34231, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Scoot, Inc., are dealer operator(s): John Drier, 5045 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): La Vinia Drier, 5045 South Tamiami Trail, Sarasota, Florida 34231.

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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Western Golf Car Manufacturing, Inc., intends to allow the establishment of West Coast Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by Western Golf Car Manufacturing, Inc. (WSTN) at 120 South Pebble Beach Boulevard, Sun City Center (Hillsborough County), Florida 33573, on or after August 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Golf Cars, Inc., are dealer operator(s): Stuart M. Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573; principal investor(s): Stuart M. Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573.

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: Scott Stevens, Western Golf Car Manufacturing, Inc., 69-391 Dillon Road, Desert Hot Springs, California 92241.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

**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 July 16, 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) |
| 10074 | Approval, establish a freestanding 46 bed adult inpatient psychiatric hospital, Pasco County, New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey, (PRH) Windmoor Healthcare of Clearwater, Inc.                             |               |               |
| 10074 | Approval, establish a freestanding 46 bed adult inpatient psychiatric hospital, Pasco County, New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey, (PRH) Morton Plant Hospital Association, Inc. d/b/a Morton Plant Hospital |               |               |
| 10075 | Approval, establish a 10 bed freestanding Class III child/adolescent inpatient psychiatric specialty hospital, Hillsborough County, Ten Broeck Children's Inc. (PRH), St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital                       |               |               |

- 10075 Approval, establish a 10 bed freestanding Class III child/adolescent inpatient psychiatric specialty hospital, Hillsborough County, Ten Broeck Children's Inc. (PRH), Premier Behavioral Solutions of Florida, Inc. d/b/a Manatee Palms Youth Services
- 10092 Denial, transfer CON 9893 to establish a 30 bed long term care hospital from Miami Jewish Home and Hospital for the Aged, Inc., Miami-Dade County, (PRH) same as applicant

Northwest Medical Center emergency service exemption  
 The Agency for Health Care Administration has received an application for an emergency service exemption from Northwest Medical Center, located at 2801 N. State Road 7, Margate, FL 33063, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for ophthalmology services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the: Agency for Health Care Administration, Attention: Teresa Wooten, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)412-4366 or by e-mail: [Teresa.Wooten@ahca.myflorida.com](mailto:Teresa.Wooten@ahca.myflorida.com).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**NOTICE OF AVAILABILITY**

**FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
 CITY OF ARCADIA**

The Florida Department of Environmental Protection has determined that the City of Arcadia's project to construct a new water supply well and water treatment plant will not adversely affect the environment. The total cost of the project is estimated to be \$5,326,321. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Gregory M. Brown, P.E., Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8371.

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NOTICE OF AVAILABILITY  
MARIANNA, FLORIDA

The Department of Environmental Protection has determined that the City of Marianna's proposed wastewater collection system rehabilitation project will not have a significant adverse impact on the environment. The total construction cost is estimated at \$3,448,760. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds and for Small Community Wastewater Grants. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

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NOTICE OF FILING OF  
APPLICATION FOR POWER PLANT CERTIFICATION

July 13, 2010, the Siting Coordination Office received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes (F.S.), from the Solid Waste Authority of Palm Beach County for the construction and operation of three 1,000 ton per day mass-burn municipal waste combustor units (approximately 100 megawatts total) and associated facilities known as Palm Beach Renewable Facility No. 2 located within the boundaries of the existing certified site of the Palm Beach Renewable Energy Park in the City of West Palm Beach, Palm Beach County, Power Plant Siting Application No.: PA84-20A2, OGC Case No.: 10-2026. A copy of the application for certification is available for review in the office of: Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.507, F.S., and Chapter 62-17, Florida Administrative Code, statutory parties to the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of

Community Affairs, the Fish and Wildlife Conservation Commission, the Water Management District, the Department of Environmental Protection, the Regional Planning Council, the local governments, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the: Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

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**FLORIDA STATE CLEARINGHOUSE**

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at [http://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**DEPARTMENT OF JUVENILE JUSTICE**

Revised Policy and Guideline  
Posted for Review and Comment

The Florida Department of Juvenile Justice has posted a revised policy and new guidelines for review and comment on MyFlorida.com at: [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html).

Contract & Grant Monitoring Policy – (FDJJ 2000) establishes contract and grant monitoring for all contracted programs and services within the Department of Juvenile Justice (DJJ). This policy was revised to reflect changes to the Office of Prevention and Victim Services Grant and Contract Management and Monitoring Implementation Guidelines which, upon approval, will replace Contract Monitoring Guidelines – Office of Prevention & Victim Services (December 2009). The DJJ Office of Prevention and Victim Services Grant and Contract Management and Monitoring Implementation Guidelines provide a guide for conducting grant and contract management and monitoring activities for the Department.

The revised policy and new procedures are posted for a single 20 working day review and comment period, with a closure date of August 26, 2010 for submission of comments. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

**DEPARTMENT OF HEALTH**

On July 15, 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 Tarcel D. King, C.N.A. License #CNA 122667. 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 July 15, 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 Janet Kimberly M. Roberts, R.N. License #RN 9287710. 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.

**NOTICE OF THE AVAILABILITY OF THE  
2010 TRAUMA CENTER LETTER OF INTENT PACKAGE  
NAME OF AGENCY: Department of Health (DOH)  
PACKAGE TITLE: Florida Trauma Center Letter of Intent  
Package**

**PURPOSE AND EFFECT:** The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

**ELIGIBILITY:** Florida licensed acute care hospitals are eligible to apply.

**AUTHORITY:** Section 395.4025(2)(a), Florida Statutes, Rule 64J-2.012, Florida Administrative Code.

**TO OBTAIN A PACKAGE:** You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4444, ext. 2756 or Suncom: 205-4440, Fax: (850)488-2512.

Mail request to or pick up in person at: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18, Tallahassee, FL 32399-1738.

**DEADLINE:** Letters of Intent must be postmarked between September 1, 2010, and midnight, October 1, 2010.

**CONTACTS:** Bernadette Behmke at (850)245-4444, ext. 2756 or Susan McDevitt at (850)245-4444, ext. 2760, Suncom: 205-4440.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with: The Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 20, 2010):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: TIB Financial Corp., (TIB Bank), Naples, Florida

Proposed Purchasers: North American Financial Holdings, Inc.  
Received: July 21, 2010

**EXPANDED FIELD OF MEMBERSHIP**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at: <http://www.flofr.com/banking/cufm.asp>.

Name and Address of Applicant: Space Coast Credit Union,  
Post Office Box 419001, Melbourne, Florida 32941-9001.

Expansion Includes: Geographic Area

Received: July 19, 2010

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN July 12, 2010  
 and July 16, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF LEGAL AFFAIRS**  
**Division of Victim Services and Criminal Justice Program**

2A-3.002	7/12/10	8/1/10	36/22	
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-2.042	7/14/10	8/3/10	36/15	
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**Division of Forestry**

5I-6.003	7/16/10	8/5/10	36/18	
5I-6.004	7/16/10	8/5/10	36/18	

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

40D-4.021	7/12/10	8/1/10	36/22	
40D-4.051	7/12/10	8/1/10	36/28	
40D-8.041	7/13/10	8/2/10	36/23	
40D-8.041	7/13/10	8/2/10	36/23	
40D-400.475	7/12/10	8/1/10	36/22	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Code Administrators and Inspector**

61G19-5.004	7/13/10	8/2/10	36/16	
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**Florida Real Estate Appraisal Board**

61J1-4.001	7/12/10	8/1/10	36/21	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-302.400	7/16/10	8/5/10	36/16	36/24
62-302.530	7/16/10	8/5/10	36/16	36/24
62-302.800	7/16/10	8/5/10	36/16	36/24
62-330.200	7/12/10	8/1/10	36/18	

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

64B-9.001	7/13/10	8/2/10	36/18	
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**Board of Acupuncture**

64B1-4.0011	7/16/10	8/5/10	36/21	
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**Board of Occupational Therapy**

64B11-4.003	7/16/10	8/5/10	36/17	
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**Board of Pharmacy**

64B16-26.350	7/16/10	8/5/10	35/38	35/47
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