

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NO.: 5H-1.009 RULE TITLE: Documents Incorporated by Reference

PURPOSE AND EFFECT: To incorporated Department forms by reference.

SUBJECT AREA TO BE ADDRESSED: Division of Marketing and Development forms.

RULEMAKING AUTHORITY: 534.48, 535.02, 604.27 FS.

LAW IMPLEMENTED: 534.48, 535.01, 604.16, 604.18, 604.20, 604.21, 604.23, 604.33 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: Chris Green, Bureau Chief, 407 South Calhoun Street, M-38, Tallahassee, FL 32399 or (850)488-4101

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-3.035 RULE TITLE: Agreements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to incorporate by reference the amended water well permitting delegation agreement between St. Johns River Water Management District (District) and the Florida Department of Health-Marion County Health Department (MCHD). The amendments to the agreement will clarify and update the responsibilities of both parties, including the use of electronic reporting submittals to the District by MCHD through the District's E-permitting system, the

compliance and enforcement responsibilities of each party, and the District's continued regulation of earth-coupled geothermal well systems. The amendments are also intended to bring more standardization to all the agreements with delegated entities.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would incorporate by reference the District's amended water well permitting delegation agreement with the MCHD allowing for local regulation of the construction, repair, and abandonment of water wells unless these wells are in a Chapter 62-524, F.A.C., delineated area or part of an earth-coupled geothermal well system.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.308, 373.309 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: January 25, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 162, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177
Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026 or email address: wgaylord@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (15) No change.

(16) An agreement between Florida Department of Health-Marion County Health Department and St. Johns River Water Management District entitled Second Amended Water Well Permitting Delegation Agreement dated (effective date) ~~May 20, 2008~~.

Rulemaking Specific Authority 373.044, 373.113, 373.171, FS. Law Implemented 373.046, 373.083, ~~373.308~~, 373.309, FS. History--New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035. Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-06-01, 6-25-02, 7-24-02, 1-11-06, 5-18-06, 5-24-07, 5-20-08,_____.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: 60FF1-5.006
 RULE TITLE: Requirements for County Carry Forward Funds and Excess Funding

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and add new language if necessary to modify the procedures for the requirements for county carry forward funds and excess funding.

SUBJECT AREA TO BE ADDRESSED: Requirements for county carry forward funds and excess funding.

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

LAW IMPLEMENTED: 365.173(2)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John C. Ford, Chair, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-0950

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012
 RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: The purpose of this rule development is to consider whether amendments to the provisional licensure rule are necessary, including changing or deleting the provisional building code administrator license.

SUBJECT AREA TO BE ADDRESSED: Provisional Certificates.

RULEMAKING AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609 FS.

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

DATE AND TIME: February 16, 2011, 2:00 p.m., or as soon thereafter as can be heard

PLACE: Hampton Inn & Suites, Amelia Island, 19 South 2nd Street, Fernandina Beach, FL 32034

Pursuant to the provisions of 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are

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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.0025
 RULE TITLE: Reciprocity With Division of State Fire Marshal for Certain Continuing Education Hours

PURPOSE AND EFFECT: The purpose of this rule development is to consider adopting a rule to implement the provisions of Section 633.081(7), F.S., which requires the Division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board to enter into a reciprocity agreement to facilitate joint recognition of continuing education recertification hours for certificate holders licensed under Sections 468.609 and 633.081(2), F.S.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 633.081(7) FS.

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

DATE AND TIME: February 16, 2011, 3:00 p.m., or as soon thereafter as can be heard

PLACE: Hampton Inn & Suites, Amelia Island, 19 South 2nd Street, Fernandina Beach, FL 32034

Pursuant to the provisions of 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are 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: Robyn

Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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 FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-21.113
 RULE TITLE: Required Continuing Education

PURPOSE AND EFFECT: The legislature changed the continuing education requirements for licensed fire equipment dealers from 32 hours every four years upon renewal, to 16 hours every two years, and made the renewal period December 31 of each year instead of the anniversary date of initial licensure.

SUBJECT AREA TO BE ADDRESSED: All fire equipment licenseholders and permitholders, regardless of any previous continuing education due date, must provide proof of sixteen hours of continuing education for renewal on December 31, 2011 and every two-year period thereafter.

RULEMAKING AUTHORITY: 633.01, 633.061(4) FS.

LAW IMPLEMENTED: 633.061 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:

TIME AND DATE: Wednesday, January 19, 2011, 2:00 p.m.

PLACE: Ocean Center, 101 North Atlantic Avenue, Room 102A, Daytona Beach, Florida 32118

Pursuant to the provisions of 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: Casia Sinco, Casia.Sinco@myfloridacfo.com, (850)413-3644. If you are 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: Casia Sinco, Casia.Sinco@myfloridacfo.com, (850)413-3644
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: 690-137.004
 RULE TITLE: Reports of Information by Health Insurers Required

PURPOSE AND EFFECT: To update and revise the Gross Annual Premium (GAP) report (OIR-B2-1094). The workshop will have a demonstration of the new reporting requirements as well as an opportunity to make suggested improvements in the form.

SUBJECT AREA TO BE ADDRESSED: Health Insurer Reporting.

RULEMAKING AUTHORITY: 624.308(1), 627.9175 FS.

LAW IMPLEMENTED: 624.307(1), 627.9175 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: Dianne Williams-Cox, (850)413-5004, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@fior.com.

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

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.: 5I-4.002, 5I-4.005, 5I-4.006, 5I-4.008
 RULE TITLES: Purpose and Definitions, Protection of Managed Lands, Recreational Activities and Facilities Vendors; Authorizations; Fees

PURPOSE AND EFFECT: Modify the definition off-highway vehicle, and add two new definitions, modify two locations as the result of re-numbering for the new definitions, and add a new off-highway trail system as new recreational activity and facilities.

SUMMARY: This rulemaking adopts the revised definition of off-highway vehicles, adds two new definitions, modify two locations as a result of the new definitions, and adds a new location where off-highway vehicles can be operated on for Division of Forestry managed lands.

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

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

RULEMAKING AUTHORITY: 570.07(23), 589.011(4), 589.071, 589.12 FS.

LAW IMPLEMENTED: 589.011(3), 589.071 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: Steve Bohl, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)414-9914

THE FULL TEXT OF THE PROPOSED RULES IS:

5I-4.002 Purpose and Definitions.

The purpose of this chapter is to provide information regarding the utilization of lands and facilities managed or controlled by the Department of Agriculture and Consumer Services, Division of Forestry. The following words have the meaning indicated:

(1) through (20) No change.

(21) OFF-HIGHWAY VEHICLE – Any ATV, two rider ATV, ROV, or OHM that is used off the roads or highways of this state and is not registered and licensed for highway use under Chapter 320, F.S.

(22) through (25) No change.

(26) Recreational Off-highway Vehicle (ROV). Any motorized recreational off-highway vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, designed to travel on four or more nonhighway tires, having nonstraddle seating and a steering wheel, and manufactured for recreational use by one or more persons. The term “ROV” does not include a golf cart as defined in Sections 320.01(22) and 316.003(68), F.S., or a low-speed vehicle as defined in Section 320.01(42), F.S.

(27)(26) RECREATIONAL VEHICLE: A motor vehicle designed to provide temporary living quarters for recreational, camping, or travel use, which has its own propulsion or is mounted on or towed by another motor vehicle.

(28)(27) SCHEDULE OF FEES: The Division is authorized under Section 589.011(3), F.S., to set and charge fees for the use or operation of facilities on state forest or any lands leased to the Division for management purposes. A list of the current fees can be found in the document entitled “User Fees on Florida Division of Forestry Managed Lands, September 2010” which is hereby adopted and incorporated by reference. This fee schedule can be obtained by contacting any

State Forest office, the Florida Division of Forestry, Bureau of Forest Management, 3125 Conner Blvd., Tallahassee, FL 32399-1650, or by visiting http://www.fl-dof.com/forest_recreation/fees.html.

(29)(28) SWIMMING AREA: Any area designated for swimming.

(30) Two-rider ATV. Any ATV that is specifically designed by the manufacturer for a single operator and one passenger.

(31)(29) WATERCRAFT: Any motorized, paddle-propelled or wind-driven means of water-related transportation.

(32)(30) YOUTH GROUP: Any organized group of seven or more youths (under the age of 18) who are affiliated with a recognized not-for-profit organization, accompanied by one or more adult (18 years or older) chaperon(s).

Rulemaking Specific Authority 570.07(23), 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(3), 589.071 FS. History–New 5-24-92, Amended 1-19-95, 11-6-95, 5-31-04, 3-2-09, _____.

5I-4.005 Protection of Managed Lands.

No person shall:

(1) through (15) No change.

(16) Operate a commercial enterprise on managed lands, except in limited circumstances where such enterprise provides a compatible service to forest visitors participating in recreation, and only after notification to the Division, and payment of the applicable fee in accordance with subsection 5I-4.002 (28)(27), F.A.C.

(17) through (20) No change.

Rulemaking Specific Authority 570.07(23), 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(3), 589.071 FS. History–New 5-24-92, Amended 1-19-95, 5-15-95, 11-6-95, 5-31-04, _____.

5I-4.006 Recreational Activities and Facilities.

(1) through (5) No change.

(6) Croom Motorcycle Area at Withlacoochee State Forest and Off-Highway Vehicle Trail System at Tates Hell State Forest:

(a) Firearms are prohibited within the boundaries of the Croom Motorcycle Area.

(b) No person shall operate an off-highway vehicle inside the boundaries of the Croom Motorcycle Area or at the Off-Highway Vehicle Trail System unless the vehicle visibly displays a valid, permanently attached, motorcycle decal issued by the Division.

(c) No person shall operate an off-highway vehicle within the Croom Motorcycle Area or on the Off-Highway Vehicle Trail System between sunset and sunrise.

(d) All persons operating off-highway vehicles on managed lands do so at their own risk and must comply with all established rules.

(e) No person shall operate an off-highway vehicle within the Croom Motorcycle Area or on the Off-Highway Vehicle Trail System unless such vehicle has a muffler system conforming to the requirements of the Florida Highway Patrol Handbook.

(f) No person shall operate a motorized cycle faster than ten (10) miles per hour inside the Croom Motorcycle Area or inside Off-Highway Vehicle Trail System camping facilities~~(s)~~ and day-use parking areas.

(g) No person under the age of 16 shall operate or ride a motorized cycle in the Croom Motorcycle Area or on the Off-Highway Vehicle Trail System without the direct supervision of an adult (18 years or older).

(h) Horses are prohibited in the Croom Motorcycle Area.

(7) through No change.

Rulemaking Specific Authority 570.07(23), 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(3), 589.071 FS. History--New 5-24-92, Amended 1-19-95, 11-6-95, 5-31-04, 3-2-09,_____.

5I-4.008 Vendors; Authorizations; Fees.

Any offsite commercial enterprise desiring to provide horses, canoes, bicycles, or other animals or equipment to any person for use on managed lands shall pay any applicable fees in accordance with subsection 5I-4.002~~(28)(27)~~, F.A.C., to the Division. The commercial enterprise shall provide all customers with copies of Division brochures containing general information governing use of the forest.

Rulemaking Specific Authority 570.07(23), 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(3), 589.071 FS. History--New 5-24-92, Amended 11-6-95, 5-31-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James R. Karels, Director, Division of Forestry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2010

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-6.003
RULE TITLE: Use of School Facilities and Equipment

PURPOSE AND EFFECT: In accordance with Florida Statute 1002.36, the Florida School for the Deaf and the Blind is recognized as a state agency, therefore is required to comply with all state and federal laws required of public state agencies. Consequently, this rule is not needed.

SUMMARY: This rule establishes criteria for the use of school facilities and equipment by outside organizations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There is no financial impact.

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

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(e) FS.

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

DATE AND TIME: Friday, January 28, 2011, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Day, (904)827-2221

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-6.003 Use of School Facilities and Equipment.

Rulemaking Specific Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(e) FS. History--New 12-19-74, Amended 4-17-85, 9-8-85, Formerly 6D-6.03, Amended 8-26-86, 2-19-91, 11-1-95, 2-26-01, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Terri Wiseman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Danny Hutto

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2010

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-8.004
RULE TITLE: Food Service Policies

PURPOSE AND EFFECT: In accordance with Florida Statute 1002.36, the Florida School for the Deaf and the Blind is recognized as a state agency, therefore is required to comply with all state and federal laws required of public state agencies. Consequently, this rule is not needed.

SUMMARY: This rule establishes written policies and procedures for the Food Services program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There is no financial impact.

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

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.
 LAW IMPLEMENTED: 1002.36(4)(e) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Friday, January 28, 2011, 9:00 a.m.
 PLACE: Florida School for the Deaf and the Blind, Center for Leadership Development, Moore Hall, 207 N. San Marco Avenue, St. Augustine, FL 32084
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Day, (904)827-2221

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-8.004 Food Service Policies.

Rulemaking Specific Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(e) FS. History—New 1-17-91, Amended 5-14-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terri Wiseman
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Danny Hutto
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 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.”

STATE BOARD OF ADMINISTRATION

<p>RULE NOS.: 19-8.029 19-8.030</p>	<p>RULE TITLES: Insurer Reporting Requirements Insurer Responsibilities</p>
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PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend the rules listed above to implement Section 215.555, F.S.
 SUMMARY: The rules are being amended to adopt 2011/2012 Contract Year forms. Substantive changes are as follows: Rule 19-8.029, F.A.C., Insurer Reporting Requirements, is being amended to adopt the 2011/2012 Data Call and the 2011/2012 Interim and Proof of Loss forms. Rule 19-8.030, F.A.C., Insurer Responsibilities, is being amended to adopt the 2011/2012 Exposure and Loss Examination Advance Preparation Instructions and to adopt the 2011/2012 Interim and Proof of Loss forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A SERC has been prepared by the agency for Rule 19-8.029, F.A.C., and is available by contacting Tracy Allen at the address, telephone number or e-mail address listed below. A SERC has not been prepared for Rule 19-8.030, F.A.C. The following is a summary of the SERC: No adverse impact on economic growth, private-sector job creating or employment, or private sector investment. No adverse impact on business competitiveness or innovation. Minimal regulatory costs for the 172 participating insurers to make minor one-time programming changes. No increased spending for the Agency anticipated. No costs to other states, local governmental entities, small counties or small cities. No impact on state or local revenues.

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: 215.555(3) FS.
 LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), (17) FS.

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

DATE AND TIME: Tuesday, January 25, 2011, 9:00 a.m. – 12:00 Noon (ET)

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308; Persons who wish to participate by telephone may call 1(888)808-6959 and use conference code 4765251363 on the date and at the time indicated for the hearing.

Pursuant to the provisions of 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, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1341 or tracy.allen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tracy Allen, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1341 or tracy.allen@sbafla.com

THE FULL TEXT OF THE PROPOSED RULES IS:

- 19-8.029 Insurer Reporting Requirements.
- (1) through (2) No change.
- (a) Citizens Property Insurance Corporation or “Citizens” means the entity formed under Section 627.351(6), F.S., and includes both the High Risk Account and the Personal Lines and Commercial Lines Accounts.
- (b) through (d) No change.

(e) Data Call means the annual reporting of insured values forms. These forms are the FHCF-D1A for Contract Years after the 2002/2003 Contract Year year and the FHCF-D1A and FHCF-D1B for the Contract Year 2002/2003 and all prior Contract Years years.

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

(h) Loss Reporting Forms mean the FHCF-L1A and FHCF-L1B for Contract Years after the 2002/2003 Contract Year and means the FHCF-L1A, FHCF-L1B and FHCF-L1C for the Contract Years 2002/2003 and all prior Contract Years years.

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

(b) Confidentiality of reports containing insured values under Covered Policies. Section 215.557, F.S., enacted for the express purpose of protecting trade secret and proprietary information submitted to the FHCF by participating insurers, protects the confidentiality of information of the type submitted in the Data Call (FHCF-D1A), examination workpapers, and examination reports, ~~or loss reports (FHCF-L1A, FHCF-L1B and~~ Such information is not subject to the provisions of Section 119.07(1), F.S., or Section 24(a), Article I of the Florida State Constitution. Confidential data and trade secrets reported to the FHCF are protected to the extent allowed by law.

(c) through (4)(l) No change.

(m) For the 2011/2012 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2011 Data Call," rev. 01/11, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

(5) through (6) No change.

(7)(a) For the 2005/2006 and earlier Contract Years the applicable Interim Loss Report is that form that was in effect for the Contract Year as reflected by the revision date on the form. For example, the applicable Interim Loss Report for the Contract Year 2004-2005 is the FHCF-L1A, with the revision date of 05/04 ~~05/05~~.

(b) through (f) No change.

(g) For the 2011/2012 Contract Year, the applicable Interim Loss Report is the "Contract Year 2011 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 01/11, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2011 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 01/11, which is hereby adopted and incorporated by reference into this rule. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

(8) No change.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, _____.

19-8.030 Insurer Responsibilities.

(1) through (3)(h) No change.

(i) Data Call means the annual reporting of insured values forms. These forms, as adopted and incorporated into Rule 19-8.029, F.A.C., are the FHCF-D1A for Contract Years after the 2002/2003 Contract Year year and the FHCF-D1A and FHCF-D1B for Contract Year 2002/2003 and all prior Contract Years years.

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

1. For the 2010/2011 and earlier Contract Years, eEach Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by June 1 of each Contract Year.

2. For the 2011/2012 and subsequent Contract Years, each Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by the March 1 prior to each Contract Year.

(b) through (c) No change.

(d) Optional coverages authorized by law must be chosen by current participants by executing and returning the applicable Addenda to the Reimbursement Contract ~~by June 1~~ of the relevant Contract Year by the date required. New Participants choosing optional coverage must execute and return the applicable Addenda to the Reimbursement Contract for the relevant Contract Year prior to the time in which a covered loss occurs and within 30 days of writing its first covered policy. Any current or New Participant failing to meet these deadlines shall not be eligible for such optional coverage.

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

(d) Resubmissions of Data: With one exception noted below, any Insurer which submits a Data Call, Form FHCF-D1A, with incorrect data, incomplete data, or data in the wrong format and is required to resubmit will be given 30 days from the date on the letter from the FHCF notifying the Insurer of the need to resubmit. An extension of 30 days will be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer participant. Exception: If the Insurer, at the time it receives notice of the need to resubmit, has already been issued a notice of examinations, the usual 30 day time limitation

(measured from the date of the letter giving notice of the need to resubmit) does not apply. In this situation, the time period in which the Insurer must resubmit is measured by counting backwards 30 days from the date that the examinations are scheduled to begin as reflected on the notice of examinations letter. The FHCF needs the information prior to the examinations; thus, no extensions can be granted.

(6)(a) No change.

(b) New Participants during the period of June 1 through November 30: Those Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must submit a payment of \$1,000 on or before the date indicated on the invoice. Once a New Participant's Data Call, which is filed on or before March 1 of the Contract Year, has been reviewed by the Administrator and the Company's actual Reimbursement Premium has been determined on its actual exposure, an invoice with the amount due, if any, will be sent to the Company by the Administrator. Payment, if any amounts are shown as due on the invoice, is due within 30 days from the date on the invoice. In no event will the Premium be less than the \$1,000.

(c) through (d) No change.

(7) Examination Requirements. A Company is required to prepare and retain an examination file in accordance with the specifications outlined in the Data Call instructions and a detailed claims listing to support losses reported on the Proof of Loss Report. Such records must be retained until the FHCF has completed its examination of a Company's exposure submission and any loss reports applicable to the Data Call Contract Year and commutation for the Contract Year (if applicable) has been concluded. The records provided for examination must be from the examination file as originally prepared unless a subsequent resubmission was sent to the FHCF. Note that both Citizens and Insurers participating in Quota Share Primary Insurance Arrangements must keep complete and accurate records, including copies of policy declaration pages and supporting claims documents, for the purpose of exposure and loss reimbursement examinations by the FHCF.

(a) Advance Examination Record Requirements: Within 30 days from the date on the letter from the FHCF, Companies are required to provide the FHCF with the records indicated in the applicable Contract Year's "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Loss Reimbursement Examination Advance Preparation Instructions". An extension of 30 days may be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer participant.

1. For Contract Years prior to the 2003/2004 Contract Year, Form FHCF-API as revised for each Contract Year, is the applicable Exposure Examination Advance Preparation Instructions form to use.

2. For the 2004/2005 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Audit – Contract Year 2004 Advance Preparation Instructions," FHCF-API, rev. 5/04. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2004 Advance Preparation Instructions," FHCF-LAP1, ~~rev.~~ 05/06.

3. For the 2005/2006 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2005 Advance Preparation Instructions," FHCF-API, rev. 5/05. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2005 Advance Preparation Instructions," FHCF-LAP1, rev. 05/07.

4. For the 2006/2007 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2006 Advance Preparation Instructions," FHCF-EAP1, rev. 5/06. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAP1, ~~rev.~~ new 05/06.

5. through 8. No change.

9. For the 2011/2012 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2011 Advance Preparation Instructions," FHCF-EAP1, rev. 01/11. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2011 Advance Preparation Instructions," FHCF-LAP1, rev. 01/11.

10.9- These forms are hereby adopted and incorporated by reference into this rule. Copies of these forms may be obtained from the FHCF website, www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308.

(b) On-site Examination Record Requirements: The FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" form and the FHCF-LAP1, "Loss Reimbursement Examination Advance Preparation Instructions" form each contain a list of the information that the Companies must have available, on-site, on the date the exposure or loss examination is to begin. These records must be made available to the FHCF examiner upon request.

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

(f) For the Contract Year 2011-2012, the applicable “Florida Hurricane Catastrophe Fund Interim Loss Report,” is the FHCF-L1A rev. 01/11 and the applicable “Florida Hurricane Catastrophe Fund Proof of Loss Report,” is the FHCF-L1B rev. 01/11. These forms are hereby adopted and incorporated by reference into this rule.

(g) These forms are hereby adopted and incorporated by reference into this rule and may be obtained from the Fund’s Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437. Companies must submit a detailed claims listing (in a delimited ASCII format) to support the losses reported in the FHCF-L1B, Proof of Loss Report, at the same time it submits its first Proof of Loss Report for a specific Covered Event that qualifies the Company for reimbursement under that Covered Event, and should be prepared to supply a detailed claims listing for any subsequent Proof of Loss Report upon request. Refer to Form FHCF-LAP1 for the required file layout. The Proof of Loss Report and the detailed claims listing are required to be sent to the FHCF Administrator, Paragon Strategic Solutions Inc., at the address listed above. If your Company submits its Proof of Loss Reports electronically through the FHCF’s Online Claims System at www.sbafla.com/fhcf, the detailed claims listing may be attached to the Company’s submission.

(9) No change.

(a) Resubmissions of Data: A \$1,000 resubmission fee (for resubmissions that are not the result of an examination by the SBA) will be invoiced by the FHCF for each submission. If a resubmission is necessary as a result of an examination report issued by the SBA, the resubmission fee will be \$2,000. If a Company’s examination-required resubmission is inadequate and the SBA requires an additional resubmission(s), the resubmission fee for each subsequent resubmission shall be \$2,000.

(b) No change.

(c) Consequences for Failure to meet the requirements contained in the FHCF-EAP1, “Exposure Examination Advance Preparation Instructions,” the FHCF-LAP1, “Loss Reimbursement Examination Advance Preparation Instructions,” or the on-site examination record requirements in a timely manner: In addition to other penalties or consequences, the FHCF has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Insurer pay for the following services under the circumstances outlined below:

1. If an examination is delayed, cannot be conducted as scheduled or cannot be completed and the Insurer is responsible for such, the Insurer shall be required to reimburse the FHCF for all the usual and customary expenses connected to such delay, cancellation or incomplection.

2. If the FHCF finds any Insurer’s records or other necessary information to be inadequate or inadequately posted, recorded, or maintained, the FHCF may employ experts to reconstruct, rewrite, record, post, or maintain such records or information, at the expense of the Insurer being examined.

3. An Insurer required to reimburse the FHCF for costs as outlined in subparagraphs 1. and 2. immediately above, will owe interest on the amount owed to the FHCF from the date the FHCF pays such expenses until the date payment from the Insurer is received. The applicable interest rate will be the average rate earned by the SBA for the FHCF for the first ~~four~~ five months of the current Contract Year plus 5%. Also, the payment of reimbursements or refunds by the FHCF to any Insurer will be offset by any amounts owed by that Insurer to the FHCF.

(10) No change.

(11) Optional Coverage Programs: Except as provided in this subsection, this rule applies to the Additional Coverage Option created in Section 215.555(4)(b)4., F.S., and the Temporary Emergency Additional Coverage Option (“TEACO”) created in Section 215.555(16), F.S., and the Temporary Increase in Coverage Limit Options option created in Section 215.555(17), F.S. (“TICL”). The definition of Premium in paragraph (3)(m), above, does not apply to Section 215.555(4)(b)4., F.S., Additional Coverage Option. With respect to this Option, the word “Premium” when used in this rule shall refer to the amount payable under Section 215.555(4)(b)4., F.S., for this optional coverage. The definition of Premium in paragraph (3)(m), above, does not apply to TEACO. With respect to this Option, the word “Premium” when used in this rule shall refer to the amount payable under Section 215.555(16)(f), F.S., for this optional coverage.

(12) No change.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09, 3-29-10, 8-8-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 2010

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-8.624	Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: Section 373.042, F.S., requires the District to establish minimum flows and levels for surface watercourses, aquifers, and surface waters within the District. That section also requires the District to prepare and update annually a priority list and schedule for the establishment of minimum flows and levels. The District's priority list and schedule includes the establishment of minimum levels for Lake Crystal and North Lake Wales in Polk County. The amendments to Rule 40D-8.624, F.A.C., establish the minimum levels for these lakes.

SUMMARY: The proposed amendments to Rule 40D-8.624, F.A.C., establishes minimum levels for Lake Crystal and North Lake Wales and establishes current guidance levels for these lakes based on current methodologies. The proposed amendments also repeal the previously adopted guidance levels.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 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: Pamela Gifford, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211, (4156) (OGC #2010050)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.624 Guidance and Minimum Levels for Lakes.

(1) through (11) No change.

(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.					
Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a) through (y) No change.					
(z) In Polk County Within the Peace River Basin	Annie, Lake S-3, T-29S, R-27E	116.0'	115.2' (CAT 3)	112.8' (CAT 3)	111.7'
	Bonnie, Lake S-31, T-29S, R-28E	105.9'	105.8' (CAT 3)	102.1' (CAT 3)	99.8'
	Clinch Lake S-31, T-31S, R-28E	105.5'	105.5' (CAT 3)	104.4' (CAT 3)	103.1'
	Crooked, Lake S-01, T-31S, R-27E	121.2'	120.8' (CAT 3)	117.9' (CAT 3)	116.4'
	Crystal, Lake S-02, T-30S, R-27E	118.3	117.5 (CAT 3)	114.2 (CAT 3)	112.7
	Dinner Lake S-15, T-29S, R-27E	114.4'	113.6' (CAT 3)	110.6' (CAT 3)	109.1'
	Eagle Lake S-01, T-29S, R-25E	129.6'	129.0' (CAT 3)	127.9' (CAT 3)	127.2'
	Lee, Lake S-10, T-29S, R-27E	116.8'	116.0' (CAT 3)	113.9' (CAT 3)	113.1'
	Mabel, Lake S-11, T-29S, R-27E	107.5'	106.7' (CAT 3)	103.9' (CAT 3)	102.5'
	McLeod Lake S-07, T-29S, R-26E	129.4'	129.4' (CAT 3)	128.3' (CAT 3)	127.0'
	North Lake Wales S-01, T-30S, R-27E	109.8	109.2 (CAT 3)	105.7 (CAT 3)	103.8
	Parker, Lake S-8, T-28S, R-24E	130.6'	130.6' (CAT 3)	129.6' (CAT 3)	129.0'
	Starr, Lake S-14, T-29S, R-27E	105.8'	105.0' (CAT 3)	102.1' (CAT 3)	100.7'
	Venus Lake S-9, T-29S, R-27E	121.2'	120.4' (CAT 3)	118.2' (CAT 3)	117.4'

	Wales Lake S-01, T-30S, R-27E	ND	107.7' (CAT 3)	106.6' (CAT 3)	ND
(aa) through (cc) No change.					

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a) through (y) No change.			
(z) In Polk County Within the Peace River Basin			
Ada, Lake S33, T28, R27	123.00'	120.00'	118.00'
Altamaha, Lake S11, T30, R27	122.50'	120.00'	118.00'
Amoret, Lake 24, 30, 27	115.25'	113.00'	111.00'
Ariana, Lake 3, 28, 25E	137.00'	134.50'	132.50'
Aurora, Lake 13, 30, 28	100.00'	97.00'	95.00'
Banana, Lake 10, 29, 24E	106.50'	103.50'	102.00'
Belle, Lake 11, 30, 27	120.00'	117.00'	115.00'
Bess, Lake 18, 29S, 27E	125.25'	123.00'	121.00'
Big Gum, Lake 26, 29, R28	95.00'	92.00'	89.00'
Blue, Lake S13, T28, R25	149.00'	146.50'	144.50'
Blue Lake 24, 30S, 27E	117.00'	114.00'	--
Bonny, Lake 20, 28S, 24E	130.50'	128.00'	126.00'
Buckeye, Lake S22, T28S, R26E	129.00'	126.00'	124.50'
Buffum, Lake 12, 31S, 26E	132.25'	129.25'	--
Cannon, Lake 19, 28S, 26E	132.00'	129.50'	127.00'
Connie, Lake 9, 28S, 26E	128.75'	126.50'	124.50'
Cooper (Worth) S02, T30, R27	123.50'	121.00'	119.00'
Crystal, Lake S02, T30, R27	121.25'	118.00'	115.00'
Crystal, Lake S21, T28, R27	122.00'	119.00'	117.00'
Crystal, Lake 23, 29S, 26E	129.50'	127.00'	125.00'
Cypress, Lake 36, 29, 28E	98.50'	95.00'	93.00'
Lake Daisy S6, T29, R27	130.00'	127.00'	126.00'
Lake Deer 25, 28, 25E	140.75'	138.50'	136.50'
Dell, Lake S28, T28, R27	123.75'	121.50'	119.50'
Lake Dexter S2, T29, R26	132.00'	129.00'	127.50'
Easy, Lake 19, 30, 28	115.25'	113.00'	111.00'
Echo, Lake S05, T28, R26	131.00'	128.00'	126.00'
Effie, Lake 3, 30, 27	118.00'	115.00'	113.00'
Elbert, Lake S22, T28, R26	135.50'	133.00'	131.50'
Eloise, Lake 3, 29S, 26E	132.00'	129.50'	127.00'

Fannie, Lake 11, 28S, 26E	125.75'	123.50'	120.00'
Lake Florence S35, T28, R26	128.75'	127.00'	125.00'
Lake Fox S6, T29, R27	135.00'	132.00'	131.00'
Garfield, Lake 5, 30, 26E	104.75'	101.00'	100.00'
Gator, Lake 26, 30S, 26E	133.00'	130.75'	128.50'
George, Lake S06, T28, R26	130.00'	127.50'	125.50'
Gibson, Lake 25, 27S, 23E	143.50'	141.50'	141.50'
Gordon, Lake S16, T28, R27	119.00'	116.00'	114.00'
Lake Grassy 2, 29, 25E	129.00'	126.50'	125.50'
Lake Gross (Grassy) S14, T29, R26	136.00'	133.50'	132.00'
Hamilton, Lake 18, 28S, 27E	121.50'	119.00'	117.25'
Hancock, Lake 8, 29S, 25E	99.00'	96.00'	94.00'
Hart, Lake 24, 29S, 26E	124.50'	122.00'	120.00'
Hartridge, Lake 8, 28S, 26E	132.00'	129.50'	127.00'
Henry, Lake 16, 31S, 26E	159.00'	156.00'	154.00'
Henry, Lake 36, 27S, 26E	126.50'	124.50'	122.50'
Hickory, Lake 17, 32S, 28E	98.50'	96.00'	94.00'
Howard, Lake 30, 28S, 26E	132.00'	129.50'	127.00'
Ida, Lake 28, 31S, 28E	79.00'	76.50'	75.00'
Ida, Lake S17, T28, R26	135.25'	132.00'	130.50'
Idyl, Lake S16, T28, R26	134.00'	131.50'	130.00'
Idylwild, Lake 18, 28S, 26E	132.00'	129.50'	127.00'
Jessie, Lake 12, 28S, 25E	132.00'	129.50'	127.00'
Josephine, Lake 13, 30, 27	120.00'	116.50'	114.50'
Josephine, Lake S27, T28, R27	121.50'	118.00'	116.50'
Lee, Lake S16, T28, R27	123.50'	121.50'	120.00'
Lena, Lake 9, 28S, 25E	137.00'	134.50'	132.50'
Leonore, Lake 10, 31S, 28E	87.00'	84.50'	83.00'
Link, Lake 27, 28S, 26E	128.00'	125.00'	123.00'
Little Aurora	100.50'	98.00'	96.00'
Little Gum, Lake 35, 29S, 28E	96.50'	94.00'	92.00'
Little Lake Hamilton 5, 28S, 27E	121.50'	119.00'	117.25'
LuLu, Lake 4, 29S, 26E	132.00'	129.50'	127.00'
Mariam, Lake 27, 28S, 26E	124.75'	122.75'	121.00'
Marie, Lake S27, T28, R27	121.00'	118.00'	116.00'
Martha, Lake S21, T28, R26	142.00'	139.00'	137.00'

Maude, Lake S21, T28, R26	140.50'	137.50'	136.00'
May, Lake 29, 28S, 26E	132.00'	129.50'	127.00'
Medora, Lake S36, T27, R25	138.00'	134.50'	133.00'
Menzie, Lake S28, T28, R27	122.00'	120.00'	118.00'
Middle Lake Hamilton 7, 28S, 27E	121.50'	119.00'	117.25'
Lake Millsite 11, 29, 25E	123.50'	121.00'	119.00'
Mirror, Lake 20, 28S, 27E	132.00'	129.50'	127.00'
Moody, Lake 17, 31S, R28E	93.50'	91.00'	89.00'
Myrtle, Lake 19, 29S, 27E	118.50'	116.50'	114.50'
Lake Ned S1, T29S, R26	128.50'	126.00'	124.00'
North Lake Wales S01, T30, R27	115.00'	112.00'	110.00'
Otis, Lake 28, 28S, 25E	128.00'	125.00'	123.00'
Pansy, Lake S08, T28, R26	129.00'	126.50'	124.50'
Parker, Lake 32, 29S, 27E	122.00'	119.50'	117.50'
Parks, Lake 36, 29S, 28E	102.50'	100.00'	98.00'
Polecat, Lake 27, 30S, 26E	142.00'	139.50'	137.50'
Reedy, Lake 35, 31S, 28E	79.75'	77.25'	75.25'
Reeves, Lake 13, 29S, 26E	124.50'	122.00'	120.00'
Lake River S1, T29, R26	139.50'	136.00'	134.00'
Rochelle, Lake 4, 28S, 26E	128.75'	126.50'	124.50'
Round, Lake 13, 29S, 26E	129.25'	126.50'	124.50'
Roy, Lake 34, 28S, 26E	132.00'	129.50'	127.00'
Ruby, Lake 12, 29S, 26E	125.25'	123.00'	121.00'
Ruth, Lake S28, T28, R27	121.50'	117.50'	115.50'
Saddlebag, Lake 6, 30S, 29E	105.00'	102.00'	100.00'
Saint Anne Lake 14, 30, 28	96.00'	93.00'	91.00'
Sanitary (Mariana), Lake S01, T28, R25	137.50'	135.00'	133.00'
Sara, Lake S17, T28, R27	121.50'	119.00'	117.25'
Scott, Lake 18, 29S, 24E	168.00'	165.00'	164.25'
Lake Sears 36, 28, 25E	141.00'	138.00'	136.00'
Serena, Lake S12, T30, R27	118.00'	115.00'	113.00'
Shipp, Lake 32, 28S, 26E	132.00'	129.50'	127.00'
Silver, Lake 5, 32S, 28E	103.00'	100.50'	98.50'
Silver, Lake S20, T28, R26	146.50'	144.00'	142.00'
Smart, Lake 9, 28S, 26E	128.75'	126.50'	124.50'
Lake Spirit 35, 28, 25E	131.50'	129.00'	127.00'

Spring, Lake 20, 28S, 27E	132.00'	129.50'	127.00'
Streeby, Lake 24, 32S, 27E	105.50'	102.50'	101.00'
Summit, Lake 34, 28S, 26E	132.00'	129.50'	127.00'
Sunset, Lake 10, 30, 28	98.00'	95.50'	93.50'
Surveyors, Lake 26, 30S, 26E	133.00'	130.75'	128.50'
Thomas, Lake 1, 30E, 28E	99.50'	97.00'	95.00'
Lake Thomas 35, 28, 25E	132.00'	128.00'	126.00'
Tractor, Lake 14, 30, 27	123.25'	121.00'	119.00'
Trask, Lake S22, T28, R27	113.00'	108.00'	106.00'
Trout, Lake 34, 32S, 28E	101.00'	98.00'	95.00'
Twin, Lakes S11, T30, R27	123.75'	120.00'	118.00'
Walker, Lake 21, 30S, 26E	141.00'	137.00'	135.00'
Warren, Lake S11, T30, R27	123.50'	121.00'	119.00'
Weader (Weaver), Lake S03, T30, R27	121.75'	119.00'	117.00'
Winterset, Lake 11, 29S, 26E	132.00'	129.50'	127.00'
(aa) through (cc) No change.			

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, ~~373.0361~~, 373.042, 373.0421, 373.086, 373.709 FS. History--New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04 (13), 12-21-04 (13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Keith Kolasa, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4236

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2010

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-400.550
 RULE TITLE: General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities

PURPOSE AND EFFECT: The purpose of this rulemaking is to establish a new noticed general environmental resource permit for the construction, operation and maintenance of certain nonproduction-related agricultural facilities. The effect will be to reduce the permit application, fee and regulatory requirements for activities that qualify for this new permit.

SUMMARY: Noticed General Environmental Resource Permits are limited to those activities which have been pre-determined to have minimal individual and cumulative impacts to the water resources of the District. Persons desiring to conduct activities that qualify for a noticed general permit provide notice to the District by submitting an application and fee at least 30 days prior to undertaking the activity, during which time the District will advise if the proposed activities qualify for the requested permit. A new noticed general permit is proposed to allow farms and nurseries to conduct certain specified minimal activities involving passive surface water management systems that avoid wetland areas and rely on vegetated buffers to prevent any water quality or quantity impacts. Qualifying activities include farm worker housing, produce stands and vehicle loading and staging areas. Existing rules require a higher level permit for these activities. Specific conditions for this new permit include: impervious and semi-impervious surface limits of 20% of total land area up to 4 acres; no wetland or other surface water activities or impacts; limited drainage facilities and required buffer areas. Implementation of this noticed general permit will reduce permitting costs for small farm and nursery businesses and regulatory costs for the District, for the activities that qualify for this permit.

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: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 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: Pamela Gifford, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4156) (OGC #2009063)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-400.550 General Permit for Construction, Operation and Maintenance of Nonproduction-related Agricultural Facilities.

(1) A general permit is hereby granted for the construction, operation, maintenance, alteration or abandonment of minor systems serving any of the following, provided the activities comply with the conditions set forth below:

(a) Seasonal or year-round stands and markets selling exclusively or primarily produce and other farm or nursery products grown on-site.

(b) Farm worker housing and ancillary facilities.

(c) Truck loading and staging areas for transporting farm or nursery products grown on-site.

(d) Nonresidential farm buildings and structures used solely for agricultural purposes and located on a farm or on land that is an integral part of an ongoing farm operation.

(e) Roadway and vehicle parking facilities integral to an activity authorized under this general permit.

(2) This general permit is subject to the following limitations:

(a) Total cumulative building, driveways, parking lot and other impervious and semi-impervious surfaces will not exceed 20% of the total land area up to four (4) acres. This limitation excludes impervious and semi-impervious areas directly related to agricultural production.

(b) No activities will occur in, on or over wetlands or other surface waters.

(c) The activities will not use new surface water drainage facilities larger than one 24-inch diameter pipe or its hydraulic equivalent.

(d) The activities will not use new drainage pumps or other operable structures for stormwater management.

(e) Finished building floors for residential structures will be above the 100-year flood elevation.

(f) All discharge and project runoff locations, excluding runoff from access driveways, will maintain a minimum 75 foot vegetated buffer. This vegetated buffer must include a 25 foot perpetually undisturbed buffer, upland of any wetlands, other surface waters, and drainage ditches.

(g) Impervious and semi-impervious surfaces, excluding access driveways, will maintain a 25 foot vegetated buffer from property boundaries.

(h) Permitted activities are not conducted within the geographic limits of an existing permit issued pursuant to Part IV of Chapter 373, F.S.

(3) This general permit is not available if the proposed activities, considered separately or in combination with other activities conducted pursuant to this permit, exceed or will exceed any of the limitations in subsection (2) above.

(4) The activities undertaken pursuant to this permit shall be taken into account in the determination of post-development conditions for any subsequent exemption or permitting decision that includes the same project area.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Luchte, P.E., Agricultural Regulation Program Manager, Southwest Florida Water Management District, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240-9711, (941)377-3722

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-5.001	Occupational Licensure
61D-5.003	Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting
61D-5.004	Temporary Occupational Licenses
61D-5.005	Exemptions to Occupational Licensing Requirements
61D-5.006	Waiver of Criminal Convictions or Other Offenses

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement amendments to Section 550.105, F.S., which were effective July 1, 2010, pertaining to pari-mutuel occupational licenses.

SUMMARY: Rule 61D-5.001, F.A.C., addresses the license and renewal periods, fees, and required forms for pari-mutuel occupational licenses. Rule 61D-5.003, F.A.C., addresses certain persons who are exempt from the fingerprint requirement. Rule 61D-5.004, F.A.C., addresses the term of temporary licenses and the requirements for obtaining a temporary license. Rule 61D-5.005, F.A.C., addresses persons in certain positions who are exempt from the occupational license requirements. Rule 61D-5.006, F.A.C., addresses the adoption and incorporation of the license application and request for waiver forms.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that Rule 61D-5.001, F.A.C., will have an adverse impact on small business and will increase regulatory costs by \$200,000 in the aggregate within one year. A SERC has been prepared by the agency. Approximately 18,700 licensees will be affected. The Division is eliminating the one-year option for occupational license fees and requiring a multi-year license. The proposed fees for the multi-year license are the same or less for any 12-month period when compared to current fees in rule. While occupational licensees will realize an aggregate increase of \$314,450 in the initial year of implementation, over the course of the subsequent four years, occupational licensees would save in aggregate \$548,764, resulting in an aggregate net savings of \$234,314. Due to the fact that none of the thresholds of Section 120.541(2)(a), F.S., have been reached, this rule does not require legislative ratification. The agency has determined that Rules 61D-5.003, 5.004, 5.005, and 5.006, F.A.C., will not have an adverse impact on small business and will not increase regulatory costs by \$200,000 in the aggregate within one year.

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: 550.0251(3), 550.105(2)(b), (6), (10) FS.

LAW IMPLEMENTED: 550.0251(3), 550.105(2)(b), (6), (10) 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: February 1, 2011, 10:00 a.m. – Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. 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 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-5.001 Occupational Licensure.

(1)(a) The permitholder shall provide to the division the weekly payroll without compensation amounts for verification that all persons working at a permitholder's facility are licensed.

~~(b) The permitholder shall provide a weekly list of persons whose employment with the permitholder has been terminated, resigned or abandoned.~~

(2)(a) Any person desiring an initial occupational license pursuant to Section 550.105, F.S., Chapter 550, Florida Statutes, shall pay the appropriate occupational and fingerprint fees as set forth by Section 550.105, Florida Statutes, and shall file with the division a completed Form DBPR PMW-3120, Individual Occupational License Application, or Form DBPR PMW-3130, Business Occupational License Application, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037 ~~and adopted and incorporated by Rule 61D-10.001, Florida Administrative Code.~~

(b) Any person desiring to renew an occupational license pursuant to Section 550.105, F.S., shall file with the division a completed Form DBPR PMW-3125, Individual Occupational License Renewal Application, or Form DBPR PMW-3135, Business Occupational License Renewal Application, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(c) Applicants shall also include payment of the license fee as follows:

1. \$120 for a Business Occupational License;
2. \$80 for a Professional Occupational License; or
3. \$30 for a General Occupational License.

(3) All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error.

(4) Pari-mutuel occupational licenses issued and renewed pursuant to Section 550.105, F.S., shall have an effective date of July 1st and shall be valid for a period of three fiscal years. Applications for an initial pari-mutuel occupational license or for renewal of a pari-mutuel occupational license shall be submitted between May 1st and June 30th for the license period beginning July 1st of the next fiscal year. Applications received outside of this period shall have an effective date beginning July 1st of the state fiscal year in which the application was received. Application forms may be obtained and filed at each pari-mutuel facility in Florida or the Division of Pari-Mutuel Wagering, Licensing Section, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1037. Applicants shall use the following forms adopted and incorporated by Rule 61D-10.001, Florida Administrative Code:

(a) ~~Business Occupational License Application shall be made on Form DBPR PMW-3130, Business Occupational License Application.~~

(b) ~~Individual Occupational License Application shall be made on Form DBPR PMW-3120, Individual Occupational License Application.~~

(5)(e) A request for a waiver Request for Waiver shall be made on Form DBPR PMW-3180, Request for Waiver, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(6)(d) A request to upgrade a pari-mutuel occupational license Request to Upgrade License shall be made on Form DBPR PMW-3170, License Upgrade License Application, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(7)(5) License application forms and fingerprint cards produced by and submitted through the Association of Racing Commissioners International (ARCI) or the National Racing Compact (NRC) under the Federal Pari-Mutuel Licensing Act of 1988 will be accepted by the division.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (10) FS. Law Implemented 550.0251, 550.105 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, _____.

61D-5.003 Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting. The following occupations or groups of persons are exempt from the fingerprint requirements of Section 550.105, F.S. Florida Statutes:

(1) Any person who has applied for and been granted an occupational license by the division in the previous five fiscal years, provided that such person was fingerprinted as part of the application for such license;

(2) ~~Any applicant for a restricted license who has not been previously convicted of a crime included in Sections 550.105(4)(b) or (e), Florida Statutes;~~

(2)(3) A sworn law enforcement or corrections officer certified pursuant to Section 943.1395, F.S. Florida Statutes, who provides the division evidence of current certification from the Florida Criminal Justice Standards and Training Commission and is working in a security or safety position;

(3)(4) An applicant who has been granted a diplomatic status by the United States Government; ~~and~~

(4) Any person whose fingerprints have been deemed “unclassifiable” twice by the Federal Bureau of Investigations; and

(5) An applicant who is 70 years of age or older. Applicants 70 years of age or older must instead submit ~~\$24~~ \$23 for a background information records check through the Florida Department of Law Enforcement.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (10) FS. Law Implemented 550.105 FS. History—New 10-20-96, Amended 4-12-06, _____.

61D-5.004 Temporary Occupational Licenses.

(1) A temporary license can be obtained on behalf of a greyhound owner, horse owner, stable name, or kennel name upon submission to the division of Form DBPR PMW-3110, Animal Owner Owners Temporary License Application, effective _____, adopted herein by reference, and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037, adopted and incorporated by Rule 61D-10.001, Florida Administrative Code, the license fee, and the fingerprint fee if required, by the horse owner’s licensed trainer, or by the greyhound owner’s licensed kennel operator or trainer. The division shall issue the temporary license if the division verifies that the owner is in good standing in Florida and in all racing jurisdictions.

(2) A temporary license shall be issued to an applicant who is required to provide fingerprints under subsection 61D-5.003(1), F.A.C., upon submission to the division of Form DBPR PMW-3120, Individual Occupational License Application, or Form DBPR PMW-3125, Individual Occupational License Renewal Application, adopted by reference in Rule 61D-5.001, F.A.C.

(a) Only one temporary license shall be issued to any person in any fiscal ~~licensing~~ year.

(b) A temporary license ~~for an owner~~ is valid for no more than ~~90~~ 30 calendar days from the date of issuance. A ~~pari-mutuel occupational one-year or three-year~~ license will be processed upon completion of the licensure requirements by the ~~recipient of a temporary license owner~~.

(c) If the ~~recipient of a temporary license owner~~ fails to complete the licensure process within ~~90~~ 30 calendar days from the date the temporary license is issued, the ~~permanent temporary~~ license shall ~~be denied~~ expire and the ~~recipient of the temporary license owner's animals~~ shall not be eligible to participate in a pari-mutuel ~~wagering in this state race~~.

(d) If the ~~recipient of a temporary license owner~~ completes the licensure process ~~before~~ after the ~~90-day~~ 30-day temporary license has expired, a license shall be processed for the remaining portion of the same licensing ~~period year~~. ~~In the case of a three-year license, the license will be processed for the remaining portion of the three year term.~~

~~(3)(2)~~ Any ~~recipient of a temporary license applicant~~ who fails to complete the licensure process upon being issued a temporary license shall not be issued another temporary license until the licensee has, at least once, satisfactorily completed the licensure process.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (6) FS. Law Implemented 550.0251, 550.105 FS. History–New 10-20-96, Amended 12-15-97, 4-12-06, _____.

61D-5.005 Exemptions to Occupational Licensing Requirements.

(1) The following are exempted from occupational licensing requirements:

(a) Sworn law enforcement and corrections officers, certified pursuant to Section 943.1395, ~~F.S. Florida Statutes~~, performing in a security or safety position, other than the chief of security at a track or fronton.

(b) Firefighters, emergency medical technician companies, and emergency medical technicians.

~~(c)(b)~~ Persons working for a vendor or contractual concessionaires providing supplies other than feed or medicine who make deliveries to nonrestricted areas of the permitholder premises and who are not employed on the permitholder premises. Such employees shall be permitted to make deliveries to a restricted area if issued a pass by the permitholder security.

~~(d)(e)~~ Businesses and employees of businesses providing occasional maintenance or plant improvement services to the facility or equipment, or providing construction services which are not related to the making of pari-mutuel pools, the conduct of racing or jai alai games or the direct care of racing animals.

~~(e)(4)~~ Upon adequate proof provided to the division, shareholders, who otherwise would be required to have an occupational license, owning less than ten percent ~~(10%)~~ of the outstanding stock or equity interest of any entity licensed by the division, will not be required to have such a license merely

by their connection to a company. Such a shareholder shall not be granted access to any restricted area of a pari-mutuel wagering facility by virtue of their ownership interest without having obtained a pari-mutuel occupational license.

(2) Permitholder security shall maintain a list of unlicensed persons working in restricted ~~and unrestricted~~ areas on the permitholder premises. Said list shall be available at all times for review by division personnel. All passes to restricted areas shall contain a beginning and ending date of validity and shall state the work hours during which access to restricted areas is allowed. Unlicensed persons working in restricted areas of the permitholder facility shall be in possession of a valid pass issued by permitholder security.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (10) FS. Law Implemented 550.0251, 550.105, 559.79 FS. History–New 10-20-96, Amended 4-12-06, _____.

61D-5.006 Waiver of Criminal Convictions or Other Offenses.

(1) Any applicant for an occupational license who is subject to denial on the basis of a criminal conviction or discipline by any racing jurisdiction may seek a waiver from the division director. The applicant shall submit Form DBPR PMW-3120, Individual Occupational License Application, adopted ~~and incorporated~~ by reference in Rule 61D-5.001, F.A.C., Rule 61D-10.001, Florida Administrative Code, the annual license fee and fingerprint fee, a complete set of fingerprints on a card supplied by the division, and Form DBPR PMW-3180, Request for Waiver, adopted ~~and incorporated~~ by reference in Rule 61D-5.001, F.A.C., Rule 61D-10.001, Florida Administrative Code. The applicant shall also schedule a waiver interview with the Office of Investigations. Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions, or discipline by any racing jurisdiction shall result in a denial of the request for waiver.

(2) The applicant shall establish proof of rehabilitation and demonstrate good moral character. The waiver applies to criminal convictions or discipline by any racing jurisdiction disclosed to the division, unless revoked by the division for violation of Chapter 550, F.S., or these rules.

(3) No applicant for a waiver shall be allowed to work in any capacity as an occupational licensee until a license is issued based upon a waiver, granted by the director.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (10) FS. Law Implemented 550.0251, 550.105 FS. History–New 10-20-96, Amended 12-15-97, 4-12-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 29, 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 Chiropractic

RULE NO.: 64B2-13.004
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the requirements for continuing education for chiropractors certified in acupuncture.

SUMMARY: Requirements for continuing education for chiropractors certified in acupuncture will be changed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 456.025(7), 460.408(3) FS.
 LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) through (2) No change.

(3) Each licensee certified in acupuncture by the Board shall obtain ~~four (4) twelve (12)~~ hours of Board approved acupuncture continuing education. Two (2) hours shall be in the area of safety and risk management and two (2) hours shall be in the area of technique. These twelve (12) hours shall be obtained as part of the forty (40) hours required in each

licensure biennium. Licensees certified in acupuncture must complete the hours required in subsection 64B2-13.004(2), F.A.C.

(4) through (14) No change.

Rulemaking Authority 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), 456.025(7), 456.036(10), 460.408 FS. History--New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, 7-1-09, 5-17-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-14.001
 RULE TITLE: Trust Accounting Procedures

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the requirements for trust accounts.

SUMMARY: Requirements for trust accounts will be changed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 460.405 FS.

LAW IMPLEMENTED: 460.413(1)(z) 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: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-14.001 Trust Accounting Procedures.

(1) The provisions of this rule apply to all trust funds received or disbursed by chiropractors in the course of their professional practice. "Trust funds" are defined as unearned fees in the form of cash or property other than cash, equaling five hundred and one dollars (\$501.00) up to a maximum of one thousand five hundred dollars (\$1,500.00) which are received by a chiropractor prior to the chiropractor rendering his services or his selling of goods and appliances. Chiropractors shall not retain unearned fees exceeding one thousand five hundred dollars (\$1,500.00).

(2) through (4) No change.

Rulemaking Specific Authority 460.405 FS. Law Implemented 460.413(1)(z) FS. History--New 1-10-80, Formerly 21D-14.01, 21D-14.001, 61F2-14.001, 59N-14.001, Amended 3-23-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.:	RULE TITLES:
64B3-1.006	Notices, Current Address of Licensees
64B3-1.008	Board Meetings

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning notifying the department via electronic methods and to update the type of board meetings.

SUMMARY: Language concerning notifying the department via electronic methods will be updated; language concerning the type of board meetings will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 456.011, 483.805 FS.

LAW IMPLEMENTED: 286.0105, 456.011 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-1.006 Notices, Current Address of Licensees.

Each person holding a license issued pursuant to Chapter 483, Part III, Florida Statutes, must maintain on file with the Department the current mailing address and primary practice location at which any notice required by law may be served by the Department or its agent. Within 60 days of changing either address, whether or not within this state, the licensee shall notify the Department in writing or via electronic methods of the new address and designate at which address the licensee may be served with notices or other documents.

Rulemaking Specific Authority 456.035 FS. Law Implemented 456.035(1), 483.817, 483.819 FS. History--New 3-15-93, Formerly 21KK-1.006, 61F3-1.006, 59O-1.006, Amended 10-29-02,_____.

64B3-1.008 Board Meetings.

(1) For purposes of Board member compensation pursuant to Section 456.011(4), Florida Statutes, "other business involving the Board" is defined to include:

- (a) through (b) No change.
- (c) Board meetings or Board committee meetings held via teleconference that last four (4) hours or more.
- (c) through (h) renumbered (d) through (i) No change.
- (2)(a) No change.
- (b) through (d) No change.

Rulemaking Specific Authority 456.011, 483.805 FS. Law Implemented 286.0105, 456.011 FS. History--New 3-15-93, Formerly 21KK-1.008, 61F3-1.008, Amended 2-7-95, Formerly 59O-1.008, Amended 3-20-01, 9-29-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-2.002
 RULE TITLE: Clinical Laboratory Personnel
 PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning direct supervision.
 SUMMARY: Language concerning direct supervision will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4), 483.811(4) FS.
 LAW IMPLEMENTED: 483.035(1), 483.803, 483.811(3), (4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-2.002 Clinical Laboratory Personnel.

(1) through (5) No change.

(6) Direct supervision means supervision by a director, supervisor, or technologist who is on the premises ~~and~~ ~~or~~ is available to the laboratory when test procedures are being performed and is responsible for the oversight of testing and reporting of results.

~~Rulemaking Specific~~ Authority 483.805(4), 483.811(4) FS. Law Implemented 483.035(1), 483.803, 483.811(3), (4) FS. History--New 11-4-93, Formerly 61F3-2.002, Amended 11-21-94, 7-12-95, 5-15-96, Formerly 590-2.002, Amended 3-19-98, 12-13-98, 9-27-00, 9-9-02, 2-1-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-3.002
 RULE TITLE: Personnel of Clinical Laboratory Personnel Training Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning rules that are referenced in the rule.

SUMMARY: Referenced rules will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4), 483.811(2) FS.
 LAW IMPLEMENTED: 483.800, 483.809, 483.811 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.002 Personnel of Clinical Laboratory Personnel Training Programs.

(1) A clinical laboratory personnel training program shall have a program director who holds national certification from any Board listed in subsections ~~64B3-5.002~~ ~~64B3-5.007~~(2) ~~and~~ ~~(4)~~, F.A.C., and

(a) through (b) No change.

(2) through (4) No change.

~~Rulemaking Specific~~ Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History--New 12-28-94, Amended 3-28-95, 7-12-95, 4-24-96, Formerly 590-3.002, Amended 9-20-98, 12-13-98, 11-15-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-4.001 RULE TITLE: Trainee Registration

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning requirements of training program for trainee registration.

SUMMARY: Language concerning requirements of the training program will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B3-4.001 Trainee Registration.
- (1) through (4) No change.
- (5) All trainee applicants shall submit either a certified copy of a high school diploma or its equivalent, or an official transcript from a training program as described in subsection (1) above, sent directly to the Department.
- (6) If the trainee is unable to complete the training by the date indicated on the application for initial registration due to the reasons set forth in subsection (7), then the training program director is responsible for ensuring that ~~coordinator~~ must submit to the Board of Clinical Laboratory Personnel Form #DH-MQA 1165 (11/08) "Request to Extend Trainee Registration" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald

Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>, is submitted to the Board.

(7) No change.

Rulemaking Authority 483.805(4) FS. Law Implemented 483.809(3), 483.811(2), (3), (4), 483.825 FS. History--New 7-20-93, Formerly 21KK-4.001, 61F3-4.001, Amended 4-10-96, 7-3-97, Formerly 59O-4.001, Amended 3-19-98, 2-15-01, 3-24-02, 3-30-04, 6-17-09, 5-11-10, 7-20-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.0011 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove language concerning requirements of training program for trainee registration.

SUMMARY: Language concerning requirements for training program for trainee registration will be removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805, 483.823 FS.

LAW IMPLEMENTED: 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.0011 Definitions.

(1) through (20) No change.

(21) "CAAHEP" means The Commission Council on Accreditation of Allied Health Education Programs.

~~(22) "CAHEA" means The Committee on Allied Health Education and Accreditation.~~

~~(22)(23)~~ "CLDir" means Clinical Laboratory Director.

~~(24) "CLS" means Clinical Laboratory Scientist.~~

(25) through (47) renumbered (23) through (45) No change.

~~(46)(48)~~ "Medical Technology Training Program" means an ABHES, CAAHEP, ~~CAHEA~~, NAACLS, ~~military or~~ board approved training program for clinical/medical laboratory scientists (~~CLS~~) or medical technologists (MT), pursuant to subsections 64B3-2.003(9) and (16), F.A.C., or Department of Defense programs that are equivalent to a board approved training program.

~~(47)(49)~~ No change.

Rulemaking Authority 483.805, 483.823 FS. Law Implemented 483.823 FS. History—New 6-29-06, Amended 12-16-07, 4-28-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the examinations for clinical laboratory personnel.

SUMMARY: Examinations for clinical laboratory personnel will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805, 483.823 FS.

LAW IMPLEMENTED: 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.002 Supervisor.
Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. ~~In order~~ To be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, patient safety, complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome, and one of the following:

Specialty	Option	Education	Training/Experience	Examination
(a) Microbiology, Serology/ Immunology, Clinical Chemistry, Hematology, Immunochemistry, Blood Banking (Donor Processing), and Cytogenetics	1	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	2	Doctoral Degree in Clinical Laboratory, Chemical or Biological Science	One year of pertinent clinical laboratory experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunochemistry
	3	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	4	Masters Degree in Clinical Laboratory, Chemical or Biological Science	Three years of pertinent clinical laboratory experience, with at least 1 year experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunochemistry
	5	Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences	Five years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level, and at least 1 year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration	
	6	Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences	Five years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level, and at least 1 year experience in the category in which licensure is sought	DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunochemistry

Specialty (b) through (f) No change.

(2) In lieu of one year of experience required by subsection 64B3-5.002(1), F.A.C., an applicant may use Board certification obtained by examination in one or more of the laboratory specialties through the Board of Certification Registry of The American Society for Clinical Pathology, ~~National Credentialing Agency of Laboratory Personnel~~, The National Registry of Certified Chemists, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis, American Association of Bioanalysts, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(3) No change.

(4) The Board approved Supervision and Administration examinations, used in lieu of the required 25 hours of supervision and administration continuing education are:

(a) The Diplomate in Laboratory Management examination administered by the American Society for Clinical Pathology (ASCP) ~~or the Clinical Laboratory Supervisor examination administered by the National Credentialing Agency for Laboratory Personnel (NCA) for all specialty areas,~~

(b) through (i) No change.

Rulemaking Authority 483.805(4), 483.823 FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-06, 5-25-06, 7-9-07, 2-7-08, 6-17-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.007
RULE TITLE: Director; Limitations and Qualifications

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the examinations for clinical laboratory personnel.

SUMMARY: Examinations for clinical laboratory personnel will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be

likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4) FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.007 Director; Limitations and Qualifications.

(1) No change.

(2) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases, there are multiple options for meeting the requirements.

Specialty	Option	Education	Training/Experience	Certification
All Specialties	1	Licensed physician (does not require a separate laboratory director license)		Certification in Clinical Pathology by the ABP or AOBP.
	2	Licensed physician (does not require a separate laboratory director license)		Certification in the pertinent laboratory specialty by ABIM, AOBIM, ABMM, ABCC, ABNM, AOBNM, ABMG, ABB, ABMLI, ABHI.
	3	Licensed physician (does not require a separate laboratory director license)	Four years of pertinent clinical laboratory experience (post-graduate), with two years experience in the specialty to be directed	
Histology, Cytology		Licensed physician (does not require a separate laboratory director license)		Certification in Anatomical Pathology or Cytopathology by ABP or AOBP. For dermatopathology only, certification in Dermatopathology by the ABD or AOBD.
Oral Pathology Laboratories		Licensed physician or dentist (does not require a separate laboratory director license)		Certification in Anatomical Pathology by ABOP, ABP, or AOBP.
Microbiology		Doctoral Degree in a chemical, biological, or clinical laboratory science		Certification in Clinical Microbiology by ABMM, HCLD(ABB) with certification in Microbiology, or CLDir(NCA) as Generalist or with certification in Microbiology.
Hematology		Doctoral Degree in a chemical, biological, or clinical laboratory science		HCLD(ABB) in Hematology or CLDir(NCA) as Generalist with certification in Hematology.
Cytogenetics		Doctoral Degree in a chemical, biological, or clinical laboratory science		Certification in Clinical Cytogenetics by ABMG
Serology/Immunology		Doctoral Degree in a chemical, biological, or clinical laboratory science		Certification in Clinical Immunology by ABMLI, HCLD(ABB) with certification in Immunology, or CLDir(NCA) as Generalist , or Diplomate of ABHI.
Clinical Chemistry		Doctoral Degree in a chemical, biological, or clinical laboratory science		Certification in Clinical Chemistry by ABCC, HCLD(ABB) with certification in Chemistry, CLDir(NCA) as Generalist or with certification in Chemistry, or certification in Clinical Chemistry or Toxicological Chemistry by NRCC.
Andrology		Doctoral Degree in a chemical, biological, or clinical laboratory science		HCLD(ABB) with certification in Andrology.
Embryology		Doctoral Degree in a chemical, biological, or clinical laboratory science		ELD(ABB) or HCLD(ABB) with certification in Embryology.
Histocompatibility		Doctoral Degree in a chemical, biological, or clinical laboratory science		Diplomate of the ABHI or HCLD(ABB) with certification in Immunology.
Molecular Pathology		Doctoral Degree in a chemical, biological, or clinical laboratory science		Certification in Molecular Pathology by ABCC, certification in Molecular Genetics by ABMG, or HCLD(ABB) with certification in Molecular Diagnostics.

Rulemaking Authority 483.805(4) FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 FS. History–New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 590-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, 2-23-06, 3-17-08, 6-17-09, 12-30-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.:	RULE TITLES:
64B3-6.002	Documentation for Licensure
64B3-6.003	Personnel Licensure – Temporary License

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning the American Society for Clinical Pathology Board of Certification and to clarify language concerning the temporary license.

SUMMARY: Language concerning American Society for Clinical Pathology Board of Certification will be clarified; language concerning the temporary licensure will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 456.013, 483.809, 483.813, 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-6.002 Documentation for Licensure.

The following is a list of acceptable documents which shall be submitted to the Board as appropriate for the type of license sought ~~in order~~ to show eligibility for the license:

(1) through (5) No change.

(6) Foreign credentials evaluation which includes a breakdown of all college level courses by credit hours and subject sent directly to the board office by one of the following evaluators:

(a) No change.

(b) American Society for Clinical Pathology Board of Certification Registry.

(c) through (m) No change.

(7) through (8) No change.

Rulemaking Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History–New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 590-6.002, Amended 8-27-97, 10-14-02, 4-13-04, 6-17-09,_____.

64B3-6.003 Personnel Licensure – Temporary License ~~Permit~~.

(1) The Department shall issue ~~a one~~ temporary license to an applicant who has applied and satisfied all Department application requirements for licensure and has been accepted to take a Board approved national examination for a period not to exceed one year.

(2) through (3) No change.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 456.013, 483.809, 483.813, 483.815, 483.823 FS. History–New 6-6-85, Formerly 10D-41.71, Amended 7-4-89, Formerly 10D-41.071, 61F3-6.003, Amended 8-1-95, Formerly 590-6.003, Amended 8-27-97, 9-16-03, 4-13-04, 12-23-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.:	RULE TITLE:
64B3-10.005	Scope of Practice Relative to Specialty of Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify which specialties may perform certain testing.

SUMMARY: Which specialties may perform certain testing will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

The following rules are not intended to prevent collection and storage of specimens or the performance of manual pretesting procedures by persons who are exempt by statute or statutorily authorized within their scope of practice. Clinical laboratory personnel qualified as a physician director, a licensed director, supervisor, technologist or technician in the specialty or specialties indicated can perform testing identified as being within the specialty. Tests which are not yet classified shall be assigned by the Board upon review.

(1) through (13) No change.

(14) The purpose of the specialty of molecular pathology is the use of molecular techniques for the characterization of gene expression (protein, RNA), genetic lesions (DNA) in cells, gene products (proteomics) and analysis on human DNA, RNA and chromosomes to detect heritable or acquired disease-related genotypes, mutations, and phenotypes. It includes the study of how the changes found lead to the disease process, monitoring of the effectiveness of therapy, and detection of residual disease. Techniques included are but not limited to immunohistochemistry, in situ hybridization, mutational analysis, protein analysis, polymerase chain reactions, cell culture and isolation, expression profiling, blotting and microarrays. Clinical laboratory personnel who are licensed in the specialties of microbiology, serology/immunology, clinical chemistry, hematology, immunohematology, and molecular pathology may perform all testing identified as being within the scope of the specialty of molecular pathology.

(15) The purpose of the specialty of histocompatibility is to insure the best possible results of the determination of tissue compatibility, prevent transmitted infections, and to investigate and evaluate post-transplant problems. The specialty encompasses blood typing, HLA typing, HLA antibody screening, disease markers, Cluster Designation specific to tissue compatibility, flow cytometry, crossmatching, HLA antibody identification, lymphocyte immunophenotyping, immunosuppressive drug assays, allogenic, isogenic and autologous bone marrow processing and storage, mixed lymphocyte culture, stem cell culture, cell mediated assays, and assays for the presence of cytokines. This specialty would also encompass all testing within the scope of serology/immunology, microbiology, hematology and immunohematology that pertain strictly to the processing of organ, tissue and bone marrow donors, and pre- and post-transplant patients. Clinical laboratory personnel who are licensed in the specialties of histocompatibility, serology/immunology or ~~and~~ immunohematology may perform all testing as being within the scope of the specialty of histocompatibility.

(16) through (19) No change.

Rulemaking Authority 483.805(4) FS. Law Implemented 483.813, 483.823, 483.825 FS. History--New 2-7-95, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-10.005, Amended 3-19-98, 1-28-99, 11-24-99, 2-15-01, 2-20-02, 10-30-02, 4-27-04, 2-23-06, 11-25-08, 12-30-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.014 **RULE TITLE:** Inactive Status; Reactivation

PURPOSE AND EFFECT: The Board proposes the repeal of Rule 64B9-4.014, F.A.C.

SUMMARY: This rule is being repealed.

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

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

RULEMAKING AUTHORITY: 464.006, 464.012, 464.014 FS.

LAW IMPLEMENTED: 456.036(9), 464.012, 464.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.014 Inactive Status; Reactivation.

~~(1) An ARNP or CNS may apply to place his/her certificate on inactive status. The application shall be made on forms provided by the Board and shall be accompanied by an application fee for inactive status as specified in paragraph 64B9 7.001(11)(c), F.A.C. Applications for inactive status will be considered only during the biennium renewal period. If the licensee seeks to have only the certificate on inactive status, the licensee will be reissued an R.N. license, provided that said R.N. licensure has been duly renewed.~~

~~(2) When the Registered Nurse license of an ARNP or CNS is placed on inactive status, the ARNP or CNS certificate will also be placed on inactive status.~~

~~(3) No inactive certificate may be reactivated unless the applicant holds a current, active license to practice as a Registered Nurse in this State, and meets the requirements of Rule 64B9-4.002, F.A.C., if applicable.~~

~~(4) Reactivation of an inactive ARNP or CNS certificate or dual RN/ARNP or RN/CNS license/certificate shall be in the manner as provided in Rule 64B9-6.003, F.A.C.~~

~~(5) Documentation of active practice as a nurse practitioner or a clinical nurse specialist within the past 5 years or documentation of an ARNP or CNS refresher course to include both theoretical and clinical components must be submitted. A current Registered Nurse license under Sections 464.008, 464.009, F.S., is required for the clinical component of a refresher course.~~

Rulemaking Authority 464.006, 464.012, 464.014 FS. Law Implemented 456.036(9), 464.012, 464.014 FS. History—New 8-31-80, Amended 3-16-81, 6-18-85, Formerly 21O-11.28, Amended 3-19-87, 10-21-87, Formerly 21O-11.028, Amended 12-27-93, Formerly 61F7-4.014, 59S-4.014, Amended 4-5-00, 9-6-09, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:

RULE TITLE:

64B15-14.005

Standards for the Use of Controlled Substances for Treatment of Pain

PURPOSE AND EFFECT: The proposed rule amendments clarify the rule with regard to the appropriate standards to be utilized in the use of controlled substances for the treatment of pain.

SUMMARY: The proposed rule amendments clarify the Board's rule with regard to the appropriate standards for all physicians who prescribe or dispense controlled substances for the treatment of pain.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 459.005(1) FS.

LAW IMPLEMENTED: 459.003(3), 459.015(1)(g), (x) 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 Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.005 Standards for the Use of Controlled Substances for Treatment of Pain.

(1) through (2) No change.

(3) Guidelines. The Board has adopted the following guidelines when evaluating the use of controlled substances for pain control:

(a) Evaluation of the Patient. A complete medical history and physical examination must be conducted and documented in the medical record. The medical record ~~shall~~ ~~should~~ document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, and history of substance abuse. The medical record also ~~shall~~ ~~should~~ document the presence of one or more recognized medical indications for the use of a controlled substance.

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

(c) Informed Consent and Agreement for Treatment. The osteopathic physician ~~shall~~ ~~should~~ discuss the risks and benefits of the use of controlled substances with the patient, persons designated by the patient, or with the patient's surrogate or guardian if the patient is incompetent. The patient ~~shall~~ ~~should~~ receive prescriptions from one osteopathic physician and one pharmacy where possible. If the patient is determined to be at high risk for medication abuse or have a history of substance abuse, the osteopathic physician ~~shall~~ ~~may~~ employ the use of a written agreement between physician and patient outlining patient responsibilities, including, but not limited to:

1. through 3. No change.

(d) Periodic Review. ~~Based At reasonable intervals based~~ on the individual circumstances of the patient, the osteopathic physician ~~shall~~ ~~should~~ review the course of treatment and any new information about the etiology of the pain. Continuation or modification of therapy ~~shall~~ ~~should~~ depend on the osteopathic physician's evaluation of progress toward stated treatment objectives such as improvement in patient's pain intensity and improved physical and/or psychosocial function, i.e., ability to work, need of health care resources, activities of daily living, and quality of social life. If treatment goals are not being achieved, despite medication adjustments, the osteopathic physician ~~shall~~ ~~should~~ reevaluate the appropriateness of continued treatment. The osteopathic physician ~~shall~~ ~~should~~ monitor patient compliance in medication usage and related treatment plans.

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

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

1. The complete medical history and a physical examination, including history of drug abuse or dependence, as appropriate;
2. through 7. No change.
8. Instructions and agreements; ~~and~~
9. Drug testing results; and
- ~~10.9.~~ Periodic reviews. Records must remain current, ~~and~~ be maintained in an accessible manner, ~~and~~ readily available for review, and must be in full compliance with Rule 64B15-15.004, F.A.C., and Section 459.015(1)(o), F.S.

(g) No change.

~~Rulemaking Specific Authority 459.005(1) FS. Law Implemented 459.003(3), 459.015(1)(g), (x) FS. History--New 3-9-00, Amended 11-14-06,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

**DEPARTMENT OF HEALTH
Board of Osteopathic Medicine**

RULE NO.: 64B15-14.0051
RULE TITLE: Standards of Practice for Physicians Practicing in Pain Management Clinics

PURPOSE AND EFFECT: The proposed rule amendment is intended to require a quality assurance review of the pain management clinic once every three years as opposed to the current requirement setting forth an annual review.

SUMMARY: The current rule requires a quality assurance review of the pain management clinic every year. The proposed rule amendment will require the quality assurance review once every three years.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the 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: 459.0137(4) FS.

LAW IMPLEMENTED: 459.0137 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 Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

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

THIS RULE IS APPLICABLE TO PHYSICIANS PRACTICING IN PRIVATELY OWNED PAIN MANAGEMENT CLINICS THAT ARE REQUIRED TO BE REGISTERED PURSUANT TO SECTION 459.0137, F.S., WHO PRIMARILY ENGAGE IN THE TREATMENT OF PAIN BY PRESCRIBING OR DISPENSING CONTROLLED SUBSTANCE MEDICATIONS.

- (1) No change.
- (2) Standards of Practice in Pain Management Clinics.
- (a) through (k) No change.

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

- 1. through 4. No change.
- 5. The Quality Assurance program must be reviewed once every three years annually by a Florida-licensed risk manager and documentation of said ~~annual~~ review must be provided to the Department together with any corrective action plan within 30 days of the ~~annual~~ review and maintained for inspection purposes.

- (m) through (n) No change.

Rulemaking Authority 459.0137(4) FS. Law Implemented 459.0137 FS. History--New 11-8-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2010

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

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NOS.: 64D-3.029
 RULE TITLES: Diseases or Conditions to be Reported

64D-3.031 Notification by Laboratories

PURPOSE AND EFFECT: The purpose of these changes is to remove lower-priority diseases that are currently reportable to the Department of Health by physicians, hospitals and/or laboratories from the list of reportable diseases. Cases of reportable diseases are tracked and investigated by the Department of Health for the purposes of preventing additional cases and disease outbreaks.

SUMMARY: Subject area to be addressed: Communicable disease monitoring. The following diseases will be removed from the list of reportable diseases: Encephalitis, other (non-arboviral); Meningitis, bacterial, cryptococcal and mycotic; Streptococcal disease, invasive Group A; Toxoplasmosis; Typhus fever (endemic).

The following diseases will have clarifications to their reporting requirements: Creutzfeld-Jacpb Disease; Hepatitis C, chronic; Haemophilus influenzae, meningitis and invasive disease; Lead poisoning; Rocky Mountain Spotted Fever; Vibriosis; Streptococcus pneumoniae, viral hemorrhagic fevers.

Central-line-associated bloodstream infections in hospitalized patients are made reportable by giving DOH access to reports already being made by hospitals to the US Department of Health and Human Services (HHS).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory cost was prepared. The proposed amendment will lower compliance costs to regulated entities.

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: 381.0031(6) FS.

LAW IMPLEMENTED: 381.0031(6) FS.

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

DATE AND TIME: Monday, January 24, 2011, 11:00 a.m. EST

PLACE: Florida Department of Health, 2855 Merchants Row Blvd., Prather Bldg., Room 320P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet J Hamilton, Surveillance and Reporting Section Administrator, Florida Department of Health, Bureau of Epidemiology, 4052 Bald Cypress Way, Bin A-12, Tallahassee, FL 32399, (850)245-4401

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.029 Diseases or Conditions to be Reported.

(1) Diseases or conditions listed in subsection (3) below are of public health significance identified by the Department as of the date of these rules which must be reported by the practitioner, hospital, laboratory, or other individuals via telephone (with subsequent written report within 72 hours, see Rules 64D-3.030-64D-3.033, F.A.C.), facsimile, electronic data transfer, or other confidential means of communication to the County Health Department having jurisdiction for the area in which the office of the reporting practitioner, hospital, laboratory or patient’s residence is located consistent with the specific section and time frames in subsection (3) below relevant to the practitioners, hospitals and laboratories, respectively. Reporters are not prohibited from reporting diseases or conditions not listed by rule.

(2) Definitions to be used with subsection (3) below:

(a) “*Notifiable Diseases or Conditions*” – The definitions of “suspected case” and “confirmed case” for reportable diseases or conditions are set forth in “Surveillance Case Definitions for Select Reportable Diseases in Florida,” 2011 August 2008, incorporated by reference, available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00086>.

(b) “*Suspect Immediately*” – A notifiable condition of ~~or~~ urgent public health importance. Report without delay upon the occurrence of any of the following: Initial suspicion, receipt of

a specimen with an accompanying request for an indicative or confirmatory test, findings indicative thereof, or suspected diagnosis. Reports that cannot timely be made during the County Health Department business day shall be made to the County Health Department after-hours duty official. If unable to do so, the reporter shall contact the Florida Department of Health after hours duty official at (850)245-4401.

(c) “*Immediately*” – A notifiable condition of urgent public health importance. Report without delay upon the occurrence of any of the following: An indicative or confirmatory test, findings indicative thereof, or diagnosis. Reports that cannot timely be made during the County Health Department business day shall be made to the County Health Department after-hours duty official. If unable to do so, the reporter shall contact the Florida Department of Health after hours duty official at (850)245-4401.

(d) “*Next Business Day*” – Report before the closure of the County Health Department’s next business day following suspicion or diagnosis.

(e) “*Other*” – Report consistent with the instruction in and footnotes to subsection (3) below.

(3) Table of Notifiable Diseases or Conditions to be Reported”

Practitioner Reporting					Laboratory Reporting					
Notifiable Diseases or Conditions	Suspect Immediately	Timeframes			Evidence of current or recent infection with etiological agents	Submit isolates or specimens for confirmation *1	Suspect Immediately	Timeframes		
		Immediately	Next Business Day	Other				Immediately	Next Business Day	Other
Any case, cluster of cases, or outbreak of an infectious or non-infectious a disease or condition found in the general community or any defined setting such as a hospital, school or other institution, not listed in this Rule that is of urgent public health significance. This includes cases, clusters, or outbreaks spread <u>those indicative of person-to-person, by animals or vectors or from an spread, zoonotic spread, the presence of an environmental, food or waterborne source of exposure; and those that result from a deliberate act of terrorism; and unexplained deaths possibly due to unidentified infectious causes.</u>	X	X			Detection in one or more specimens of etiological agents of a disease or condition not listed in this rule that is of urgent public health significance. This includes the identification of etiological agents that are part of <u>clusters, or outbreaks spread person-to-person, by animals or vectors or from an environmental, food or waterborne source of exposure; those that result from a deliberate act of terrorism; and unexplained deaths possibly due to unidentified infectious causes.</u>		X	X		
Acquired Immune Deficiency Syndrome (AIDS)				2 Weeks	Not Applicable					
Amebic Encephalitis		X			<i>Naegleria fowleri, Balamuthia mandrillaris, or Acanthamoeba spp.</i>			X		

Anthrax	X	X			Bacillus anthracis	X	X	X		
Arsenic*2			X		Laboratory results as specified in the surveillance case definition for arsenic poisoning *2				X	
Botulism, foodborne	X	X			Clostridium botulinum or botulinum toxin	X	X	X		
Botulism, infant			X		Clostridium botulinum or botulinum toxin	X			X	
Botulism, other (includes wound and unspecified)	X	X			Clostridium botulinum or botulinum toxin	X	X	X		
Bruceellosis	X	X			Brucella abortus, B. melitensis, B. suis, B. canis	X	X	X		
California serogroup virus neuroinvasive and non-neuroinvasive disease			X		California encephalitis, Jamestown Canyon, Keystone, Lacrosse, snowshoe hare, trivittatus viruses	X			X	
Campylobacteriosis			X		Campylobacter species				X	
Cancer (except non-melanoma skin cancer, and including benign and borderline intracranial and CNS tumors) *3				6 Months	Pathological or tissue diagnosis of cancer (except non-melanoma skin cancer and including benign and borderline intracranial and CNS tumors)					6 Months
Carbon monoxide poisoning			X		A volume fraction ≥ 0.09 (9%) of carboxyhemoglobin in blood				X	
Central Line-Associated Bloodstream Infection in a hospitalized patient *4				X*4	Not applicable					
CD-4	Not Applicable				CD-4 absolute count and percentage of total lymphocytes*5 4					3 days
Chancroid			X		Haemophilus ducreyi				X	
Chlamydia			X		Chlamydia trachomatis				X	
Chlamydia in pregnant women and neonates			X		Chlamydia trachomatis				X	
Chlamydia in children < 12 years of age*6 5			X		Chlamydia trachomatis				X	
Cholera	X	X			Vibrio cholerae	X	X	X		
Ciguatera fish poisoning (Ciguatera)			X			Not Applicable				
Congenital anomalies*7 6				6 Months		Not Applicable				
Conjunctivitis in neonates < 14 days old			X			Not Applicable				
Creutzfeld-Jakob disease (CJD) *8 7			X		14-3-3 and tau protein from CSF or any brain pathology suggestive of CJD*8 7				X	
Cryptosporidiosis			X		Cryptosporidium parvum				X	
Cyclosporiasis			X		Cyclospora cayetanensis	X			X	
Dengue			X		Dengue virus	X			X	
Diphtheria	X	X			Corynebacterium diphtheriae	X	X	X		
Eastern equine encephalitis virus neuroinvasive and non-neuroinvasive disease			X		Eastern equine encephalitis virus	X			X	
Ehrlichiosis/Anaplasmosis-			X		Anaplasma phagocytophilum, Ehrlichia chaffeensis, or E. ewingii	X			X	
Ehrlichiosis/Anaplasmosis- undetermined or unspecified			X		Ehrlichia or Anaplasma species, other	X			X	
Encephalitis, other (non arboviral)			X		Isolation from or demonstration in brain or central nervous system tissue or cerebrospinal fluid, of any pathogenic virus				X	
Enteric disease due to Escherichia coli O157:H7		X			Escherichia coli O157:H7	X		X		
Enteric disease due to other pathogenic Escherichia coli*9 8		X			Escherichia coli*9 8			X		
Giardiasis (acute)			X		Giardia species				X	
Glanders	X	X			Burkholderia mallei,	X	X	X		
Gonorrhea			X		Neisseria gonorrhoeae				X	
Gonorrhea in children < 12 years of age*6 5			X		Neisseria gonorrhoeae				X	
Gonorrhea in pregnant women and neonates			X		Neisseria gonorrhoeae				X	
Gonorrhea (Antibiotic Resistant)			X		Neisseria gonorrhoeae*10 9				X	
Granuloma Inguinale			X		Calymmatobacterium granulomatis				X	

<i>Haemophilus influenzae</i> , meningitis and invasive disease, in a person aged equal to or less than 5 years old	X	X		<i>Haemophilus influenzae</i> in a specimen from a normally sterile site, all ages *11	X	X	X		
Hansen disease (Leprosy)			X	<i>Mycobacterium leprae</i>				X	
Hantavirus infection		X		Hantavirus	X			X	
Hemolytic uremic syndrome		X			Not Applicable				
Hepatitis A*12 †0		X		Hepatitis A*12 †0				X	
Hepatitis C, acute symptoms of viral illness			X	Hepatitis C, acute*12 †0					X
Hepatitis C, chronic		Not applicable		Hepatitis C, chronic *12 †0					X
Hepatitis B, C, D, E and G Virus*12 †0			X	Hepatitis B, C, D, E and G Virus*12 †0					X
Hepatitis B surface antigen (HBsAg)-positive in a pregnant woman or a child up to 24 months old			X	Hepatitis B surface antigen (HBsAg)					X
Herpes simplex virus (HSV) in infants up to 60 days old with disseminated infection with involvement of liver, encephalitis and infections limited to skin, eyes and mouth*13 ††			X	HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture* 13 ††					X
HSV – anogenital in children < 12 years of age*6 5*13 ††			X	HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture*13 ††					X
Human immunodeficiency virus (HIV)			2 Weeks	Repeatedly reactive enzyme immunoassay, followed by a positive confirmatory tests, (e.g. Western Blot, IFA): Positive result on any HIV virologic test (e.g. p24 AG, Nucleic Acid Test (NAT/NAAT) or viral culture). All viral load (detectable and undetectable) test results*13 †3*15 †3					3 days
Human immunodeficiency virus (HIV) Exposed Newborn – infant < 18 months of age born to a HIV infected woman			X	All HIV test results (e.g., positive or negative immunoassay, positive or negative virologic tests) for those < 18 months of age					3 days
Human papillomavirus (HPV) associated laryngeal papillomas or recurrent respiratory papillomatosis in children <6 years of age*6 5			X	HPV DNA					X
HPV – anogenital in children <12 years of age*6 5			X	HPV DNA					X
Human papillomavirus ONLY physicians licensed as pathologists need report as directed under Laboratory Reporting* 16 †4 →			X	1) Positive test for any high risk human papillomavirus (HPV) type (e.g., 16, 18, 31, 33, 35, 39, 45, 51, 52, 56, 59, 68, etc)*17 †5 2) Abnormal cervical and anogenital cytologies consistent with “Bethesda 2001 Terminology” *18 †5 3) Abnormal histologies including*17 †5: a. cervical vaginal intraepithelial neoplasia (CIN 1, 2, or 3) b. vulvar intraepithelial neoplasia (VIN 1, 2, or 3) c. vaginal intraepithelial neoplasia (VAIN 1, 2, or 3) d. anal intraepithelial neoplasia (AIN 1, 2, or 3)					X
Influenza due to novel or pandemic strains	X	X		Isolation of influenza virus from humans of a novel or pandemic strain	X	X	X		
Influenza-associated pediatric mortality in persons aged < 18 years		X		Influenza virus – associated pediatric mortality in persons aged <18 years (if known)	X			X	
Lead poisoning*18 †6			X	All blood lead test results*18 †6					X
Legionellosis			X	<i>Legionella</i> species					X
Leptospirosis			X	<i>Leptospira interrogans</i>					X
Listeriosis		X		<i>Listeria monocytogenes</i>				X	
Lyme disease			X	<i>Borrelia burgdorferi</i>					X

Lymphogranuloma Venereum (LGV)			X	<i>Chlamydia trachomatis</i>				X
Malaria			X	<i>Plasmodium falciparum, P. vivax, P. ovale, P. malariae</i>	X			X
Measles (Rubeola)	X	X		Measles virus*19 17	X	X	X	
Melioidosis	X	X		<i>Burkholderia pseudomallei</i>	X	X	X	
Meningitis, bacterial, cryptococcal and mycotic (other than meningococcal or <i>H. influenzae</i> or pneumococcal)			X	Isolation or demonstration of any bacterial or fungal species in cerebrospinal fluid				X
Meningococcal Disease, includes meningitis and meningococemia	X	X		<i>Neisseria meningitidis</i> (serogroup needed)	X	X	X	
Mercury poisoning			X	Laboratory results as specified in the surveillance case definition for mercury poisoning				X
Mumps			X	Mumps virus				X
Neurotoxic shellfish poisoning		X		Laboratory results as specified in the surveillance case definition for Neurotoxic shellfish poisoning			X	
Pertussis		X		<i>Bordetella pertussis</i>			X	
Pesticide-related illness and injury			X	Laboratory results as specified in the surveillance case definition for pesticide related illness and injury				X
Plague	X	X		<i>Yersinia pestis</i>	X	X	X	
Poliomyelitis, paralytic and non-paralytic	X	X		Poliovirus	X	X	X	
Psittacosis (Ornithosis)			X	<i>Chlamydophila psittaci</i> (formerly known as <i>Chlamydia psittaci</i>)	X			X
Q Fever			X	<i>Coxiella burnetii</i>	X			X
Rabies, animal		X		Rabiesvirus		X	X	
Rabies, human		X		Rabiesvirus		X	X	
Rabies, possible exposure*20 18	X	X		Not Applicable				
Ricin toxicity	X	X		Ricin toxin (from <i>Ricinus communis</i> castor beans)	X	X	X	
Rocky Mountain spotted fever and other closely related Spotted Fever Rickettsiosis			X	<i>Rickettsia rickettsii</i> and other <i>Rickettsia</i> spp. found to cause spotted fever rickettsiosis; including but not limited to: <i>Rickettsia aeschlimannii, R. africae, R. australis, R. conorii, R. heilongjiangensis, R. helvetica, R. honei, R. japonica, R. marmionii, R. massiliae, R. mongolotimonae, R. parkeri, R. siberica, R. slovaca</i>	X			X
Rubella, including congenital	X	X		Rubella virus*19 17	X	X	X	
St. Louis encephalitis (SLE) virus neuroinvasive and non-neuroinvasive disease			X	St. Louis encephalitis virus	X			X
Salmonellosis			X	<i>Salmonella</i> species by species serogroup and serotype				X
Saxitoxin poisoning including Paralytic shellfish poisoning (PSP)			X	Saxitoxin				X-
Severe Acute Respiratory Syndrome-associated Coronavirus (SARS-CoV) disease	X	X		SARS-associated Coronavirus (SARS-CoV)	X	X	X	
Shigellosis			X	<i>Shigella</i> species by species serogroup				X
Smallpox	X	X		Variola virus (orthopox virus)	X	X	X	
<i>Staphylococcus aureus</i> – community associated mortality*21 19			X	<i>Staphylococcus aureus</i> - community associated mortality*22 20	X			
Not Applicable				<i>Staphylococcus aureus</i> isolated from a normally sterile site *23 21				X
<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA)		X		<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA); Laboratory results as specified in the surveillance case definition. *24 22	X		X	
Staphylococcus enterotoxin B		X		Staphylococcus enterotoxin B	X		X	
Streptococcal disease, invasive, Group A			X	<i>Streptococcus pyogenes</i> , Group A; isolated from a normally sterile site (does not include throat specimens)				X

Streptococcus pneumoniae , invasive disease	Not Applicable			Streptococcus pneumoniae isolated from a normally sterile site *23					X
Streptococcus pneumoniae , invasive disease in children < 5 years, drug sensitive and resistant			X	Streptococcus pneumoniae isolated from a normally sterile site *25 23					X
Syphilis			X	Treponema pallidum					X
Syphilis in pregnant women and neonates		X		Treponema pallidum			X		
Tetanus			X	Clostridium tetani					X
Toxoplasmosis, acute			X	Toxoplasma gondii					X
Trichinellosis (Trichinosis)			X	Trichinella spiralis					X
Tuberculosis (TB) *26 24			X	Mycobacterium tuberculosis complex*26 24					X
Tularemia	X	X		Francisella tularensis	X	X	X		
Typhoid fever		X		Salmonella typhi	X		X		
Typhus fever (epidemic or louse-borne outbreak)	X	X		Rickettsia prowazekii	X	X	X		
Typhus fever (endemic)			X	Rickettsia typhi, R. felis	X				X
Vaccinia disease	X	X		Vaccinia virus	X	X	X		
Varicella (ChickenPox) *27 25			X	Varicella virus					X
Varicella mortality			X	Varicella virus					X
Venezuelan equine encephalitis virus neuroinvasive and non-neuroinvasive	X	X		Venezuelan equine encephalitis virus	X	X	X		
Vibriosis (infections by <u>Vibrio species and closely related organisms</u> , (Vibrio infections , other than Cholera)			X	All non-cholera <u>Vibrio</u> species including, <u>V. alginolyticus</u> , <u>V. fluvialis</u> , <u>V. furnissii</u> , <u>V. mimicus</u> , <u>V. parahaemolyticus</u> , <u>V. vulnificus</u> <u>Photobacterium damsela</u> , (formerly <u>V. damsela</u>) <u>Grimontia hollisae</u> (formerly <u>V. hollisae</u>)	X				X
Viral hemorrhagic fevers	X	X		Ebola, Marburg, Lassa, Machupo <u>Lujoviruses, a new world</u> <u>Arenavirus, or Congo-Crimean hemorrhagic fever</u>	X	X	X		
West Nile virus neuroinvasive and non-neuroinvasive disease			X	West Nile virus	X				X
Western equine encephalitis virus neuroinvasive and non-neuroinvasive disease			X	Western equine encephalitis virus	X				X
Yellow fever	X	X		Yellow fever virus	X		X		

*1 – Submission of isolates or specimens for confirmation:

- Each laboratory that obtains a human isolate or a specimen from a patient shall send specimens (such as isolates, sera, slides or diagnostic preparations) to the Florida Department of Health, Bureau of Laboratories for confirmation or additional characterization of the organism.
- ~~Hospitals, practitioners and laboratories~~ Persons submitting specimens for reportable laboratory tests to the Florida Department of Health, Bureau of Laboratories, pursuant to subsection 64D-3.003(4), F.A.C., are required to supply the laboratories with sufficient information to comply with the provisions of this section.
- For the address of your closest regional Florida Department of Health laboratory location, contact 1(866)352-5227. This location will receive isolates

or specimens and maintain a record to indicate the date that these specimens were submitted to the laboratory.

- Laboratories shall submit isolates or specimens to the Florida Department of Health, Bureau of Laboratories for confirmation or additional characterization of the organism for any notifiable disease as requested by the county health department director or administrator or their designee. Some additional information regarding such requests can be found in the document “Surveillance Case Definitions for Select Reportable Diseases in Florida”
- Laboratories are not prohibited from submitting isolates or specimens from a patient for a disease or condition that is not designated in the Table of Notifiable Diseases or Conditions to be Reported in this Rule.

- *2 – Special reporting requirements for Arsenic: Test results should only be reported if the test occurred 72 hours after the patient's consumption of seafood.
- *3 – Notification within six months of diagnosis and within six months of each treatment.
- Exceptions are located in Rule 64D-3.038, F.A.C.
- *4 – Special reporting requirements for Central Line-Associated Bloodstream Infection (CLABSI)-Reporting applies only to hospitals that choose to participate in the Centers for Medicare and Medicaid Services Hospital Inpatient Quality Reporting Program. Hospitals that participate in this program fulfill reporting requirements of this Rule by the one-time action of conferring rights to join the DOH User Group in the National Healthcare Safety Network (NHSN). This Rule does not require reporting data elements beyond those required by Centers for Medicare and Medicaid Services Hospital Inpatient Quality Reporting Program.
- *54 – All CD4s, with or without confirmed HIV infection.
- *65 – Child abuse should be considered by a practitioner upon collection of a specimen for laboratory testing in any person 12 years of age or under, excluding neonates. Reporting of a STD case to a county health department does not relieve the practitioner of their mandatory reporting responsibilities regarding child abuse pursuant to Section 39.201, F.S.
- *76 – Exceptions are located in Rule 64D-3.035, F.A.C.
- *87 – Practitioners should contact the Department of Health, Bureau of Epidemiology at (850)245-4401 to arrange appropriate autopsy and specimen collection.
- *98 – Non-O:157:H7, including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, enteroaggregative strains and shiga toxin positive strains.
- *109 – Special reporting requirements for Antibiotic Resistant *Neisseria gonorrhoeae*:
a. Report susceptibility test results (zone sizes for disk diffusion; MICs for E-test or agar dilution) for the following antibiotics: Azithromycin, Cefixime, Ceftriaxone, Ciprofloxacin, Erythromycin, Ofloxacin, Penicillin, Spectinomycin, and Tetracycline.
- *11 – Special reporting requirements for Haemophilus influenza: For test results associated with persons greater than 5 years old, paper reports are not required. In accordance with paragraph 64D-3.031(5)(c), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.
- *1240 – Special reporting requirements for Hepatitis A, B (acute and chronic), C (acute and chronic), D, E, G:
a. Positive results should be accompanied by any hepatitis testing conducted (positive and negative results): and
b. All serum aminotransferase levels.
- *1344 – A 4-fold titer rise in paired sera by various serological tests confirmatory of primary infection; presence of herpes-specific IgM suggestive but not conclusive evidence of primary infection.
- *1442 – Special requirements for STARHS (Serologic Testing Algorithm for Recent HIV Seroconversion):
a. Each laboratory that reports a confirmed positive HIV test in persons 13 years of age and older must also report a serologic testing algorithm for recent HIV seroconversion (STARHS) test result.
b. In lieu of producing this test result, each laboratory that reports a confirmed positive HIV test must submit a sample for additional testing using STARHS (Serologic Testing Algorithm for Recent HIV Seroconversion). The laboratory is permitted to send the remaining blood specimen or an aliquot of at least 0.5 ml to the Florida Department of Health, Bureau of Laboratories, 1217 Pearl Street, Jacksonville, Florida 32202-3926.
c. Laboratories electing to send a blood specimen will contact the Florida Department of Health, Bureau of Laboratories at (904)791-1500 to receive specimen maintenance and shipping instructions.
d. Nationally based laboratories with an existing contract to ship specimens directly to a STARHS laboratory designated by the National Centers for Disease Control and Prevention will not be required to send a specimen to the Florida Department of Health Laboratory.
- *1543 – If a genotype is performed, the fasta files containing the nucleotide sequence data, including the protease and reverse transcriptase regions must be reported.
- *1644 – Practitioners need not report, unless licensed as a pathologist.
- *1745 – Special reporting requirements for laboratories and pathologists:
a. Report to the Florida Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A-19, Tallahassee, Florida 32399-1716, (850)245-4303.
b. Paper reports are not required. In accordance with paragraph 64D-3.031(5)(c), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.
- *1846 – Special reporting requirements for reporting blood lead tests:

- a. All blood lead tests are considered evidence of a suspected case and are to be reported to the Florida Department of Health, Bureau of Community Environmental Health, Childhood Lead Poisoning Prevention Program, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1712, (850)245-4277. This reporting requirement pertains to: 1) laboratories and 2) practitioners that conduct on site blood lead analysis (i.e., practitioners that use portable lead care analyzers or other devices to perform blood lead analysis).
- b. All such reports must be received by the Department electronically.
- c. Results less than 10µg/dL produced by on site blood lead analysis devices (i.e., portable lead care analyzers or other portable devices used to perform blood lead analysis) must be reported within 10 business days.
- *1947 – IgM serum antibody or viral culture test orders for measles (rubeola) or rubella should be reported as suspect immediately, but not IgG results.
- *2048 – Includes a bite or other significant exposure to a human or domestic animal (including all pets and livestock) by an animal:
- a. That results in rabies prophylaxis for the person exposed, rabies testing or quarantine of the animal causing the exposure; or
- b. That is capable of transmitting herpes B viruses (includes exposures from nonhuman primates).
- *2149 – As specified in the surveillance case definition for mortality in a person infected with community associated *Staphylococcus aureus*. For *S. aureus* mortality cases, a *S. aureus* culture shall be sent to the Florida Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500. When pneumonia was present, a suitable respiratory specimen for viral testing should be submitted if available.
- *2220 – Laboratories that have an isolate from a patient known to have died from community associated *Staphylococcus aureus* must submit isolates to Florida Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500.
- *2324 – Special reporting requirements for *Staphylococcus aureus*:
- a. Antibiotic sensitivities must be included.
- b. Paper reports are not required. In accordance with paragraph 64D-3.031(5)(c), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.
- *2422 – Special reporting requirements for *Staphylococcus aureus* with intermediate or full resistance to vancomycin (VISA, VRSA):
- a. Antibiotic sensitivities must be included.
- *2523 – Special reporting requirements for *Streptococcus pneumoniae*:
- a. Antibiotic sensitivities must be included.
- b. For test results associated with persons greater than 5 years old, paper reports are not required. In accordance with paragraph 64D-3.031(5)(c), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.
- *2624 – Special reporting requirements for Tuberculosis:
- a. Test results must also be submitted by laboratories to the Department of Health, Bureau of Tuberculosis and Refugee Health, 4052 Bald Cypress Way, Bin A20, Tallahassee, Florida 32399-1717, (850)245-4350;
- b. The 15-digit spoligotype (octal code) must be reported. If the spoligotyping is not available, the isolate must be submitted to the Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500. The Department will provide the mailing materials and pay mailing costs.
- *2725 – Special reporting requirements for Varicella (chickenpox) – Besides the information required to be reported in subsection 64D-3.030(3) F.A.C., practitioners shall also provide date of vaccination.
- Rulemaking Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.33, 392.53(2), 392.66 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(1), (2), (6), 383.06, 384.23, 384.25, 385.202, 392.53 FS. History–New 11-20-06, Amended 11-24-08,_____.
- Editorial Note: History–Formerly 10D-3.62, 10D-3.062, and 64D-3.002.
- 64D-3.031 Notification by Laboratories.
- (1) Each person or designee who is in charge of a public, federal, private, military or hospital laboratory that performs diagnostic tests ~~responsible for receiving the initial order to perform serologic, immunologic, microscopic, biochemical, molecular or cultural tests~~ on specimens derived from a human body, ~~or an animal or environmental specimen for collecting the specimen~~ shall report ~~or cause to be reported~~ any laboratory test result suggestive of or diagnostic of diseases or conditions listed in the Table of Notifiable Diseases or Conditions, Rule 64D-3.029, F.A.C., as specified in that rule ~~per this rule~~.
- (2) No change.

(3) To allow follow-up of laboratory findings suggestive of or diagnostic of diseases or conditions in the Table of Notifiable Diseases or Conditions, the form upon which the information will be reported shall be furnished by the laboratory that includes the following information:

The Patient's:

1. First and last name, including middle initial;
2. Address including street city, state and zip code;
3. Phone number, including area code;
4. Date of birth;
5. Sex;
6. Race;
7. Ethnicity (specify if of Hispanic descent or not of Hispanic descent);
8. Pregnancy status if applicable;
9. Social Security number;

(b) The Laboratory

1. Name, address and telephone number of laboratory performing test;
2. Type of specimen (for example stool, urine, blood, mucus, etc.);
3. Date of specimen collection;
4. Site (for example cervix, eye, etc., if applicable);
5. Date of report;
6. Type of tests performed and results, including reference range, titer when quantitative procedures are performed, and including all available results on speciating, grouping or typing of organisms;
7. Submitting provider's name, office name, address including street, city, zip code and telephone number, including area code;
8. National Provider Identification (NPI) Number.

(4) Laboratories located out of state, licensed under Part 1, Chapter 483, F.S., who collect specimens in Florida or who receive ~~an~~ the initial order for testing from a practitioner, blood bank, plasmapheresis center or other health care provider located in Florida, shall report in the same way as if the findings had been made by a laboratory located in Florida.

(5) Upon the Department's implementation of its Electronic Laboratory Reporting System (ELR) for laboratory findings suggestive of or diagnostic of diseases or conditions, reports will be submitted electronically to the Department using Health Level Seven (HL7) version 2.3.1 format or ASCII delimited flat files which reflect comparable content to HL7 version 2.3.1. utilized by the Department of Health. The CDC Implementation Guide, Health Level Seven Specifications for Electronic Laboratory-Based Reporting of Public Health Information, October 1997, using version 2.3.1 of the Health Level Seven (HL7) Standard Protocol, incorporated by reference, is available online at: <http://www.cdc.gov/nedss/ELR/HL7Spec.pdf>.

The Department's ELR System shall include:

1. The initial contact with the reporting laboratory;
2. A content review and testing of the laboratories' HL7 transmissions; and
3. The transition from testing to production for the HL7 laboratory transmissions.

(b) The Department and laboratory will agree on a date of implementation

(c) Laboratories reporting electronically through ELR and the Department shall agree to a date that the transmission of findings suggestive of or diagnostic of diseases or conditions listed in the Table of Notifiable Disease or Conditions, Rule 64D-3.029, F.A.C., electronically in HL7 version 2.3.1 format to the Department is acceptable and considered good faith reporting and the laboratory will no longer be required to submit paper forms pursuant to subsection 64D-3.031(3), F.A.C;

(d) The Department shall ensure access to the laboratory findings suggestive of or diagnostic of disease or conditions listed in the Table of Notifiable Diseases or Conditions to authorized representatives of the department.

(6) through (8) No change.

Rulemaking Specific Authority 381.0011(7), 381.0011(13), 381.003(2), 381.0031(5), 381.0031(6), 384.33, 392.66 FS. Law Implemented 381.0011, 381.003, 381.0031, 384.25(1), 392.53(1) FS. History—New 11-20-06, Amended 11-24-08,_____.

Editorial Note: History—Formerly 10D-3.66, 10D-3.066, 64D-3.003, 64D-3.017 and 64D-3.023

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet J Hamilton, M.P.H, Surveillance and Reporting Section Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julia Gill, Ph.D., M.P.H., Director, Division of Disease Control

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2010

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.:	RULE TITLE:
1A-37.001	Use or Rental of Mission San Luis Facilities

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 36, No. 42, October 22, 2010 issue of the Florida Administrative Weekly.

In response to comments received from the Joint Administrative Procedures Committee, reference to Section 267.14, Florida Statutes, as implementing authority is removed and substantive changes have been made to subsections (1) and (5), and a new subsection (6) is created to incorporate language previously published as part of subsection (5) and then revised so those subsections will read as follows:

(1) General provisions. Pursuant to Section 267.17, F.S., the grounds and facilities buildings of Mission San Luis (Mission) are may be made available for visitation and rental. Such visitation and rental activities are coordinated by through an agreement with the Friends of Mission San Luis, Inc. (FOMSL) through a written agreement with the Department of State's Division of Historical Resources. The FOMSL is established pursuant to Section 267.17, F.S., to provide primary assistance, funding and promotional support including any activities necessary or derived to organize and operate the Mission and its programs.

Paragraphs (a)-(g) of subsections (1) and (2)-(4), and paragraph (5)(a) are not substantively changed.

(5) Rental process.

(b) An application shall be denied if:

1. The event involves political fundraising activities.
2. The event interferes with or does not uphold the historic nature of the Mission.
3. The applicant has failed to comply with terms and conditions of a previous use or rental of the Mission including specific facility or grounds.

(c) Subsequent to approval, an approved event shall be cancelled if it is determined that:

1. The event interferes with or otherwise does not uphold the historic nature of the Mission.
2. The event involves or includes an outside vendor selling to guests or attendees for which prior written authorization was not obtained. Authorization shall be granted if it is determined that Mission resources are not adversely affected, that existing contractual relationships are not impaired or adversely affected, that a needed visitor service or product is provided, and that the provision of the product and/or service is consistent with MSL management practices as set out in this rule.

(6) Fees and expenses.

(a) The fee and expense schedule shall be published on the Mission's website at: www.missionsanluis.org (accessible also through the Division's website), and posted conspicuously on the Mission's Visitor's Center. Any proposed change to the current schedule shall be advertised in the Florida Administrative Weekly, published on the Mission's website at:

www.missionsanluis.org, and posted conspicuously on the Mission's Visitor Center. A hearing on the schedule shall be held upon request. Any proposed change to the fee schedule shall be approved by the Division before it becomes final. The schedule in effect may be obtained at <http://www.missionsanluis.org/>, or the Division's website, or by visiting or writing to the Mission at 2100 West Tennessee Street, Tallahassee, Florida 32304.

(b) The fee and expense schedule shall be based on the:

1. Cost of managing and operating the Mission site.
2. Type of facility rented.
3. The needs or requirements for protecting the historical and archeological value of the Mission site.
4. Peak season(s) of the year.
5. Market demand and competition with other similar rental space providers and providers of services in the area to promote and secure use of the facilities and generate funding for the Mission.

6. Costs to cover special services, needs or requirements that an event may require including but not limited to the use of the Mission's audio-visual equipment, special staffing, set-up, and clean-up, or the need for valet parking service, shuttle service and security personnel for after normal business hours activities.

(c) Additional fees and expenses for rental may apply based on the:

1. Nature, duration and extent of the event held.
2. Costs to cover special services, needs, or requirements of the event, not otherwise listed in the fee schedule.

Rulemaking Specific Authority 20.10(3), 267.031(1), 267.17(2)(b) FS. Law Implemented 267.031(2), 267.061, 267.17 FS. History--New 7-19-06. Amended _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099824
 RULE TITLE: Voluntary Prekindergarten (VPK) Low Performing Provider Good Cause Exemption

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 46, November 19, 2010, Florida Administrative Weekly has been continued from December 17, 2010 to February 15, 2011.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.065
 RULE TITLE: The Educator Accomplished Practices

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. 46, November 19, 2010 issue of the Florida Administrative Weekly.

Sub-Subparagraphs (2)(a)2.d. and (2)(a)3.g. of Rule 6A-5.065 were amended to read:

(2)(a)2.d. Respects students' cultural linguistic and family background;

(2)(a)3.g. Apply varied instructional strategies and resources, including appropriate technology, to provide comprehensible instruction, and to teach for student understanding;

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE NOS.:	RULE TITLES:
9N-3.007	Product Approval by the Commission
9N-3.011	Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

9N-3.007 Product Approval by the Commission.

(1) Approval of a product or system of construction for state acceptance shall be performed by the Commission through the following steps:

(a) through (c) No change.

(d) Product Application that rely upon a product certification mark or listing from an approved certification agency shall be approved for use statewide in accordance with its approval and limitations of use to demonstrate compliance with the Code as follows:

1. An application of a product submitted for state acceptance pursuant to paragraph 9N-3.005(1)(a), F.A.C., shall be approved by the Department after the Program System Administrator (the "Administrator") verifies that the application and required documentation as per Rule 9N-3.006, F.A.C., are complete.

2. No change.

3. Upon approval by the Department, the Administrator shall add approved products to the list of the state-approved products maintained by the BCIS. Approvals by the Department shall be reviewed and ratified by the Commission's Program Oversight Committee ("POC") except for a showing of good cause that a review by the full Commission is necessary. The Department shall schedule review of products it approves for the next POC meeting noticed in the Florida Administrative Weekly. Comments concerning such products shall be accepted utilizing the BCIS.

4. For the purpose of curing deficiencies identified within product applications approved under this section, the following steps will be undertaken:

a. If a comment is received on a Department approved Product, the Administrator shall immediately evaluate the comment and determine whether the comment is technically relevant;

b. If the comment as determined by the Administrator is technically significant, the Administrator shall post the comment received in the comment box for the application;

c. The Administrator shall immediately notify the manufacturer of the comment received on his or her application requesting that the manufacturer respond to the comment and revise the application as deemed necessary; and

d. Any ~~outstanding~~ comment(s) shall be subject to review and determination by the POC whether the matter demonstrates good cause for review by the Commission, except for a showing of good cause that a review and determination by the full Commission is necessary. Any party in disagreement with the POC action on a comment is authorized to bring the matter before the Commission by providing public comment to the Commission during its meeting following POC consideration.

e. The Commission shall review the products as recommended by the POC and comments submitted in opposition to the POC recommendation and either ratify the Department's approval of the product or direct further action by the POC, the Administrator or the applicant as necessitated by the particular circumstances.

(d) through (g) renumbered (e) through (h) No change.

(2) through (3) No change.

Rulemaking Authority 553.77(1)(i), 553.842(1) FS. Law Implemented 553.842(1) FS. History--New 5-5-02, Amended 9-4-03, 11-22-06, 5-21-09, 10-28-09, Formerly 9B-72.090, Amended _____.

9N-3.011 Forms.

The following forms are adopted for use in reference to the Product Evaluation and Approval System. Copies of these forms are available from the Department of Community Affairs, Codes and Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, and via the Building Codes Information System on the Internet, www.floridabuilding.org.

(1) Florida Building Commission, Application for Organization/Entity Approval, Form No. 9N-3.011(1) ~~9B-72.130(1)~~, effective _____ ~~November 10, 2009~~ (electronic version).

(2) Florida Building Commission, Application for State Product Approvals, Form No. 9N-3.011(2) ~~9B-72.130(2)~~, effective _____ ~~November 10, 2009~~ (electronic version). New and revised applications received after January 11, 2010

shall be limited to a maximum of 150 product sequence numbers. This limitation shall not be applicable to editorial revision or affirmation of an existing application.

(3) Validation Checklists for State Approval, updated January 15, 2007 (electronic version):

(a) Form ~~9N-3.011(3)(a)~~ ~~9B-72.130(3)(a)~~ Validation checklist for certification method;

(b) Form ~~9N-3.011(3)(b)~~ ~~9B-72.130(3)(b)~~ Validation checklist for test report method;

(c) Form ~~9N-3.011(3)(c)~~ ~~9B-72.130(3)(c)~~ Validation checklist for evaluation report from an architect or engineer;

(d) Form ~~9N-3.011(3)(d)~~ ~~9B-72.130(3)(d)~~ Evaluation report from an evaluation entity.

Rulemaking Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History—New 5-5-02, Amended 9-4-03, 11-22-06, 4-10-08, 3-2-10, Formerly 9B-72.130, Amended.

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-57.013	Installation Criteria and Warning Devices for Public Railroad-Highway Grade Crossings
14-57.014	Rail Corridor Crossing Management

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly.

In response to comments from the Joint Administrative Procedures Committee, Chapter 14-57, F.A.C., is being amended to remove all references to any future amendments to incorporated materials, recommendations, a non-functioning website, clarify language, and incorporate Form 850-040-20 under Rule 14-57.014, F.A.C.

14-57.013

(2) Minimum Active Grade Crossing Traffic Control Devices. All new public railroad-highway grade crossings shall have, as a minimum, roadside flashing lights and gates on all roadway approaches to the crossing, usually placed on the right of approaching traffic. Lamp units shall be in accordance with the standards recommended by the MUTCD. The location of the roadside flashing lights and gates shall be in accordance with the Department’s *Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System*, “Railroad Grade Crossing Traffic Control Devices,” with the primary emphasis being the visibility of the flashing lights and gates. The Department’s 2010 *Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System*, “Railroad Grade Crossing Traffic Control Devices,” is hereby incorporated by

this rule and made a part of the rules of this Department. Copies of this document ~~and any amendments thereto~~ are available at <http://www.dot.state.fl.us/officeofdesign>.

(3) Cantilevered Flashing Lights. ~~The Department recommends for rail safety that traffic signals be placed on cantilevers along with grade crossing flashing lights if the original placement of the traffic signal obstructs the visibility of the flashing lights.~~ Pairs of flashing lights placed on cantilevered arms extended over traffic lanes shall be employed when any one or more of the following conditions exist:

(7)(a) When a new public railroad-highway grade crossing over an industrial spur track is allowed a delay in the installation of active grade crossing traffic control devices, the Department will require the crossing to be manually flagged. A delay in the installation of active grade crossing traffic control devices may occur when there are two trains or less per day at the crossing and the Department determines that the characteristics of the highway (e.g., two lanes, the average daily traffic is less than 5000 vehicles, the vehicle operating speed is less than 30 mph) are conducive to requiring a flagman. When train movements require manual flagging at night, the grade crossing must be illuminated. A new railroad highway grade crossing over an industrial spur track may be considered for a delay in the installation of active grade crossing traffic control devices when train movements are two trains per day or less, and if the Department determines that the characteristics of the highway traffic is conducive to requiring a flagman; the Department will require the crossing to be manually flagged (e.g., two lane highway, average daily traffic is less than 5,000 vehicles, less than vehicular operating speed is less than 30 mph crossing must be illuminated). When train movements require manual flagging at night, the grade crossing must be illuminated.

(8) Public Railroad-Highway Grade Crossing Traffic Control Devices. All public railroad-highway grade crossing traffic control devices shall conform to the Department’s *Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System*, “Railroad Grade Crossing Traffic Control Devices.” Copies of this document ~~and any amendments thereto~~ are available at <http://www.dot.state.fl.us/officeofdesign>.

14-57.014

(4)(c)3. Security Instrument Receipt, Form 850-040-20, Rev. 04/93, must be used, and is incorporated herein by reference ~~in Rule Chapter 14-87~~. DOT Form 850-040-20 can be obtained from <http://www.dot.state.fl.us/rail/http://www.formserver.dot.state.fl.us/capture/listings/FormsListing.aspx?ListType=FormOffice&office=Rail> or the Central Rail Office, Department of Transportation, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.021	Definitions
40D-2.041	Permits Required
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.381	Standard Permit Conditions
40D-2.801	Water Use Caution Areas

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 51, December 23, 2010 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 2010

This information was inadvertently omitted from the notice as published.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-5.002	Disciplinary Guidelines

NOTICE OF PUBLIC HEARING

The Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board announces a hearing regarding the above rule, as noticed in Vol. 36, No. 40, October 8, 2010 Florida Administrative Weekly.

DATE AND TIME: Rule 61G19-5.002, Wednesday, February 16, 2011, 4:00 p.m. or as soon thereafter as possible, until business is concluded

PLACE: Hampton Inn & Suites, Amelia Island, 19 South 2nd Street, Fernandina Beach, FL 32034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Guidelines.

Pursuant to the provisions of 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, FL 32399-0750 or by emailing a request to the Board Office at www.myfloridalicense.com or

by calling (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Orthotists and Prosthetists

RULE NO.:	RULE TITLE:
64B14-4.003	Documentation of Eligibility for Licensure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 36, September 10, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 50, December 17, 2010 issue of the Florida Administrative Weekly.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:	RULE TITLE:
69B-210.005	Unlawful Inducements, Generally

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:	RULE TITLE:
69B-210.010	Unlawful Inducements, Title Insurance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly has been withdrawn.

Section IV
Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on December 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Nottingham House Gulfport. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 3.3.2, 3.9, 3.10.3 and 3.10.4(u), 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, platform guards, terminal stopping devices, top of car operating devices and emergency stop switch which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-724).

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

NOTICE IS HEREBY GIVEN THAT on December 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lakeland Hotel & Conference Center. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 3.11.1 and 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, emergency communication and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-725).

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

NOTICE IS HEREBY GIVEN THAT on December 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Midnight Cove II, Bldg. 9. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code. that requires 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 2010-726).

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

NOTICE IS HEREBY GIVEN THAT on December 17, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Matthew R. Clark of Broadway Real Estate Services on behalf of Century Financial Center, LTD (License Numbers 36923 and 36924). Petitioner seeks a variance of the requirements of Section 3.11.3, ASME A17.3, 1996, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires Fire Fighter Service Phase II. Petitioner states that due to the economic slowdown, upgrading the elevators at his time would create a severe 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. File number VW 2010-727.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on December 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Curbside Cafe, Boca Raton, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

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

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN THAT on December 14, 2010, the Board of Accountancy, received a petition for H. Garland Granger III, on behalf of Professional Accounting Seminars, Inc., seeking a variance or waiver of subsection 61H1-33.0033(1), Florida Administrative Code, that requires that the continuing education provider retain documentation that the course instructor is a certified public accountant who has practiced in a public accounting firm for five of the last ten years.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on December 8, 2010, the Florida Real Estate Appraisal Board, received a petition for David J. Mrvica, seeking a variance or waiver of paragraph 61J1-4.010(1)(c), Florida Administrative Code, that requires that a supervisory appraiser must have been licensed as an appraiser or certified as a residential or general appraiser for at least 48 months to qualify to supervise trainees.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801. Comments on this petition should be filed with the Florida Real Estate Appraisal Board within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on December 10, 2010, the Florida Department of Environmental Protection, received a petition for variance pursuant to Section 120.542, F.S., from Sandhill Recycle Center, Inc. Petitioner requests a variance from the provisions of paragraph 62-701.730(11)(a), F.A.C., which requires proof of financial assurance for closure be submitted as part of a permit application for a construction and demolition debris disposal facility.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8735, email: Richard.Tedder@dep.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on December 20, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from that portion of paragraph 67-48.004(14)(k), F.A.C., which prohibits a change in the total set-aside commitment, from LIVE OAK-MEADOWS, L.P. The petition is seeking a temporary waiver to permit five (5) of the units in the Development to continue to be occupied by their current residents until such time as they no longer reside at the Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at: www.floridahousing.org.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Agency for Enterprise Information Technology

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: January 19, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the **Office of Insurance Regulation** concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance

of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission

will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters; rulemaking under Title 18 of the Florida Administrative Code and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee

DEPARTMENT OF STATE

NOTICE OF RESCHEDULING – The Division of Historical Resources, Bureau of Historic Preservation, Florida Historical Marker Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 18, 2011, 2:00 p.m. (This teleconference has been rescheduled from December 15, 2010)

PLACE: R. A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Florida Historical Marker Program. A copy of the agenda may be obtained by contacting: Michael Zimny, Bureau of Historic Preservation at (850)245-6333 or email: mfzimny@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 5 days before the workshop/meeting by contacting: Michael Zimny at (850)245-6333 or email: mfzimny@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: Michael Zimny at (850)245-6333 or email: mfzimny@dos.state.fl.us.

The **Division of Historical Resources**, Bureau of Historic Preservation, Florida National Register Review Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 1:00 p.m.

PLACE: R. A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposals for nominations to the National Register of Historic Places.

A copy of the agenda may be obtained by contacting: Robert Jones at (850)245-6333 or rjones@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 3 days before the workshop/meeting by contacting: Robert Jones at (850)245-6333 or rjones@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: Robert Jones at (850)245-6333 or rjones@dos.state.fl.us.

The Florida **Department of State, Division of Library and Information Services**, announces an Executive Committee/Board Meeting of the Friends of the State Library and Archives of Florida, Inc. via conference call. All persons are invited.

DATE AND TIME: Friday, January 7, 2011, 12:00 Noon – 12:30 p.m. EST

PLACE: Archives Conference Room, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee/Board of the Friends will discuss and consider a motion to approve an Online Computer Library Center (OCLC)/WebJunction Project Compass grant application, which, if funded, will provide training to library staff to increase their knowledge of available resources to handle the service needs of Florida's unemployed and job-seeking residents. For additional information, contact: Judith Ring, Division Director, at (850)245-6600.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling (850)245-6600 or TDD (850)922-4085.

The **Friends of Mission San Luis, Inc.** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 26, 2011, 1:00 p.m. – 5:00 p.m.

PLACE: 2100 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Board of Directors will meet to discuss fundraising strategies for the Mission San Luis Endowment Campaign. Dr. Ken Armstrong will serve as facilitator.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)245-6379.

Pursuant to the provisions of 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)245-6379. If you are 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)245-6379 or email: jbshiver@dos.state.fl.us.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 10, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1021731236#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Elections Commission will be discussing its proposed legislative packet for the 2011 legislative session.

A copy of the agenda may be obtained by contacting: Patsy Rushing, Commission Clerk at (850)922-4539, ext. 103, email: patsy.rushing@myfloridalegal.com or by visiting the website: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Patsy Rushing at (850)922-4539, ext. 103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council (FRC)**, Public Awareness Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 1, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to: Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)**, Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 2, 2011, 9:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to: Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 3, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)**, Legislative Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 8, 2011, 3:00 p.m. – 4:00 p.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: the FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)**, Planning Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 9, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)**, Coordination Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 10, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council**, Quarterly Meeting announces a public meeting to which all persons are invited.

DATES AND TIME: February 16-18, 2011, 8:30 a.m. – 6:00 p.m.

PLACE: Double Tree Hotel, 101 South Adams Street, Tallahassee, FL 32301-7774

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Rehabilitation Council (FRC)**, Public Forum announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2011, 3:30 p.m. – 4:30 p.m.

PLACE: Double Tree Hotel, 101 South Adams Street, Tallahassee, FL 32301-7774

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to: Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Education**, Charter School Appeal Commission announces a hearing to which all persons are invited.

DATES AND TIMES: January 11, 2011, 10:00 a.m. – completion; January 12, 2011, 9:00 a.m. – completion

PLACE: Florida Department of Education, 325 W. Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will hear the application denial of College Preparatory Academy of the Treasure Coast, Inc. vs. The School Board of St. Lucie County; Imagine at Osceola, Inc. vs. The School Board of Osceola County; Scott

Academy Charter School vs. The School Board of Volusia County; Alafaya Charter School vs. The School Board Orange County.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: The Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Office of Independent Education and Parental Choice at 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399 or by phone at (850)245-0502.

The **University of North Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 7, 2011, 10:00 a.m. – 11:30 a.m.

PLACE: University of North Florida, Dean's Conference Room, 51/3201, 1 UNDF Drive, Jacksonville, FL 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be an initial "Art in State Buildings" orientation meeting for the University of North Florida's new Science & Humanities Building. The purpose of the meeting is to determine potential sites, discuss the medium of artwork and establish a project schedule. For additional information, contact: Meghan Hull at (904)620-1236.

A copy of the agenda may be obtained by contacting: Meghan Hull at (904)620-1236.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: UNF Disability Resource Center at (904)620-2769. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a workshop to which all persons are invited.

DATE AND TIME: January 20, 2011, 10:00 a.m.

PLACE: Embassy Suites, 3705 Spectrum Boulevard, Tampa, Florida 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the draft 2012 Florida Accessibility Code and discuss accompanying changes to Chapter 553, Part II, Florida Statutes, for its implementation.

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: 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 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. 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: www.floridabuilding.org.

DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: January 21, 2011, 9:00 a.m. – 2:00 p.m.

PLACE: Florida Department of Law Enforcement Headquarters, 2331 Phillips Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly Missing Endangered Persons Information Clearinghouse Advisory Board (MEPICAB) Formal Meeting.

A copy of the agenda may be obtained by contacting: Ms. Dawn Mikola at 1(888)356-4774.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Dawn Mikola at 1(888)356-4774. If you are

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

For more information, you may contact: Ms. Dawn Mikola or Ms. Gwen Johnson at 1(888)356-4774.

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2011, 8:30 a.m.

PLACE: Holiday Inn Express, 9402 Corporate Lake Drive, Tampa, FL 33634

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIMES: Wednesday, January 26, 2011, Open House, 4:30 p.m. – 6:00 p.m.; Presentation of Views, 6:00 p.m. – 7:00 p.m., Project staff will be available to answer questions

PLACE: The Lakeland Center, Lake Hunter Room, 710 West Lime Street, Lakeland, Florida 33851

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will conduct a public information meeting to provide information on potential Polk County station locations for the Florida High-Speed Rail project. Potential station locations include the following: SR 570 West Station, Kathleen Road Station and those station sites associated with the USF Polytechnic location. This public information meeting will be held in an open house format and will provide the opportunity for interested parties to briefly present their views.

Pursuant to the provisions of 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: Alicia Waldrop at (850)414-5246. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

Session One:

DATE AND TIMES: Monday, January 24, 2011, Open House: 6:00 p.m.; Public Hearing: 7:00 p.m.

PLACE: Northridge Church, 2250 State Road (SR) 17 South, Haines City, FL

Session Two:

DATE AND TIMES: Thursday, January 27, 2011, Open House: 6:00 p.m.; Public Hearing: 7:00 p.m.

PLACE: First Baptist Church Ministry Center, 410 East Church Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to allow persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental impacts of the Project Development and Environment Study for the Central Polk Parkway in Polk County, Florida. The western leg of the study extends from SR 60 east of Bartow northwesterly to the Polk Parkway (SR 570). The eastern leg connects SR 60 east of Bartow to Interstate 4 in northeast Polk County. The proposed multi-lane roadways would be built on new alignments within 350 feet of right-of-way. The no-build option is also a viable alternative throughout the study process. Financial Project ID 423601-1-22-01.

A copy of the agenda may be obtained by contacting Project Manager Nicole Broome, E.I., FDOT District One, Environmental Management Office, P. O. Box 1249, Bartow, Florida 33831, (863)519-2373 or email: nicole.broome@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing is asked to advise the agency at least seven (7) days before the hearing by contacting: Ms. Broome. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Transportation**, District Four announces a Public Hearing to which all persons are invited and the availability of the Environmental Assessment (EA) for the Project Development and Environment (PD&E) phase of the New River CSX Railroad Bascule Bridge Study in Broward County, Florida.

DATE AND TIMES: Tuesday, January 25, 2011, 6:00 p.m.; Presentation, 6:30 p.m.

PLACE: International Game Fish Association Hall of Fame, Events Hall, 300 Gulf Stream Way, Dania Beach, Florida 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of the proposed improvements to the New River CSX Railroad Bascule Bridge in Broward County, Florida. Financial ID No. 406919-1-22-01, ETDM #9087. This Hearing is also being held in accordance with Federal Executive Orders 11990 and 11988.

A Draft Environmental Assessment, prepared by the United States Coast Guard and the Florida Department of Transportation, presents the alternatives for potential bridge rehabilitation or replacement and any impacts associated with each alternative. The Draft Environmental Assessment and other project documents will be available for review between December 30, 2010 and January 31, 2011, on the study's website, www.railroadbridgeovernewriver.com and at the following locations: Florida Department of Transportation, District Four Office, 3400 West Commercial Boulevard., Fort Lauderdale, Florida 33309 (Monday through Friday, 8:00 a.m. – 5:00 p.m., excluding major holidays); and at the Riverland Branch Library, 2710 West Davie Boulevard, Fort Lauderdale, Florida 33312 (Monday and Thursday, 12:00 Noon – 8:00 p.m.; Tuesday, Wednesday, and Saturday, 10:00 a.m. – 6:00 p.m., excluding major holidays).

Anyone needing project or Public Hearing information or special accommodations under the Americans with Disabilities Act of 1990 or persons who require translation services (free of charge) should write to the address given below or by email: ray.holzweiss@dot.state.fl.us, phone: Ray Holzweiss, P.E. at (954)777-4425 or Toll Free 1(866)336-8435, extension 4425. Special accommodation requests should be made at least seven (7) days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Ray Holzweiss, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, email: ray.holzweiss@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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

DATE AND TIME: Thursday, January 27, 2011, Formal Presentation, 5:00 p.m. (CST); followed by an Open House Style Meeting

PLACE: Santa Rosa County Auditorium, 4530 Old Bagdad Highway, Milton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow state and federal agencies and the public an opportunity to review and comment on the status of the Corridor Study and preliminary recommended corridor.

A copy of the agenda may be obtained by contacting: Peggy Kelley at (850)415-9517 or email her at: peggy.kelley@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Peggy Kelley at (850)415-9517 or email her at: peggy.kelley@dot.state.fl.us If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The Florida **Commission on Hurricane Loss Projection Methodology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 21, 2011, 9:00 a.m. – until conclusion of the meeting

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4765251363#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will consider member's requests for on-site visits to modelers. In addition, other general business of the Commission may be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons at (850)413-1349, email: donna.sirmons@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donna Sirmons at the number or email listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 10, 2011, 9:00 a.m., recessing at the end of each session and reconvening, as necessary the next business day at 9:00 a.m. or such other time

and date as is posted at the meeting room prior to 9:00 a.m. of the day proceeding the day of the meeting, until business has been concluded

PLACE: Florida Prepaid College Board Office, 2nd Floor, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, receive oral presentations, if determined to be needed, on and score, responses received to the Invitation to Negotiate for International Equity Portfolio Investment Management Services for the Florida Prepaid College Plan, ITN #10-01; and, to the Invitation to Negotiate for Mid Cap Equity Portfolio Investment Management Services for the Florida Prepaid College Plan, ITN #10-02.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: January 11, 2011, 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.

The agenda and recommendations are accessible on the PSC Website: <http://www.floridapsc.com>, at no charge or can be purchased by contacting: Florida Public Service Commission,

Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770, at a cost of 15 cents per single sided page or 20 cents per duplexed page.

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: January 12, 2011, 9:30 a.m.

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 the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at: <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments on Rule 25-7.0391, F.A.C., which prescribes the requirements for filing a petition for limited proceeding for a rate increase by investor-owned gas utilities. Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6216. A copy of the staff workshop agenda and draft rule with referenced schedules will be available on the Commission's website: www.floridapsc.com, after December 30, 2010.

Pursuant to the provisions of 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).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments on Rule 25-6.0431, F.A.C., which prescribes the requirements for filing a petition for limited proceeding for a rate increase by investor-owned electric utilities. Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6216. A copy of the staff workshop agenda and draft rule with referenced schedules will be available on the Commission's website: www.floridapsc.com, after December 30, 2010.

Pursuant to the provisions of 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).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments on potential amendments to Rule 25-22.0406, F.A.C., which addresses notice and public information requirements for investor-owned electric and gas utilities. Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6216. A copy of the staff workshop agenda and draft rule will be available on the Commission's website: www.floridapsc.com, after December 30, 2010.

Pursuant to the provisions of 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).

For more information, you may contact: Kathryn G. W. Cowdery, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Trust for Florida's Children, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, February 3, 2011, 2:00 p.m. – 4:00 p.m.

PLACE: Contact the Office of Adoption and Child Protection at (850)921-2015 for Conference Call Information

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors meeting will focus on post transition strategies.

A copy of the agenda may be obtained by contacting: The Office of Adoption and Child Protection at (850)921-2015.

Pursuant to the provisions of 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: The Office of Adoption and Child Protection at (850)921-2015. If you are 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.

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.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2011, 9:30 a.m.

PLACE: City Commission Meeting Room, City Hall, 209 North Thompson Street, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Bradford County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2011, 10:30 a.m.

PLACE: Board of County Commissioners Meeting Room, County Courthouse, 401 North Cedar Street, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Dixie County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2011, 1:15 p.m.

PLACE: Board of County Commissioners Meeting Room, County Courthouse, 55 West Main Street, Lake Butler, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Union County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2011, 1:30 p.m.

PLACE: Board of County Commissioners Meeting Facility, 210 South Main Street, Trenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Gilchrist County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2011, 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 5 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22 or email: wren@tbrpc.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: Wren Krahl at (727)570-5151, ext. 22 or email: wren@tbrpc.org.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2011, 9:00 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 Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22 or email: wren@tbrpc.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: Suzanne Cooper at (727)570-5151 or email: suzanne@tbrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2011, 10:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 2nd Floor, Meeting Room, 1926 Victoria Avenue, Fort Myers, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Budget Committee will be holding a meeting to discuss grant revenues for 2011 and also to review the Council's 2010 Annual Audit.

A copy of the agenda may be obtained by contacting: Ms. Janice Yell at (239)338-2550, ext. 237 or jyell@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or email: dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mrs. Nichole Gwinnett at (239)338-2550, ext. 232 or email: ngwinnett@swfrpc.org.

The **District II Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 18, 2011, 10:00 a.m. (ET)

PLACE: Tallahassee Fire Department, Training Facility Classroom, 2964 Municipal Way, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the District II Local Emergency Planning Committee (LEPC).

A copy of the agenda may be obtained by contacting: Chris Rietow, ARPC, (850)488-6211, ext. 102, email: Chris.Rietow@theapc.com or 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424.

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

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2011, 6:30 p.m.

PLACE: 984 S. E. CR 357 Cooks Hammock, Mayo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Business Resource Specialist at (386)362-1001 or email: pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pennie Flickinger, Business Resource Specialist at (386)362-1001 or email: pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **Suwannee River Water Management District (District)** announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2011, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing 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 at (386)362-1001, 1(800)226-1066 (Florida Only) or on the District's website: 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.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 10, 2011, 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: 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: Tuesday, January 11, 2011, 1:00 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Outreach & Planning Committee Meeting: Consider SWFWMD business including updates to the District's Strategic Plan. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: Paula.McCleery@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4400 (Ad Order EXE0099).

Pursuant to the provisions of 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.

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 13, 2011, 9:00 a.m.
PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Finance Committee Meeting: Consider SWFWMD business including consideration of District staffing analysis RFPs. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: LuAnne.Stout@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0098).

Pursuant to the provisions of 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.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Projects & Lands Committee Meeting

DATE AND TIME: January 12, 2011, 11:00 a.m.

PLACE: John Boy Auditorium, 1200 South WC Owen Avenue, Clewiston, FL 33440

Workshop Meeting

DATE AND TIME: January 12, 2011, 1:00 p.m.

PLACE: John Boy Auditorium, 1200 South WC Owen Avenue, Clewiston, FL 33440

Regular Business Meeting

DATE AND TIME: January 13, 2011, 9:00 a.m.

PLACE: John Boy Auditorium, 1200 South WC Owen Avenue, Clewiston, FL 33440

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 1/12, the items may be discussed on 1/13.

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 2010-11 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087, website: http://my.swfwmd.gov/portal/page/portal/pg_grp_govboard/pg_paa_gbgroup_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.

EXPRESSWAY AUTHORITIES

The **Miami-Dade Expressway Authority** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 26, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Westland Gardens Park Community Center, 13501 Northwest 107 Avenue, Hialeah Gardens, FL 33018

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami-Dade Expressway Authority (MDX) has scheduled an Alternatives Public Workshop to discuss the different alternatives being evaluated for the proposed State Road 924/Gratigny Parkway West Extension to the Homestead Extension of the Florida's Turnpike (HEFT) as part of the Project Development and Environment (PD&E) Study. This study will evaluate alternatives that would relieve congestion and improve safety within the study area, improve system linkages and enhance future transit in South Florida.

The public workshop will give property owners, residents and interested parties an opportunity to discuss and comment on the various alternatives being proposed and evaluated during this phase of the study. Participation and input from the public is encouraged and appreciated.

A copy of the agenda may be obtained by contacting: Ms. Tere Garcia at (786)277-9292 or via e-mail: tgarcia@mdxway.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: Ms. Tere Garcia at (786)277-9292 or via e-mail: tgarcia@mdxway.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: Ms. Tere Garcia, or visit the MDX website at: www.mdxway.com or write: Mayra Diaz, Planning Manager, MDX, 3790 N. W. 21 Street, Miami, FL 33142.

DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 26, 2011, 8:30 a.m. – 9:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9247380#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting for 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).

For more information, you may contact: Erika Burgess at (850)414-2381, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, email: burgesse@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 1, 2011, 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 3332505#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Continuing Professional Education Committee will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, 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: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 31, 2011, 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 3332505#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Continuing Professional Education Committee will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, 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: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2011, 8:45 a.m. – 3:00 p.m.
 PLACE: Lemon Bay Park, 570 Bay Park Blvd., Englewood, FL 34223

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, FL 34229 or by calling (941)486-2052.

Pursuant to the provisions of 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. If you are 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 HEALTH

The Florida **Coordinating Council for the Deaf and Hard of Hearing**, Technology Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 14, 2011, 8:00 a.m. (EST)

PLACE: Toll-Free Conference Call: 1(888)808-6959, Conference Code: 5221678031#; Communication access real-time translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject of the meeting will be the format and content of a PSA urging Floridians to seek the advice of a hearing healthcare professional.

A copy of the agenda may be obtained by contacting: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, info@fccdhh.org, MaryGrace_Tavel@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276, info@fccdhh.org, MaryGrace_Tavel@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: info@fccdhh.org, MaryGrace_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: February 18, 2011, 7:30 a.m.

PLACE: Residence Inn Tallahassee, 600 West Gaines Street, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

The **Board of Hearing Aid Specialists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 11, 2011, 9:00 a.m.

PLACE: Call (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to meeting date.

The **Board of Medicine**, Probable Cause Panel South announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 14, 2011, 2:00 p.m.
PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 21, 2011, 12:00 Noon
PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss the Statements of Estimated Regulatory Costs (SERC) related to proposed Pain Management Clinic Registration and Standard of Care [Rules 64B8-9.0131, 64B8-9.0132, F.A.C.], accrediting organizations [Rule 64B8-9.0133, F.A.C.], and number of controlled substance prescription rules [Rule 64B8-9.0134, F.A.C.] and other Board business.

Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at email: crystal_sanford@doh.state.fl.us or call: (850)245-4132.

Pursuant to the provisions of 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: Crystal Sanford at crystal_sanford@doh.state.fl.us or call (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 28, 2011, 12:00 Noon
PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss the Statements of Estimated Regulatory Costs (SERC) related to proposed Pain Management Clinic Registration and Standard of Care [Rules 64B8-9.0131, 64B8-9.0132, F.A.C.], accrediting organizations [Rule 64B8-9.0133, F.A.C.], and number of controlled substance prescription rules [Rule 64B8-9.0134, F.A.C.] and other Board business.

Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at email: crystal_sanford@doh.state.fl.us or call: (850)245-4132.

Pursuant to the provisions of 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: Crystal Sanford at email: crystal_sanford@doh.state.fl.us or call: (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Orthotists and Prosthetists**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, January 19, 2011, 10:00 a.m.
PLACE: Conference Call: 1(888)808-6959, Conference Code: 9849329103#; Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 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. If you are 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 Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 24, 2011, 1:00 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6321783289#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss the Statements of Estimated Regulatory Costs (SERC) related to proposed Rule 64B15-14.0053, F.A.C., Approval of Nationally Recognized Physician Pain Management Clinic Accrediting Organizations and Rule 64B15-14.0054, F.A.C., Maximum Number of Prescriptions in Registered Pain Management Clinics and other Board business.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health**, the **Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 10, 2011, 2:30 p.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, when prompted, enter Conference Code: 1022354047 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To vote on rules effected by HB 1565.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling The Board Office at (850)245-4373, ext. 3467 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 12, 2011, 2:30 p.m.

PLACE: DCF, 1055 US Hwy. 17 N, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance meeting.

A copy of the agenda may be obtained by contacting: Diane S. 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 S. 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 S. Dvorak, DCF at (863)534-7100.

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2011, 4:05 p.m. – 4:45 p.m.

PLACE: 2383 Phillips Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Invitation to Negotiate to become the Lead Agency for Community Based Care in Circuits 2 and 14 Reply opening.

A copy of the agenda may be obtained by contacting: Ms. JoShonda Guerrier at (850)921-4862.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. JoShonda Guerrier at (850)921-4862. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesdays, January 2011 through December 31, 2011, 2:00 p.m. (No meeting will be held on holidays or during such time when there are no plans for review.)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 5th Floor, Conference Room, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Corporation’s State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or entitlement municipalities participating in the SHIP Program.

Pursuant to the provisions of 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: Darlene Raker, Florida Housing Finance Corporation 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 **Florida Housing Finance Corporation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2011, 8:30 a.m. – until adjourned

PLACE: Tallahassee City Hall Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the January 21, 2011, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation’s website: www.floridahousing.org, approximately two 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 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **FHFC III, Inc.** announces a meeting of the Board of Directors to which all interested parties are invited.

DATE AND TIME: January 21, 2011, 11:00 a.m. or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting – until adjourned

PLACE: Tallahassee City Hall Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC III, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the January 21, 2011, Board Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website: www.floridahousing.org.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197 at least five calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by FHFC III, Inc., with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **FHFC II, Inc.** announces a meeting of the Board of Directors to which all interested parties are invited.

DATE AND TIME: January 21, 2011, 11:00 a.m. or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting – until adjourned

PLACE: Tallahassee City Hall Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC II, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the January 21, 2011, Board Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website: www.floridahousing.org.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by FHFC II, Inc., with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such

purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF FINANCIAL SERVICES

The **Board of Funeral, Cemetery and Consumer Services**, Probable Cause Panel B announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2011, 10:00 a.m.

PLACE: 111 W Madison Street, Claude Denson Pepper Building, Conference Room 320, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsider the following three disciplinary cases with prior findings of probable cause: Claude Holmes, Jr., Case No.: 105280-09-FC; Deliria Holmes, Case No.: 105278-09-FC; and Holmes Funeral Directors, Case No.: 105281-09-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker at (850)413-3039 or LaTonya.Bryant-Parker@myfloridacfo.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: LaTonya Bryant-Parker at (850)413-3039 or LaTonya.Bryant-Parker@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AREA AGENCY ON AGING OF PASCO-PINELLAS INC.

The **Area Agency on Aging of Pasco-Pinellas Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 10, 2011, 9:30 a.m.

PLACE: 9887 4th Street North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

Pursuant to the provisions of 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: Brenda Black at (727)570-9696, ext. 233. If you are 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: Brenda Black at (727)570-9696, ext. 233.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 7, 2011, 9:00 a.m.

PLACE: Department of Transportation, Burns Building, Room 129, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Technology Workgroup.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 10, 2011, 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.

FLORIDA ENERGY AND CLIMATE COMMISSION

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 14, 2011, 1:00 p.m. – until completion

PLACE: Toni Jennings Room, 110 Senate Office Building, 404 South Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy & Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change issues, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business.

Staff will conduct the meeting from the Cabinet Meeting Room, The Capitol, Tallahassee, FL 32399-0001, where members of the public are invited to attend. Members of the public are also invited to listen to the call, but due to noise consideration are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda. Conference Call: 1(866)233-5216, Conference Code: 5654699#.

A copy of the agenda may be obtained by contacting: Jackie Warr 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 48 hours before the workshop/meeting by contacting: Jackie Warr 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).

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.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida**, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2011, 10:00 a.m.

PLACE: Enterprise Florida, Inc., 800 N. Magnolia Ave., Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Sharon Spratt at (850)298-6644 or email: sspratt@eflorida.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 1 day before the workshop/meeting by contacting: Sharon Spratt at (850)298-6644. If you are hearing

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

For more information, you may contact: Sharon Spratt at (850)298-6644 or email: sspratt@eflorida.com

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by William C. Guthrie, attorney for staySKY Vacation membership Club Development, LLC on October 14, 2010. The following is a summary of the agency's disposition of the petition:

The Division issued its Declaratory Statement finding that staySKY is not a vacation club as defined under Section 721.52(4)(b), Florida Statutes.

A copy of the Order Disposing 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 Construction Industry Licensing Board has received the petition for declaratory statement from filed by Mary Sneed, Esq., on behalf of Anthony C. Apfelbeck, on December 6, 2010. The petition seeks the agency's opinion as to the applicability of Chapter 489, Part I, Sections 489.103 and 489.105, Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Chapter 489, Part I, Sections 489.103 and 489.105, Florida Statutes, and whether a contractor can provide a power of attorney to an

employee as defined in Section 489.105, F.S., to act on the contractor's behalf in signing building permit applications as the contractor; and whether a contractor can provide a power of attorney to an individual who is not an employee to act on the contractor's behalf in signing building permit applications as the contractor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: G. W. Harrell, Executive Director, Construction Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399.

Please refer all comments to: G. W. Harrell, Executive Director, Construction Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed by Rogerio S. Faillace, M.D., on December 16, 2010. The Petitioner requests the Board's interpretation of Sections 456.057 and 456.058, Florida Statutes, with regard to the disposition of medical records following termination of medical practice. The Board will consider this petition at its meeting scheduled for February 4-5, 2011, in Orlando, Florida.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, FL 32399-3253.

NOTICE IS HEREBY GIVEN THAT the Board of Psychology has received the petition for declaratory statement from Bruce Borkosky, Psy.D., on December 20, 2010. The petition seeks the agency's opinion as to the applicability of Sections 490.0147(2) and 490.009(1)(u), F.S. as it applies to the petitioner.

The Petitioner seeks the Board's interpretation of Sections 490.0147(2) and 490.009(1)(u), F.S., with regard to the provision of records and whether redaction of portions of the record for a divorced couple is permitted. The Board will consider this petition at its meeting scheduled for January 21, 2011.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Anthony C. Apfelbeck, a Fire Official with the City of Altamonte Springs, Florida, on October 22, 2010. The following is a summary of the agency's declination of the petition:

A NOTICE OF WITHDRAWAL OF THE PETITION BY THE PETITIONER WAS RECEIVED ON DECEMBER 17, 2010.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Steven J. Wolk on November 15, 2010. The petition seeks the agency's opinion as to the applicability of Section 18-24(p) of the Orange County Code of Ordinances, Sections 120.565 and 633.01(6), Florida Statutes and Chapter 28-105, Florida Administrative Code, as it applies to the petitioner.

The property that is the subject of this matter is not in violation of the fire codes in effect in Orange County, Florida for failure to have installed therein a fire alarm system in compliance with Chapter 72 of Life Safety Code Pamphlet 101 published by the National Fire Protection Association.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850) 488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request: 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 AGRICULTURE AND CONSUMER SERVICES

ANNOUNCEMENT 2012-2013

REQUEST FOR STATEMENTS OF INTEREST

The Florida Aquaculture Review Council (ARC) hereby announces a request for statements of interest to perform aquaculture projects. Statements of interest will be reviewed by the ARC and selected investigators invited to submit full proposals. The source of funding for projects will be a State of Florida Legislative appropriation. No dollar amount is currently set aside for aquaculture projects. Funding for projects selected by the ARC is not guaranteed.

Statements of interest must fulfill a need that is identified in the Florida Aquaculture Plan with a strong interest in the area of aquaculture research and education.

Appropriate forms for the Statement of Interest are available by contacting Kim Norgren, Division of Aquaculture, 1203 Governors Square Boulevard, Tallahassee, Florida 32301, (850)488-4033 or email: norgrek@doacs.state.fl.us. The deadline for submitting completed Statement of Interest forms is 5:00 p.m., February 11, 2011.

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."

DEPARTMENT OF HEALTH

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES

REQUEST FOR QUALIFICATIONS (RFQ): The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction requests qualifications from licensed general contractors who wish to compete for Construction Management (CM) at Risk services (i.e., the Negotiated Fee-Guaranteed Maximum Price (GMP) Construction Contracting Method, as defined by subsection 60D-5.002(12), Florida Administrative Code (F.A.C.), on the following project. The selection will be made in accordance with Section 255.29(3), F.S., and the procedures and criteria of Building Construction.

Applications being sent via the U.S. Mail or via overnight express service shall be sent to the: Project Manager, Mr. Ken Tilbury, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin #B06, Tallahassee, Florida 32399-1734, (850)245-4444, ext. 3164, Facsimile: (850)412-1423

PROJECT NUMBER: DOH 70953100

PROJECT NAME: Polk County Health Department – New Facility containing approximately 19,245 SF. Facility will be designed to a LEED "certification" level as a minimum and with consideration for up to a possible Silver classification.

PROJECT LOCATION: Northeast Corner US Hwy. 17/92 and Baker Ave., Haines City, Florida

SERVICES TO BE PROVIDED: CONSTRUCTION MANAGEMENT-AT-RISK

ESTIMATED CONSTRUCTION BUDGET: \$4,000,000.00

FLAIR ACCOUNT NO: 64-30-2-141001-64200700-00-0840 93-11 EO: Z1

RESPONSE DUE DATE: January 28, 2011, 4:00 p.m. (EST) Any Responses received after the due date and time will be deemed non-responsive and will not receive further consideration.

INSTRUCTIONS: Firms interested in being considered for this project must submit three (3) printed copies of their submittals with a table of contents and tabbed sections in the following order:

1. Letter of interest detailing the firm’s qualification to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor’s Financial Statement, DOH Form DBC5085 (current edition is mandatory) is available on the DMS Vendor Bid System website: http://vbs.dms.state.fl.us/vbs/main_menu
3. Resumes of proposed staff and staff organizations.
4. Examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm (include name and phone number of client and architect for each project). Include any LEED experience for levels from basic certification to Silver level of certification for buildings.
5. Letters of reference from prior clients received within the last five years.
6. Copies of the firm’s current Florida Department of Business and Professional Regulation Contracting License.
7. If a business entity, the applicant must be registered with the Florida Department of State, Division of Corporations, to operate in the State of Florida at the time of application. A certificate of authority must be submitted with the application.
8. All future notices regarding this solicitation and results of selection will be posted on the DMS Vendor Bid System at: http://vbs.dms.state.fl.us/vbs/main_menu.

All applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and any section dividers; however, this fifty page limit is not a mandatory requirement. All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data or proper forms required will be declared non-responsive and will not be further evaluated. The Department reserves the right to waive minor irregularities at its sole discretion.

DOCUMENT DELIVERY: Responses are to be submitted to the project manager and addressed to:

Mr. Ken Tilbury, Senior Architect
 Office of Design and Construction
 Department of Health
 4052 Bald Cypress Way, Bin #B-06
 Tallahassee, Florida 32399-1734

The time/date stamp/clock in the Department shall serve as the official authority to determine timeliness of the responses. Late responses will be declared non-responsive and will not be further evaluated. Unsealed and/or unsigned responses

received by telegram, facsimile transmission or other similar means are not acceptable, and will be declared non-responsive and will not be further evaluated. Submittals that do not comply with the requirements or instructions of this solicitation document will be declared non-responsive and will not be further evaluated.

EVALUATION: All proposals submitted shall become the property of the Department of Health.

Proposals that do not comply with the above instructions and/or do not include the required qualification data will be declared non-responsive and will not be further evaluated. Proposals submitted by qualified firms shall be evaluated in accordance with Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS AND INTERVIEWS: From the proposals received, the Department Selection Committee shall shortlist a minimum of three (3) firms and may require presentation by no less than three firms regarding their qualifications, approach to the project and ability to furnish the required services. Selection of finalists for interview will be made on the basis of specific experience and ability, financial capability, scheduling and cost control ability, office staff, on-site staff, information systems, and distance to site. Each invitee will be notified by facsimile transmission of the date and time of its interview/presentation.

POSTING OF RESULTS: Results of the short listing evaluation will be posted on the DMS Vendor Bid System at: http://vbs.dms.state.fl.us/vbs/main_menu within 48 hours after the committee’s recommendation is approved. In the event that this information cannot be posted within this time frame, then the successful firms will be notified of the results by e-mail, fax, or postal mail. The responding firms must submit their contact information for the firms submitting office, including an email address and fax number for notices should they be required. All future announcements, results and information about the selection for this project will be posted on the DMS Vendor Bid System: http://vbs.dms.state.fl.us/vbs/main_menu.

CANAVERAL PORT AUTHORITY

PROFESSIONAL SERVICES NOTICE-MINOR ARCHITECTURAL & ENGINEERING SERVICES

RFQ-11-001

The CANAVERAL PORT AUTHORITY (CPA) in compliance with the Consultant’s Competitive Negotiation Act, Section 287.055, F.S. is requesting technical proposals and qualifications from consulting firms interested in providing architectural and engineering services associated with minor construction, rehabilitation and/or renovation activities for cruise terminals, port buildings, and other upland port facilities, and to provide technical support to staff at Port Canaveral – located in Brevard County under a continuing contract as outlined in the following Scope of Services.

SCOPE OF WORK

The consulting firm will be required to provide professional services on an as needed basis for the Canaveral Port Authority. These services will typically be associated with minor new construction and/or additions, renovations, and interior improvements to existing facilities. Security upgrades as well as technical support and development of a preventative maintenance program may also be included. Services will include development or review of program requirements, schematic design, development of construction documents, permitting services consultation during bidding and construction, report preparation and other professional services in connection with the aforementioned tasks. Services will be required in the disciplines of Civil, Structural, Mechanical, and Electrical Engineering, plus Architectural Services. The Canaveral Port Authority intends to enter into Continuing Contracts with multiple consultants, and therefore, firms without in-house expertise in all disciplines are encouraged to apply.

MINIMUM CRITERIA

As a minimum, the firms proposing shall have at least ten (10) years experience in work of a similar nature and must provide references of at least 5 prior successful similar projects.

It is recommended that the firm and all subconsultants have an office within reasonable proximity to the Canaveral Port Authority and demonstrate that they would be able to provide services in a timely manner.

PROPOSAL CONTENT

Each responding consulting firm shall provide six (6) copies and one (1) CD (containing complete proposal in pdf format) of their proposal, giving detailed information on the following:

1. Firm history, location, capabilities, etc. Include this information for all subconsultants.
2. GSA Standard Form 330 or equivalent.
3. Five (5) examples of previous experience with providing similar services in the recent past. Include a brief description of the work and individuals to be contacted with telephone numbers.
4. A list of services which would not be performed in-house and a list of consultants, which would provide these services for the firm.
5. A schedule of current commitments and the degree of completion of each.
6. An organization chart and other information which will be useful in evaluating the proposal service.
7. Outline of methodology for implementation of the proposed scope of work.
8. Resumes of key individuals to be involved in the various aspects of the project and an explanation of each individual's role in the project.
9. Evidence of coverage with at least one million dollars of professional liability insurance.

10. Provide evidence that firm is licensed to do business in the State of Florida.

SUBMITTAL SCHEDULE

Firms desiring to provide such professional services to the CPA must furnish six (6) copies and one (1) CD (containing complete proposal in pdf format) of their expression of interest to:

Canaveral Port Authority
Attn.: Peggy Gooch, Sr. Administrative Assistant, Engineering
P. O. Box 267
445 Challenger Road
Cape Canaveral, FL 32920

All proposals shall be delivered to the Canaveral Port Authority no later than 3:00 p.m., Tuesday, January 25, 2011. The selected firm will be required to perform all contract services under a standard CPA continuing contract, a sample of which may be requested by contacting: Peggy Gooch, Senior Administrative Assistant, Engineering, Canaveral Port Authority by email: pgooch@portcanaveral.com or via phone: (321)783-7831, ext. 218. All notices will be posted on our website – <http://www.portcanaveral.com/general/bids/php>.

PUBLIC MEETING

A committee established by the Chief Executive Officer will meet on February 7, 2011, 2:00 p.m., Port Commission Meeting Room, to review and recommend for Commission approval a ranking of qualified firms to the CPA Commission at their regularly scheduled meeting to be held at 2:00 p.m., February 16, 2011, at which time selections will be established.

**CRUISE TERMINAL NO. 6 TERMINAL BUILDING,
SITE & PARKING GARAGE DESIGN-BUILD CN 11-002**

The Canaveral Port Authority is seeking proposals from qualified Design-Build Teams to design, permit and construct a 110,000 square foot (approximate) two-story cruise terminal, a 750 car parking garage and surrounding/adjacent sites to further expand cruise operations. The Request for Proposal (RFP) is a two step process. Step 1 is a Qualifications and Short-Listing Proposal process, and Step 2 is a Price, Technical and Schedule Proposal process. Participation in Step 2 participants will be limited to Step 1 Proposers who were successfully short-listed.

Sealed Qualifications Proposals for Step 1 proposals will be received by the undersigned at the receiving area of: Canaveral Port Authority, 445 Challenger Rd., Cape Canaveral, Florida 32920 for the Design/Build of Cruise Terminal No. 6 Terminal Building, Site & Parking Garage on January 11, 2011, until 2:00 p.m. (EST). These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Section 287.055, F.S. Receiving area for sealed proposals is in rear of building and will be manned week days from 8

a.m. to 12:00 Noon and from 1:00 p.m. to 5:00 p.m. (DO NOT LEAVE SEALED PROPOSALS WITH 1st FLOOR SECURITY GUARD).

Step 2 of the Proposal process due date will be determined prior to the Short-Listing date.

Project Budget is \$30,000,000 (U.S. Dollars) not including alternates if any.

The Work is generally described as follows and includes, but is not limited to, the furnishing of all labor, materials, supplies, equipment, Engineering and Architectural services, drawings and incidentals necessary to design, permit and construct the Cruise Terminal 6 Terminal Building, Site & Parking Garage located at the West Turning Basin, Port Canaveral, Florida. All work shall be performed in accordance with the Contract Documents which consist of a Design/Build Criteria Manual and RFP pertaining thereto. The selected team performing the work shall consist of a Florida Licensed General Contractor and licensed/registered Engineers and Architects in the State of Florida. The Florida Licensed General Contractor shall demonstrate experience with projects of similar size. The licensed/registered Engineers and Architects shall demonstrate experience in the design of international passenger (cruise and/or airport) terminals and parking garages within the last 5 years. Step 1 RFP documents may be examined at the office of: CH2M HILL, 445 Challenger Rd., Suite 130, Cape Canaveral, Florida 32920, starting December 13, 2010. Positive efforts shall be made by the successful Proposer to utilize small businesses, minority owned firms, and women's business enterprises as subcontractors, suppliers and vendors.

Copies of the Step 1 portion of the RFP Documents may be obtained on December 13, 2010 and thereafter at the office of CH2M HILL at the address noted above upon payment of \$50.00 (company check or cashier's check only) for each set which amount will not be refundable.

Make checks payable to Canaveral Port Authority and send to: CH2M HILL, 445 Challenger Road, Suite 130, Cape Canaveral, FL 32920

Should the Proposer in Step 1 successfully be shortlisted, then in Step 2, a certified or cashier's check on a national or state bank or a bid bond in a sum not less than five percent (5%) of the amount of the base bid, made payable to the Canaveral Port Authority, shall accompany each Step 2 proposal as a guarantee that the Proposer will not withdraw from the competition after the opening of the Step 2 proposals. In the event the Design/Build contract is awarded to a Proposer, Proposer is required to furnish a Public Construction Bond before entering into a contract. Failing to do so may result in the Owner retaining the bid bond for liquidated damages. Proposals shall be prepared, addressed and submitted in compliance with instructions as set forth in the Contract Documents.

The Owner reserves the right to reject all proposals with or without cause, to waive technical errors and informalities, and to accept the proposal that best serves the Owner.

PUBLIC MEETING

A committee established by the Chairman will meet on January 18, 2011, 2:00 p.m. for the purpose of reviewing qualifications for Step 1 and on April 12, 2011, 2:00 p.m. for the purpose of reviewing all proposals from the shortlisted firms. Meetings will be held in the Port Commission Meeting Room.

SUFFOLK CONSTRUCTION COMPANY, INC.

ADVERTISEMENT FOR BIDS

Palm Beach State College
 Lake Worth Campus
 New General Classroom Building

Suffolk Construction Company, Inc.
 One Harvard Circle, Suite 100
 West Palm Beach, FL 33409
 Joseph Stamp or Annmarie Mia Carroll
 T: (561)832-1616
 F: (561)832-6775

Suffolk Construction Company, Inc., Construction Manager, will receive prequalified subcontractor bids at the above address for Palm Beach State College – New General Classroom Building. All bids must be sealed, in an 8-1/2" x 11" envelope with the bidders name on the envelope, delivered to the Suffolk address on or before 2:00 p.m., Friday, January 14, 2011.

This project consists of a new 3-story building that includes underground utilities, faculty offices, classrooms, and lecture hall at the Palm Beach State College – Lake Worth Campus. Drawings and specifications will be made available to all Pre-Qualified applications, through Suffolk Construction Company, Inc. on or about December 22, 2010.

There will be a non-mandatory pre-bid meeting held at 2:00 p.m., January 7, 2011 at:

Palm Beach State College
 Lake Worth Campus
 4200 Congress Avenue
 Lake Worth, Florida 33461

Inside the Suffolk Construction temporary site fence located in front of the BA building at Copper parking lot C-18.

Prequalification applications will be accepted until one week before respective bid date. Send notification to acarroll@suffolkconstruction.com or jstamp@suffolkconstruction.com to receive a prequalification package. Suffolk Construction Company, Inc. is committed to affirmatively ensuring that there is intent to increase the awarding of construction

subcontracts to contractors and vendors who meet the criteria of Palm Beach State College Minority Business Enterprise Statement of Intent procedures.

Section XII
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

In Re: LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF KEY WEST
ORDINANCE NO. 10-20

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On November 5, 2010 the Department received for review City of Key West Ordinance No. 10-20, which was adopted by the City of Key West City Commission on October 5, 2010 ("Ord. 10-20").
3. The purpose of Ord. 10-20 is to amend Chapter 110-255, Removal of Portions of Coconut Palm Trees; Permit required for Sale, to regulate palm weavers as street performers pursuant to Section 6-1 through 6-9 and to restrict the methodology of coconut palm tree trimming.
4. Ord. 10-20 is consistent with the City's Comprehensive Plan: Objective 1-1.5: Promote Community Appearance, Natural Amenities and Urban Design Principles, and Policy 1-1.5.1: Reinforce and Enhance the City's Community Appearance.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes, (2009).
6. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2009) and Rule 28-36.001, Florida Administrative Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-20 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd., 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
9. The above identified portions of Ord. 10-20, are consistent the following Principles:
 - (a) Strengthen local government capabilities for managing land use and development.
10. WHEREFORE, IT IS ORDERED that Ord. 10-20 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL

ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY

RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 17th day of December, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
P. O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041

Don Craig
Planning Director
City of Key West
P. O. Box 1409
Key West, Florida 33041

Larry Erskine
City Attorney
P. O. Box 1409
Key West, FL 33041

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."

Notice of Intent to Issue Variance Under Section 403.201, F.S. The Department of Environmental Protection gives notice of its intent to issue a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., and sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to Port Dolphin Energy, LLC., 400 North Tampa Street, Suite 1050, Tampa, FL 33602, (File No. 41-0286121-006) to allow temporary mixing zones greater than 150 meters and to allow the ambient water quality within an Outstanding Florida Waterbody to be lowered for a period of greater than 30 days. The expanded mixing zones will be located within Tampa Bay, including Outstanding Florida Waters of the Sarasota Bay Estuarine System and the Gulf of Mexico. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926, (813)632-7600.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S., is not available.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention

will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the: Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On December 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 William R. Booker, R.N., License #RN 2048772. 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 December 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 Shkeela Renae Hall, L.P.N., License #PN 5162406. 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 December 17, 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 Vicki Jo Phelan, L.P.N., License #PN 5170700. 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 December 16, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Bobbie Lynn Watson, R.N., License #RN 1627882. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 13, 2010
 and December 17, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LAW ENFORCEMENT
Division of Local Law Enforcement Assistance
 11D-2.005 12/17/10 1/6/11 36/40

DEPARTMENT OF TRANSPORTATION
 14-79.006 12/15/10 1/4/11 36/40

REGIONAL UTILITY AUTHORITIES
Peace River/Manasota Regional Water Supply Authority

49D-1.001	12/16/10	1/5/11	36/37
49D-1.002	12/16/10	1/5/11	36/37
49D-1.003	12/16/10	1/5/11	36/37
49D-1.004	12/16/10	1/5/11	36/37
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49D-1.009	12/16/10	1/5/11	36/37

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
 61-32.003 12/16/10 1/5/11 36/37

DEPARTMENT OF HEALTH
Board of Medicine
 64B8-8.018 12/15/10 1/4/11 36/45

FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife
 68A-13.003 12/16/10 1/5/11 36/43

Marine Fisheries
 68B-45.004 12/16/10 1/26/11 36/43
 68B-45.0045 12/16/10 1/26/11 36/43
 68B-45.007 12/16/10 1/26/11 36/43

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

DEPARTMENT OF HEALTH
Board of Medicine
 64B8-9.0131 11/8/10 *****
 64B8-9.0132 11/8/10 *****
