

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: RULE TITLE :
 5F-11.002 Standards of National Fire Protection Association Adopted

PURPOSE AND EFFECT: The proposed rule change is necessary to prevent conflict with a rule development notice published in the FAW on February 18, 2011. That Notice of Rule Development addressed changes to Chapter 5F-11, Florida Administrative Code, which included incorporating NFPA 58, Liquefied Petroleum Gas Code, 2011 Edition and NFPA 54, National Fuel Gas Code, 2006 Edition, and other code-related materials into a new section in Rule 5F-11.004, Florida Administrative Code, allowing all materials pertaining to compliance with Chapter 527, Florida Statutes, and Chapter 5F-11, Florida Administrative Code, to be listed and incorporated in one rule section. Current Rule 5F-11.002, adopts the 2008 version, of NFPA 58, and is in conflict with proposed Rule 5F-11.004, Florida Administrative Code.

The proposed rule development removes all references in Rule 5F-11.002, Florida Administrative Code, to a particular edition of both NFPA 58, Liquefied Petroleum Gas Code, and NFPA 54, National Fuel Gas Code. This language is not necessary in this section. It also removes reference to particular numbered sections in each standard that were not adopted in Florida.

SUBJECT AREA TO BE ADDRESSED: References to National Fire Protection Association Standards.

RULEMAKING AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 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: Lisa M. Bassett, Chief, Bureau of Liquefied Petroleum Gas Inspection, Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; telephone number: (850)921-8000

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

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

SUBJECT AREA TO BE ADDRESSED: Division of Forestry Managed Lands.

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

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

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: RULE TITLES:
 12A-1.018 Trade and Cash Discounts
 12A-1.074 Trade-Ins

PURPOSE AND EFFECT: Rule 12A-1.074, F.A.C. (Trade-Ins), provides that for a trade-in credit to be allowed against the sales price of an item, any used article to be taken in trade must be taken “at the time of sale.” In Department of Revenue v. Gamestop, Inc. (Case No. 1D10-2899, November 18, 2010), the appellate court affirmed that the phrase “at the time of sale” effectively negates Section 212.09, F.S., and is an invalid exercise of delegated legislative authority. The purpose of the proposed amendments to this rule is to remove the phrase “at the time of sale.”

The subject of the provisions of Rule 12A-1.018, F.A.C. (Trade and Cash Discounts), is discounts, not trade-ins. Consistent with the court’s ruling in Department of Revenue v. Gamestop, Inc., the purpose of the proposed amendments to this rule is to remove the unnecessary reference to the term “trade-ins.”

SUBJECT AREA TO BE ADDRESSED: The subject of the rule development workshop is the proposed removal of the provision of the rule which requires that for a trade-in credit to be allowed against the sales price of an item, the item taken in trade must be taken "at the time of sale."

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(15), (16), 212.07(2), (3), 212.09, 212.12(9) FS.

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

DATE AND TIME: April 4, 2011, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are 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: French Brown, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6309

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Miscellaneous Tax

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|-------------------|---------------------|
| RULE NOS.: | RULE TITLES: |
| 12B-5.130 | Refunds |
| 12B-5.150 | Public Use Forms |

PURPOSE AND EFFECT: Section 206.8745(6), F.S., grants a refund, as provided by rule, for undyed tax-paid diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping when the power take-off unit or engine exhaust is mounted on a motor vehicle that has no separate fuel tank. The purpose of this rulemaking is to provide the proposed standards for granting refunds of the tax paid on undyed diesel fuel that is consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping using a hydraulic, pneumatic, or any other kind of pump. When in effective, proposed subparagraph (2)(a)2. of Rule 12B-5.130, F.A.C., and the proposed revisions to Form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for Off-road or Other Exempt Purposes, will provide: (1) the types of vehicles that qualify for the

refund; (2) the information that will be required for each qualified vehicle; (3) the qualified vehicle's percentage of fuel consumed for purposes of unloading bulk cargo by pumping; (4) how to determine the gallons of undyed diesel fuel that are eligible for refund; and (5) how to determine the amount of sales tax due on the eligible fuel.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed provisions of subparagraph (2)(a)2. of Rule 12B-5.130, F.A.C., and the proposed revisions to Form DR-309639, Application for Refund of Tax Paid on Undyed Diesel Used for Off-road or Other Exempt Purposes, to provide for a refund of tax paid on undyed diesel fuel consumed by a power take-off unit or engine exhaust for the purpose of unloading bulk cargo by pumping.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 206.8745(6), 213.06(1), 213.755(8), 526.206 FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.11, 206.404, 206.41(4), (5), 206.43(5), (6), 206.44, 206.485, 206.64, 206.86, 206.874, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.97, 206.9835, 206.9865, 206.9931, 206.9942, 206.9943, 212.0501, 213.255, 213.755, 526.203 FS.

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

DATE AND TIME: April 4, 2011, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are 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: Ronald Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6745

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

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| RULE NO.: | RULE TITLE: |
| 12C-1.013 | Adjusted Federal Income Defined |

PURPOSE AND EFFECT: Subsection 12C-1.013(5), F.A.C. (Adjusted Federal Income Defined), reflects the provisions of Section 220.13(1)(a)1., F.S., which requires an addition to federal taxable income equal to the amount of any tax upon or measured by income for Florida corporate income tax purposes. This rule subsection also provides that value-added taxes are not required to be added back to federal income for purposes of computing the Florida corporate income tax. The Michigan single business tax is included as an example of a value-added tax. On January 1, 2008, Michigan replaced its single business tax with a business tax based on income. The purpose of this rulemaking is to remove provisions regarding the now obsolete Michigan single business tax.

SUBJECT AREA TO BE ADDRESSED: The removal of the obsolete Michigan single business tax that was included as an example of a value-added tax that is not considered a tax upon or measured by income for purposes of Section 220.13(1)(a)1., F.S.

RULEMAKING AUTHORITY: 213.06(1), 220.51 FS.

LAW IMPLEMENTED: 220.13 FS.

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

DATE AND TIME: April 4, 2011, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are 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: Debra Gifford, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6752

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT myflorida.com/dor/rules.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

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| RULE NO.: | RULE TITLE: |
| 59B-9.032 | Ambulatory and Emergency Department Data Reporting and Audit Procedures |

PURPOSE AND EFFECT: The agency is proposing amendment to Rule 59B-9.032, F.A.C., to reinstate the reporting exemption option for ambulatory surgical centers having volumes less than 200.

SUBJECT AREA TO BE ADDRESSED: Ambulatory and Emergency Department Data Collection Chapter 59B-9, F.A.C.
RULEMAKING AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.062 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: April 11, 2011, 10:00 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room B, Building 3, 2727 Mahan Drive, 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: Patrick Kennedy, (850)412-3757. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Patrick Kennedy, (850)412-3757

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-9.032 Ambulatory and Emergency Department Data Reporting and Audit Procedures.

(1) through (2) No change

(3) All ambulatory centers performing the services set forth in Rules 59B-9.030 through 59B-9.039, F.A.C., shall submit ambulatory patient data as set forth in Rules 59B-9.037 and 59B-9.038, F.A.C., unless the reporting entity meets the criteria listed in subsection 59B-9.032(5), F.A.C., below.

(4) Any Ambulatory Surgical Center (ASC) receiving 200 or more patient visits during the reporting quarter periods outlined in Rule 59B-9.033, F.A.C., are required to report data as specified in Rules 59B-9.037 and 59B-9.038, F.A.C.

(5) Ambulatory Surgical Centers (ASC) receiving fewer than 200 patient visits during the reporting quarter periods outlined in Rule 59B-9.033, F.A.C., may request an exemption from a quarters reporting requirement. To request an exemption, the ASC shall send a letter on facility letterhead stating the number of patient visits for the reporting quarter and signed by the entity's chief executive officer or director. The exemption letter shall be received at the Agency office in

Tallahassee on or prior to the deadline for submission of the quarterly report. This is not a onetime letter, but must be submitted for each quarter with fewer than 200 visits.

(6)(4) No change.

Proposed Effective Date 7-1-2011

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.07, 408.08, 408.15(11) FS. History--New 1-1-10, Amended 12-5-10,_____.

Editorial note: see former rule 59B-9.011.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.004
RULE TITLE: Recreational Amberjack Season
PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes for reef fish in the 2011 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed in this rule development notice is a recreational closed season to harvest of amberjacks.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: Mr. Mark Robson, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Station 201, Tallahassee, Florida 32301, (850)487-0554

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

**Section II
Proposed Rules**

DEPARTMENT OF REVENUE

RULE NO.: 12-24.011
RULE TITLE: Public Use Forms
PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-24.011, F.A.C. (Public Use Forms), is to adopt, by reference, updates to forms used by the Department in its e-Services Program.

SUMMARY: The proposed amendments to Rule 12-24.011, F.A.C. (Public Use Forms), adopt, by reference, updates to Form DR-600, Enrollment and Authorization for e-Services Program, to include municipalities and counties for purposes of remitting the red light camera penalties imposed under Section 5, Chapter 2010-80, L.O.F.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3) FS.

LAW IMPLEMENTED: 119.071(5), 202.30, 206.485, 212.08(5)(q), 213.755, 220.21(2), (3), 443.1317, 443.163 FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE FULL TEXT OF THE PROPOSED RULE IS:

12-24.011 Public Use Forms.

(1)(a) The following public use forms and instructions are utilized by the Department for the purposes of the e-Services Program and are hereby incorporated by reference in this rule.

(b) Copies of the forms may be obtained, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at myflorida.com/dor/forms; or, 2) calling the Department at (800)352-3671, Monday through Friday, 8:00 a.m. to 7:00 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center or, 4) writing the Florida Department of Revenue, Taxpayer Services, 5050 West Tennessee Street Distribution Center, 168A Blountstown Highway, Tallahassee,

Florida ~~32399-0112~~ 32304. Persons with hearing or speech impairments may call the Department’s TDD at (800)367-8331 or (850)922-1115.

| Form Number | Title | Effective Date |
|-------------|--|------------------------|
| (2) DR-600 | Enrollment and Authorization for e-Services Program (R. 03/1140/09) | _____ 06/10 |

(3) No change.

Rulemaking Authority 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3) FS. Law Implemented 119.071(5), 202.30, 206.485, 212.08(5)(q), 213.755, 220.21(2), (3), 443.1317, 443.163 FS. History—New 6-1-09, Amended 6-28-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, p. 4557). Public comments regarding the proposed requirement to electronically file insurance premium tax returns were received at the rule development workshop held on October 11, 2010. In response to these comments, the Department has withdrawn the proposed change to Rule 12-24.003, F.A.C., Requirements to File or to Pay Taxes by Electronic Means, for further development.

DEPARTMENT OF REVENUE

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 12-28.001 | Scope |
| 12-28.002 | Definitions |
| 12-28.003 | Enrollment Procedures |
| 12-28.004 | Transmitting Funds and Return/Remittance Detail to the Department |
| 12-28.008 | Due Date; General Provisions |
| 12-28.009 | Distribution of Funds Received by the Department |

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 12-28, F.A.C., is to expand the chapter to include provisions for the remittance of traffic infraction detector penalties collected by municipalities or counties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F. In addition, the rule chapter is being updated to reflect the following law changes regarding

the remittance/reporting of court-related fees by Clerks of the Court to the Department for distribution to designated state funds:

- Section 12, Chapter 2010-162, L.O.F., amends Section 28.245, F.S., to require Clerks of the Court to remit court-related charges to the Department by the 10th day of the month following the month of collection;
- Section 5, Chapter 2010-163, L.O.F., amends Section 322.20(11)(a), F.S., to require that the fees collected by the Clerk of the Court for providing transcripts or other documents or for assisting in search for an individual’s driver history record be remitted to the Department within five working days, unless a shorter time is required by law;
- Section 13, Chapter 2010-134, L.O.F., imposes an administrative fee for trustee deeds recorded, as provided in Sections 721.855 and 721.856, F.S., required to be collected by the Clerk of the Court and remitted to the Department weekly in the same manner as the documentary stamp tax collected by the Clerk of the Court; and
- Sections 4, 5, and 19, Chapter 2009-204, L.O.F., repealed Section 28.37(4), F.S., removing provisions for the remittance of the amount of funds in excess of the approved budget amount established in Section 28.36, F.S., to the Department, and transfer the Department of Revenue Clerk of Court Trust Fund to the Justice Administrative Commission.

When in effect, this rule chapter will include updated provisions for the electronic remittance and reporting of funds from all court-related charges collected by Clerks of the Court, and it will include provisions for the remittance of traffic infraction detector penalties imposed and collected by municipalities and counties for distribution to designated state funds by the Department.

SUMMARY: The proposed amendments to Rule 12-28.001, F.A.C. (Scope), provide that provisions for the remittance of traffic infraction detector penalties collected by municipalities or counties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F., will be included in the rule chapter.

The proposed amendments to Rule 12-28.002, F.A.C. (Definitions), include remittances by local governments of the traffic infraction detector penalties imposed under Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F., in the definitions of terms used in the rule chapter.

The proposed amendments to Rule 12-28.003, F.A.C. (Enrollment Procedures), expand the rule to provide how municipalities or counties are to enroll, or update their enrollment, with the Department’s e-Services Program for the remittance of traffic infraction detector penalties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F.

The proposed amendments to Rule 12-28.004, F.A.C. (Transmitting Funds and Return/Remittance Detail to the Department): (1) update information regarding the transmitting of funds and the remittance detailed information for the Clerk of the Court Revenue Remittance System; and (2) include provisions for the Traffic Infraction Detector (Red Light Camera) Remittance System to be used by municipalities for remittance of such penalties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F. The proposed amendments to Rule 12-28.008, F.A.C. (Due Date; General Provisions), update the rule to: (1) include provisions for the remittance of traffic infraction detector penalties by municipalities or counties to the Department for disbursement to designated state funds, as provided in Section 316.0083, F.S., created by Section 5, Chapter 2010-80, L.O.F.; and (2) reflect the following law changes regarding the remittance/reporting of court-related fees by Clerks of the Court to the Department for distribution to designated state funds:

- Section 12, Chapter 2010-162, L.O.F., amends Section 28.245, F.S., to require Clerks of the Court to remit court-related charges to the Department by the 10th day of the month following the month of collection;
- Section 5, Chapter 2010-163, L.O.F., amends Section 322.20(11)(a), F.S., to require that the fees collected by the Clerk of the Court for providing transcripts or other documents or for assisting in search for an individual's driver history record be remitted to the Department within five working days, unless a shorter time is required by law;
- Section 13, Chapter 2010-134, L.O.F., imposes an administrative fee for trustee deeds recorded as provided in Sections 721.855 and 721.856, F.S., required to be collected by the Clerk of the Court and remitted to the Department weekly in the same manner as the documentary stamp tax collected by the Clerk of the Court; and
- Sections 4, 5, and 19, Chapter 2009-204, L.O.F., repealed Section 28.37(4), F.S., removing provisions for the remittance of the amount of funds in excess of the approved budget amount established in Section 28.36, F.S., to the Department, and transfer the Department of Revenue Clerk of Court Trust Fund to the Justice Administrative Commission.
- Sections 4, 5, and 19, Chapter 2009-204, L.O.F., repealed Section 28.37(4), F.S., removing provisions for the remittance of the amount of funds in excess of the approved budget amount established in Section 28.36, F.S., to the Department, and transfer the Department of Revenue Clerk of Court Trust Fund to the Justice Administrative Commission. The proposed amendments to Rule 12-28.009, F.A.C. (Distribution of Funds Received by the Department), remove these obsolete provisions from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 213.06(1), 213.13 FS.

LAW IMPLEMENTED: 28.245, 213.13, 219.07, 316.0083, 322.20(11), 721.8561 FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE FULL TEXT OF THE PROPOSED RULES IS:

CHAPTER 12-28, FLORIDA ADMINISTRATIVE CODE
CLERKS OF THE COURT REMITTANCE
REQUIREMENTS FOR CLERKS OF THE COURT
MUNICIPALITIES, AND COUNTIES

12-28.001 Scope.

(1) Remittances by Clerks of the Court. This rule chapter sets forth the rules to be used in the administration of Section 213.13, F.S., which provides for the electronic remittance of all funds collected by the Clerks of the Court ("Clerk") on behalf of the state or on behalf of the Court for distribution to the state and the electronic transmission of return/remittance detail ~~for such remittance~~ to the Department of Revenue for further disbursement to the various trust funds and agencies as designated in the applicable statutes.

(2) Remittances by Municipalities and Counties. This rule chapter also sets forth the rules to be used in the administration of Section 316.0083, F.S., which provides for the electronic remittance of the traffic infraction detector penalties collected by municipalities or counties ("Local Government") and the

electronic transmission of return/remittance detail to the Department of Revenue for disbursement to the designated funds.

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, 213.13, ~~213.131~~, 219.07, 316.0083, 322.20(11), 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

12-28.002 Definitions.

For the purposes of this rule chapter, the following terms and phrases when used in this rule chapter shall have the meanings ascribed to them in this rule, except where the context clearly indicates a different meaning:

(1) “Automated Clearing House” means a central distribution and settlement point for the electronic clearing of debits and credits between financial institutions rather than the physical movement of paper items.

(2) “ACH debit” means the electronic transfer of funds ~~that from a Clerk’s account, which is generated upon the Clerk’s instruction of the Clerk or Local Government~~ and cleared through the Automated Clearing House for deposit to the State Treasury.

(3) “Department” means the Florida Department of Revenue.

(4) “Electronic funds transfer” means an electronic transfer of funds.

(5) “Payment information” means the data that ~~a Clerk must be submitted to the Department submit~~ when making an electronic remittance ~~and that must be communicated to the Department~~. Payment information includes the:

(a) Payor information, which consists of the:

1. Bank account number; and
2. Financial routing and transit number as issued by the American Banking Association;

(b) Contact person information, which consists of:

1. Name;
2. Business telephone number and fax number; ~~and~~
3. Business e-mail address; ~~and~~
- ~~4. Business mailing address.~~

(c) Name of person authorized to sign the electronic remittance.

(6) “Return/remittance detail” means that information required by statute or rules adopted by agencies that administer the programs for which the funds are collected. This information must, at a minimum, contain detailed data regarding the specific taxes, fees, fines, penalties, reimbursements, court costs, and other court-related funds that constitute the funds being electronically remitted.

(7) “Session” means the period of time from the point the Clerk logs onto the ~~Internet~~ Clerk of Court Revenue Remittance System up to the point the Clerk exits the system, or the period of time from the point the Local Government logs

onto the Traffic Infraction Detector (Red Light Camera) Remittance System up to the point the Local Government exits the system. A session can be concluded by:

(a) The ~~Clerk through~~ completion of an electronic remittance of funds and transmission of detail and receipt of a confirmation number, which is defined as a “transaction”; or

(b) The ~~Clerk through a~~ “save and exit” feature (to return later for completion); or

(c) The system because of inactivity or a connectivity failure.

(8) “Working day” means any calendar day other than a Saturday, Sunday, or federal or state legal holiday or legal holiday of the jurisdiction in which the Clerk’s or Local Government’s financial institution is located.

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, ~~28.36~~, ~~28.37(4)~~, 213.13, ~~213.131~~, 219.07, 316.0083, 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

12-28.003 Enrollment Procedures.

(1)(a) Each Clerk and each Local Government ~~or authorized designee who is required to electronically remit funds collected and to electronically transmit return/remittance detail and to electronically submit payment information~~ for such funds as provided in detail pursuant to Section 213.13, F.S., or Section 316.0083, F.S., must enroll with the Department for e-Services by:

1. ~~Accessing~~ accessing and completing enrollment on the Department’s website ~~Internet site~~ at myflorida.com/dor/eservices/enroll.html; or

2. If unable to enroll using the Department’s website, completing an Enrollment and Authorization for e-Services Program (Form DR-600, incorporated by reference in Rule 12-24.011, F.A.C.).

(b) Information regarding enrollment with the Department for e-Services may be obtained at myflorida.com/dor/eservices/enroll.html or by calling the Department toll-free at 1(800)352-3671. Persons with hearing or speech impairments may call the Department’s TDD at 1(800)367-8331 or (850)922-1115.

~~(c)(b)~~ Copies of Form DR-600 ~~the form~~ may be obtained, without cost, by one or more of the following methods: 1) downloading the form from the Department’s website ~~Internet site~~ at myflorida.com/dor/forms; or, 2) calling the Department at 1(800)352-3671, Monday through Friday, 8:00 a.m. to 7:00 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center or, 4) writing the Florida Department of Revenue, Taxpayer Services, 5050 West Tennessee Street Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32399-0112 ~~32304~~. Persons with hearing or speech impairments may call the Department’s TDD at 1(800)367-8331 or (850)922-1115.

(2) ~~Upon receipt of enrollment information Within 30 consecutive calendar days of receiving the completed enrollment, the Department will assign confidential user information directly to the Clerk or Local Government enrolling and issue the Clerk an acknowledgement letter that includes the confidential user information and instructions the following:~~

~~(a) The Clerk's business partner or user identification number.~~

~~(b) The Clerk's password.~~

~~(c) Instructions for signing onto the Department's Internet Clerk of Court Revenue Remittance System or onto the Department's Traffic Infraction Detector (Red Light Camera) Remittance System.~~

~~(d) The telephone number of the Department's e-Services Unit, which will assist the Clerks in complying with the requirements of this program and Section 213.13, F.S.~~

(3)(a) ~~If for any reason a Clerk or his or her authorized designee is replaced or is unable to perform the activities required by Section 213.13, F.S., the successor must notify the Department within 30 consecutive calendar days of taking office or being hired by accessing and completing a change request on the Department's Internet site, or completing and submitting a new Form DR-600. If for any reason the contact person or person authorized to sign the electronic remittance designated by the Local Government is replaced, the Local Government must notify the Department within 30 consecutive calendar days.~~

~~(b) Clerks and Local Governments may notify the Department of updates to the e-Services profile by accessing and completing an update on the Department's website at myflorida.com/dor/e-services/enroll.html, or by completing a new Form DR-600 and submitting it to the Department.~~

~~(c)(b) All However, all regularly-scheduled fund remittances must continue without interruption during any transition period.~~

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, ~~28.36, 28.37(4)~~, 213.13, ~~213.134~~, 219.07, 316.0083, 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

12-28.004 Transmitting Funds and Return/Remittance Detail to the Department.

(1) Means of Funds and Detail Transmission – ~~A Clerks are required to use, as their means of funds and detail transmission, a personal computer capable of accessing the Internet using a version of the Microsoft Internet Explorer browser that utilizes 128-bit secure socket layer (SSL) encryption is required. Versions at or above 6.0 are strongly recommended.~~

(2) Procedures for Funds and Detail Transmission.

(a) After successful enrollment, the Clerk or his or her designee will access the ~~Internet~~ Clerk of Court Revenue Remittance System, or the Local Government will access the

Traffic Infraction Detector (Red Light Camera) Remittance System, using the confidential user information provided by the Department his or her Business Partner Number/User ID and Password. This action initiates a session, as defined in Rule 12-28.002, F.A.C.

(b) During the session, the ~~Clerk or his or her designee will be required to provide the following information will be required:~~

1. Reporting period;
2. Return/remittance detail;
3. Payment information, as defined in Rule 12-28.002, F.A.C.

(c) The funds and detail transmission is not completed during any session until a confirmation number is issued. This number provides a means of verifying the transaction and serves as the Clerk's receipt.

(3) Method for Funds Remittance. ~~The Department uses the ACH debit transfer prescribed method for funds remittance by the Clerks and by Local Governments to the Department is the ACH Debit method of electronic funds transfer.~~ The Department will bear the costs of processing the funds remittance by the ACH debit transfer ACH Debit method.

(4) Transmission Problems, Remittance Errors, and Failed Payments.

(a) Reporting Transmission Problems – ~~For Should the Clerk experience problems experienced with transmitting the return/remittance detail, the Clerk is required to contact the Department's e-Services Unit as soon as possible:~~

1. By telephone at ~~(850)617-6623 (850)487-9713, or;~~
2. By fax at ~~(850)922-5088; or~~
3. By e-mail at ~~cc-ehelp@dor.state.fl.us.~~

(b) Correcting Remittance Errors.

1. If, before 4:00 p.m., Eastern Time E.T., on the day of submission, ~~a Clerk discovers that an error has been made in the return/remittance detail is discovered, the Clerk must~~ contact the Department's e-Services Unit at (850)617-6623 (850)487-9713 for assistance.

2. If, after 4:00 p.m., Eastern Time E.T., on the day of submission, or on any subsequent day thereafter, ~~a Clerk discovers an error has been made in the return/remittance detail is discovered, the Clerk must~~ contact the Department's Revenue Accounting by e-mail at REVENUEACCOUNTING@dor.state.fl.us or by telephone Refunds and Distribution Process at (850)617-8586 (850)487-1150 to report the error.

(c) Replacing failed payments – ~~When If a Clerk discovers that an electronic payment has failed or will be returned by the his or her financial institution, the Clerk must immediately resubmit only the payment must be resubmitted using the "Returned Item Repayment" option page of the remittance system Internet Clerk of Court Revenue Remittance System.~~

~~Additional~~ ~~Should the Clerk require additional assistance may be obtained by calling, the Clerk may contact~~ the Department's Returned Items Unit at (850)488-8663.

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, ~~28.36, 28.37(4)~~, 213.13, ~~213.131~~, 219.07, 316.0083, 322.20(11), 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

12-28.008 Due Date; General Provisions.

(1) Transactions ~~The Clerks who are required~~ to remit funds electronically must be completed ~~complete the transaction~~ so that the amount due is deposited as collected funds to the State Treasurer's account on or before the remittance due date required by applicable statute or any agency rule.

(a) 5-Day Remittances. Fees imposed under Section 322.20(11)(a), F.S., for providing individual driver history transcripts or other documents, or for assisting in search for an individual's driver history record must be remitted no later than five working days after receipt of the fee, unless a shorter period is required by law. The Clerk must complete the transaction before 5:00 p.m., Eastern Time, on the fifth working day following the receipt of the fee.

(b)(a) Weekly Remittances. Documentary stamp tax, and nonrecurring intangible personal property tax, administrative fees for trustee deeds recorded as provided in Sections 721.855 and 721.856, F.S., collected by the Clerk, and traffic infraction detector penalties imposed under Section 316.0083, F.S., collected by the Local Government remittances must be remitted on a weekly basis. The Clerk must complete the transaction before 5:00 p.m., Eastern Time E.T., on the sixth working day following the close of the week in which the funds were received, as provided in Section 219.07, F.S.

(c)(b) Monthly Remittances. Court-related fees, services charges, court costs, and fines must be remitted on a monthly basis. The Clerk must complete the transaction before 5:00 p.m., Eastern Time, on the last working day before the 10th 20th day of the month immediately following the month in which the moneys were collected, as provided in Section 28.245, F.S. If the 10th day of the month falls on a Saturday, a Sunday, a legal holiday as defined in Section 683.01, F.S., or on a legal holiday of the jurisdiction in which the Clerk's financial institution is located, the transaction must be completed on or before 5:00 p.m., Eastern Time, on the preceding business day. Failure to do so will constitute late payment.

(e) Annual Remittance. The cumulative excess of all fees, service charges, court costs, and fines retained by the Clerk over the amount needed to meet the approved budget amount established under Section 28.36, F.S., must be remitted on an annual basis. The Clerk must complete the transaction before 5:00 p.m., Eastern Time, on the last working day before December 31, each year, as provided in Section 28.37(4), F.S.

(d) Failure to remit the funds as provided in this subsection will constitute late payment. Late payments must be deposited on the next business day following the date that the transmission was completed.

(2) To assist ~~the Clerks~~ in complying with all statutory requirements for timely remittance of funds ~~due~~, the Department will annually develop a calendar of remittance dates for use by Clerks and Local Governments by which the initiation of a transaction must be completed before 5:00 p.m., Eastern Time. The annual calendar of remittance dates (Florida e-Services Program County Officers' Calendar of Remittance Dates, Form DR-659C) is posted on the Department's website at myflorida.com/dor/e-services and may also be obtained by calling the Department toll-free at 1(800)352-3671 ~~or (850)488-6800~~. Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331 or (850)922-1115.

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, ~~28.36, 28.37(4)~~, 213.13, ~~213.131~~, 219.07, 316.0083, 322.20(11), 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

12-28.009 Distribution of Funds Received by the Department.

(1) Upon receiving ~~a Clerk's~~ payment information and associated remittance information, the Department will verify that the funds for subsequent distribution reconcile with the associated remittance information submitted to the Department provided by the Clerk.

(2) Within two working days of receiving an accurate payment ~~from the Clerk~~, the Department will make all required entries in the State accounting system. These entries will be based on the remittance detail for the appropriate trust fund or agency as designated in statute.

~~(3) If the Department determines, or is notified by a clerk's office or benefiting agency, that there has been an error made in the submission of the remittance amount, the payment information for such remittance, or the associated remittance information for those funds deposited in a departmental fund, the Department will hold the funds in the Department of Revenue Clerks of the Court Trust Fund until the Clerk has been contacted and the error has been corrected. In the case of errors in deposits to other agencies, the Department will assist the affected parties in correcting the error.~~

Rulemaking Authority 213.06(1), 213.13 FS. Law Implemented 28.245, ~~28.36, 28.37(4)~~, 213.13, ~~213.131~~, 219.07, 316.0083, 322.20(11), 721.8561 FS. History—New 8-19-02, Amended 6-1-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, pp. 4557-4558). A rule development workshop was held on October 11, 2010. A technical change was made in response to oral comments received by telephone prior to the workshop. No written comments have been received by the Department.

DEPARTMENT OF REVENUE

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 12-29.001 | Scope |
| 12-29.002 | Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Rescindment |
| 12-29.003 | Florida Tax Credit Scholarship Program; Applications |

PURPOSE AND EFFECT: The purpose of establishing Rule Chapter 12-29, F.A.C. (Multitax Credits), is to establish a rule chapter to set forth rules to be used in the administration of tax credit programs that authorize eligible taxpayers to receive tax credits against more than one tax.

The Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. The referenced law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., creating Sections 211.0251, 212.1831, 220.1875, and 561.1211, F.S., and amending Section 624.51055, F.S.

Beginning July 1, 2010, taxpayers were allowed to apply for a credit allocation for contributions to a nonprofit scholarship funding organization for a tax credit against excise taxes on liquor, wine, and malt beverages administered by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation. Beginning January 1, 2011, certain taxpayers are allowed to apply for a credit allocation to be taken as a tax credit against sales and use tax, and taxpayers who pay the tax on oil and gas production in Florida are allowed to apply for a credit allocation to be taken as a tax credit.

When in effect, this rule chapter will establish rules for administering the tax credits for contributions made to nonprofit scholarship funding organizations under Section 1002.395, F.S., Florida Tax Credit Scholarship Program, including the procedures and applications governing the approval of tax credit allocations and rescindments, the

procedures to be followed by taxpayers when claiming tax credits on tax returns, and the procedures to obtain approval to carry forward tax credits to a subsequent tax year.

SUMMARY: Proposed Rule Chapter 12-29, F.A.C. (Multitax Credits), provides for the administration of tax credit programs which authorize eligible taxpayers tax credits against more than one tax imposed under Florida law.

Proposed Rule 12-29.001, F.A.C. (Scope), provides that Rule Chapter 12-29, F.A.C., sets forth the rules to be used in the administration of tax credits for contributions made to nonprofit scholarship funding organizations under Section 1002.395, F.S., Florida Tax Credit Scholarship Program.

Proposed Rule 12-29.002, F.A.C. (Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Rescindment): (1) provides the taxpayers eligible to participate in the Florida Tax Credit Scholarship Program and when those taxpayers are authorized under Chapter 2010-24, L.O.F., to participate in the Program; (2) requires eligible taxpayers to apply on-line using the Department's website, or to file Form DR-116000, Application for Tax Credit Contributions to Nonprofit Scholarship Funding Organizations, with the Department, to receive a credit allocation from the tax cap authorized by the law; (3) establishes the procedures the Department will use to notify an applicant of the taxpayer's credit allocation; (4) establishes the procedures for claiming the credit allocation as a tax credit on a tax return; (5) provides that a contribution to an eligible nonprofit scholarship funding organization must be made by an eligible taxpayer prior to taking a tax credit on a tax return; (6) establishes procedures for taxpayers to carry forward a tax credit for a period of up to three years when a taxpayer's tax liability is insufficient to take the full amount of the tax credit; and (7) establishes procedures for taxpayers who are unable to use a credit allocation to apply on-line with the Department or to submit Form DR-116100, Application for Rescindment of Tax Credit Allocation to Nonprofit Scholarship Funding Organizations, to rescind that credit and when those funds are eligible to other taxpayers for that state fiscal year.

Proposed Rule 12-29.003, F.A.C. (Florida Tax Credit Scholarship Program; Applications), adopts, by reference, applications used by the Department in the administration of the Florida Tax Credit Scholarship Program and provides how to obtain copies of those applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 213.06(1), 1002.395(13) FS.
LAW IMPLEMENTED: 92.525(1)(b), 211.0251, 212.1831, 213.37, 220.1875, 561.1211, 624.51055, 1002.395(1)-(3), (13) FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are 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: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

THE FULL TEXT OF THE PROPOSED RULES IS:

12-29.001 Scope.

This rule chapter sets forth the rules to be used in the administration of tax credits for contributions made to nonprofit scholarship funding organizations under Section 1002.395, F.S., Florida Tax Credit Scholarship Program. That program allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This rule chapter establishes procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

Rulemaking Authority 1002.395(13) FS. Law Implemented 211.0251, 212.1831, 220.1875, 561.1211, 624.51055, 1002.395(1)-(3), (13) FS. History—New _____.

12-29.002 Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Rescindment.

(1) Definitions. For purpose of this rule, the following terms mean:

(a) “Contribution” means an eligible contribution, as defined in Section 1002.359(2), F.S., made to an eligible nonprofit scholarship funding organization.

(b) “Credit allocation” means an allocation to a taxpayer of an annual tax credit cap authorized under the Florida Tax Credit Scholarship Program.

(c) “Department” means the Florida Department of Revenue.

(d) “Division” means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(e) “Eligible nonprofit scholarship funding organization” means a charitable organization as defined in Section 1002.359(2), F.S. A list of eligible nonprofit scholarship funding organizations established by the Department of Education is available at www.floridaschoolchoice.org/.

(f) “State fiscal year” means the annual period beginning July 1 through June 30 of the following year.

(g) “Tax credit cap” means the maximum annual tax credit amount that the Department is authorized in Section 1002.395(5), F.S., to allocate. The Department will issue a Tax Information Publication to announce increases in the maximum annual tax credit amount.

(2) TAXPAYERS ELIGIBLE TO PARTICIPATE IN THE PROGRAM. Taxpayers who pay any of the following taxes may apply to the Department for a credit allocation as follows:

(a) For the taxes administered by the Department:

1. Florida corporate income tax imposed under Chapter 220, F.S.

2. Florida insurance premium tax imposed under Section 624.509, F.S.

3. Taxpayers who hold a valid Sales and Use Tax Direct Pay Permit, issued by the Department, as provided in Section 212.183, F.S., and Rule 12A-1.0911, F.A.C.

4. Taxpayers who pay tax on oil production in Florida imposed under Section 211.02, F.S., or who pay tax on gas production in Florida imposed under Section 211.025, F.S.

5. Taxpayers who were eligible for tax credits authorized by Sections 220.187 and 624.51055, F.S., prior to July 1, 2010, remain eligible for the tax credit now authorized by Section 1002.395, F.S.

(b) For excise taxes administered by the Division:

1. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

2. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or,

3. Excise tax on malt beverages imposed under Section 563.05, F.S.

(3) APPLICATIONS FOR CREDIT ALLOCATIONS.

(a) To receive a credit allocation, taxpayers must apply on-line using the Department’s website at www.myflorida.com/dor/taxes/tax_incentives.html or submit an Application for Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116000, incorporated by reference in Rule 12-29.003, F.A.C.) to the Department.

1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply online using the Department's website. When the application is completed and submitted online, a confirmation number will be provided to confirm receipt of the application.

2. The fastest and easiest way to apply for the credit is to use the online application. Taxpayers who do not meet these requirements are encouraged to apply online. However, such taxpayers may apply for a credit allocation by filing a paper application with the Department.

(b) A separate application to receive a credit allocation is required for:

1. Each eligible nonprofit scholarship funding organization the taxpayer intends to support; and

2. Each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that begins during that calendar year. The application must be made on or before the last day of the taxpayer's corporate income tax year.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2011-2012 state fiscal year credit beginning on January 3, 2011. The application must be made on or before December 31, 2011.

b. Example: A taxpayer with a tax year beginning December 1, 2011, and ending November 30, 2012, may apply for a credit allocation for the 2011-2012 state fiscal year beginning on January 3, 2011. The application must be made on or before November 30, 2012.

2. Insurance Premium Tax – An application for a credit allocation may be made beginning on the first business day of January of each calendar year and may not be made after December 31 of that calendar year. Example: For the 2011-2012 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 3, 2011. The application must be made on or before December 31, 2011.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation on the first business day of January of the calendar year preceding the state fiscal year beginning on July 1 of the calendar year. The application must be made by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit allocation for the 2011-2012 state fiscal year, taxpayers may apply for a credit allocation beginning on January 3, 2011. The application must be made on or before June 30, 2012.

(d) The Department will accept applications until the tax credit cap is reached, until the end of the state fiscal year, or until the end of the tax year for corporate income tax and insurance premium tax, whichever occurs first.

(4) NOTIFICATION.

(a) The Department will approve credit allocations on a first-come, first-served basis. Within ten days of receipt of an application, the Department will send written correspondence regarding the amount of the credit allocation for each tax applied for, or the reason the credit allocation could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the credit allocation before the Department will issue such correspondence.

(b) When approved, the Department's approval letter will specify the period in which the contribution to the designated nonprofit scholarship funding organization must be made. Contributions must be made during the year specified in the approval letter. The organization receiving a contribution will issue the taxpayer a certificate of contribution signed by an officer or authorized representative of the organization containing:

1. Contributor's name;
2. Contributor's federal identification number;
3. Contributor's license number issued by the Division, if applicable;
4. Amount of contribution;
5. Date of contribution; and
6. Name of eligible nonprofit scholarship funding organization.

(c) The amount of tax credit claimed on a tax return is limited to the amount of contribution contained in the certificate of contribution issued by an eligible nonprofit scholarship funding organization. The taxpayer must make the contribution before the credit is claimed on a tax return.

(d) No tax credit will be allowed when a taxpayer:

1. Fails to make the designated contribution;
2. Fails to make a contribution before claiming the tax credit on a tax return;
3. Claims the credit against tax due prior to the date the contribution is made;
4. Makes a contribution to an ineligible organization; or
5. Makes the contribution outside the period specified in the Department's approval letter.

(e) When an eligible nonprofit scholarship funding organization is unable to accept the taxpayer's contribution, or a part of the contribution, because of its obligations under Section 1002.395, F.S., the taxpayer may make a contribution or partial contribution to another eligible nonprofit scholarship funding organization. The organization unable to accept the taxpayer's contribution must provide a written statement to the taxpayer declining the contribution. The taxpayer is required to keep the written statement with its books and records.

(5) TAX CREDITS.

(a)1. Corporate Income Tax – A tax credit of 100 percent of the contribution against any corporate income tax due for the tax year is allowed. The amount of the tax credit for a tax year:

a. Is limited to 75 percent of the corporate income tax due after application of any other allowable credits taken by the taxpayer for that tax year;

b. Must be reduced by the difference in federal corporate income tax due computed with the credit and without the credit; and

c. Must be added back to taxable income in determining Florida corporate income tax due.

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to 75 percent of the tax due after deducting:

a. Assessments made pursuant to Section 440.51, F.S. (workers compensation administrative assessments);

b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters' and police officers' pension trust funds); and

c. Credits for income taxes and emergency excise taxes paid under Chapters 220 and 221, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation).

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(c)1. Sales and Use Tax – Beginning January 1, 2011, a tax credit of 100 percent of the contribution is allowed against any sales and use tax due imposed under Chapter 212, F.S., to any taxpayer who holds a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to:

Florida Department of Revenue
Revenue Accounting
P. O. Box 6609
Tallahassee, FL 32314-6609

b. Within ten days of receipt of the copy of the certificate, the Department will send written instructions on how to claim the credit allocation as a tax credit on a sales and use tax return remitted to the Department by electronic means.

(d)1. Tax on Oil and Gas Production – A tax credit of 100 percent of the contribution is allowed against any tax due on oil or gas production in Florida imposed under Sections 211.02 and 211.025, F.S. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken.

2. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(e)1. Excise Tax on Liquor, Wine, and Malt Beverages – A tax credit of 100 percent of the contribution is allowed against the following taxes administered by the Division.

a. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

b. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produce by manufacturers in Florida from products grown in Florida; or

c. Excise tax on malt beverages imposed under Section 563.05, F.S.

2. The tax credit taken on a return filed with the Division is limited to 90 percent of the tax due on the return. Taxpayers must attach a copy of the certificate of contribution from each eligible nonprofit scholarship funding organization to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(f) Contributions to an eligible nonprofit scholarship funding organization are not payments of estimated tax or installment payments of tax.

(6) CARRYFORWARD OF UNUSED CREDITS.

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the approval letter, because the taxpayer's liability is insufficient, the taxpayer may apply to carry forward the unused tax credit amount for a period not to exceed three years. Taxpayers must apply on-line using the Department's website at www.myflorida.com/dor/taxes/tax_incentives.html or submit an Application for Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116000, incorporated by reference in Rule 12-29.003, F.A.C.) requesting approval to carry forward the unused portion of the tax credit during the year in which the taxpayer wants to carry forward the unused tax credit. Applications to carry forward amounts beyond the three-year period will not be accepted by the Department. See paragraph (3)(a) for submitting the application to the Department.

(b) A separate application to carry forward an unused tax credit is required for each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

(c) Within ten days of receipt of the application, the Department will send written correspondence regarding the amount of the credit carryforward, or the reason the carryforward request could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the carryforward before the Department will issue such correspondence. No request will be approved when the application for a credit allocation carryforward is submitted for a period beyond three years from the year in which the credit allocation was approved.

(d) Examples.

1. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the year ending December 31, 2011. To carry forward the unused portion of the credit allocation from its tax year ending December 31, 2011, to its tax year ending December 31, 2012, the taxpayer must apply to the Department, specifying the carryforward amount, on or after January 3, 2012. The application must be filed on or before December 31, 2012. If any unused portion of the credit allocation remains, the taxpayer must apply for a carryforward of the unused portion. Any unused carryforward from its tax year ending December 31, 2011, expires on December 31, 2014.

2. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2010. To carry forward the unused portion of the credit allocation that was not taken on the 2010 insurance premium tax return (due March 1, 2011) to the 2011 insurance premium tax return, the taxpayer must apply to the Department, specifying the carryforward amount, on or after January 3, 2011. The application must be filed and approved on or before December 31, 2011. If any unused portion of the credit allocation remains, the taxpayer must apply for a carryforward of the unused portion. Any unused carryforward from its tax year ending December 31, 2010, expires on December 31, 2013.

3. Sales and Use Tax Example – A taxpayer who holds a Sales Tax Direct Pay Permit applied for and was approved for a credit allocation against sales and use tax due to the Department for the state fiscal year 2011-2012. The taxpayer paid the contribution to an eligible nonprofit scholarship funding organization on July 15, 2011, and submitted a copy of the certificate of contribution received from the organization to the Department. The taxpayer's liability was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30, 2012. To carry forward the unused portion of the tax credit to the 2012-2013 state fiscal year, the taxpayer must apply to the Department, specifying the carryforward amount during the 2012-2013 state fiscal year. The application must be filed and approved, and any approved carryforward must be taken on a sales and use tax return filed on or before June 30, 2013. If any unused

portion of the credit allocation remains, the taxpayer must apply for a carryforward of the unused portion to be used during the following state fiscal year. Any unused carryforward from the 2011-2012 state fiscal year expires June 30, 2015.

4. Tax on Oil and Gas Production – The same application periods and credit carryforward periods that apply to a sales and use tax credit allocation apply to a credit allocation against the tax on oil and gas production.

5. Excise Taxes on Liquor, Wine, and Malt Beverages Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year 2011-2012. The taxpayer's liability was insufficient to use the entire credit allocation during that state fiscal year. To carry forward the unused portion of the tax credit to the 2012-2013 state fiscal year, the taxpayer must apply to the Department, specifying the carryforward amount during the 2012-2013 state fiscal year. The application must be filed and approved, and any approved carryforward must be taken on a return filed with the Division, on or before June 30, 2013. If any unused portion of the credit allocation remains, the taxpayer must apply for a carry forward of the unused portion to be used during the following state fiscal year. Any unused carryforward from the 2011-2012 state fiscal year expires June 30, 2015.

(e) A taxpayer may not convey, assign, or transfer a credit allocation to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

(7) RESCINDMENT OF UNUSED TAX CREDITS.

(a) The rescindment provision allows credit allocations that will not be used by the taxpayer to be reallocated to other taxpayers who may use the credit allocation. Taxpayers must apply on-line using the Department's website at www.myflorida.com/dor/taxes/tax_incentives.html or submit an Application for Rescindment of Tax Credit Allocation for Contributions to Nonprofit Scholarship Funding Organizations (Form DR-116100, incorporated by reference in Rule 12-29.003, F.A.C.) to the Department to rescind all or a portion of an unused credit allocation. See paragraph (3)(a) for submitting the application to the Department.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. The amount of credit allocation requested to be rescinded has been claimed as a credit on a previously filed return;

2. The taxpayer has had more than one approved rescindment of credit within the last three tax years; or

3. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on November 30 of the subsequent calendar year.

(c) Within ten days of receipt of an application, the Department will send written correspondence regarding the amount of the rescindment, or the reason rescindment could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the rescindment before the Department will issue such correspondence.

(d) When the approval of a rescindment allows the tax credit cap for a state fiscal year to be reopened and available for allocation, the Department will notify each nonprofit scholarship funding organization that the tax credit cap is available for allocation.

Rulemaking Authority 1002.395(13) FS. Law Implemented 92.525(1)(b), 211.0251, 212.1831, 213.37, 220.1875, 561.1211, 624.51055, 1002.395(1)-(3), (13) FS. History—New _____.

12-29.003 Florida Tax Credit Scholarship Program: Applications.

(1)(a) The following application forms and instructions are used by the Department in its administration of the Florida Tax Credit Scholarship Program. These forms are hereby incorporated by reference in this rule.

(b) Copies of the application forms and instructions are available, without cost, by one or more of the following methods: 1) downloading the application from the Department’s Internet site at www.myflorida.com/dor/forms; or, 2) calling the Department at 1(800)352-3671, Monday through Friday, 8 a.m. to 7 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center or, 4) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. Persons with hearing or speech impairments may call the Department’s TDD at 1(800)367-8331 or (850)922-1115.

| <u>Form Number</u> | <u>Title</u> | <u>Effective Date</u> |
|-------------------------|--|-----------------------|
| <u>(2)(a) DR-116000</u> | <u>Application for Tax Credit Allocation for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. 02/11)</u> | _____ |
| <u>(b) DR-116100</u> | <u>Application for Rescindment of Tax Credit Allocation for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. 01/11)</u> | _____ |

Rulemaking Authority 213.06(1), 1002.395(13) FS. Law Implemented 92.525(1)(b), 211.0251, 212.1831, 213.37, 220.1875, 561.1211, 624.51055, 1002.395(1)-(3), (13) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, pp. 4558-4559). A rule development workshop was held on October 11, 2010. Changes were made in response to oral comments received by the Department.

DEPARTMENT OF REVENUE

Sales and Use Tax

| <u>RULE NO.:</u> | <u>RULE TITLE:</u> |
|------------------|---|
| 12A-1.011 | Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice |

PURPOSE AND EFFECT: Prior to amendment effective July 12, 2010, Rule 12A-1.020, F.A.C., provided that germicides used in the treatment of drinking water and sewage are exempt from tax. Provisions regarding the treatment of germicides for treating drinking water were moved to Rule 12A-1.011, F.A.C., effective November 3, 2009; however, provisions regarding germicide used to treat sewage were omitted from the amendments to Rule 12A-1.011, F.A.C. The purpose of the proposed amendments to Rule 12A-1.011, F.A.C. (Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice), is to add that germicides used in the treatment of sewage are exempt from tax.

SUMMARY: The proposed amendments to Rule 12A-1.011, F.A.C. (Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice), provide that germicides used in the treatment of sewage are tax-exempt.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(14)(c), (20), 212.05(1)(a)1.a., 212.06(1)(a), 212.07(2), 212.08(1), (4)(a)1., (7)(oo), (pp) FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Buzz McKown, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.011 Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice.

(1) through (6) No change.

(7) WATER AND ICE.

(a) through (c) No change.

(d) Germicides (such as chlorine), sodium silicate, activated charcoal, and similar purification agents used in the treatment of drinking water or sewage are exempt.

(e) No change.

(8) through (9) No change.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(14)(c), (20), 212.05(1)(a)1.a., 212.06(1)(a), 212.07(2), 212.08(1), (4)(a)1., (7)(oo), (pp) FS. History—Revised 10-7-68, 6-16-72, 9-28-78, 10-29-81, Formerly 12A-1.11, Amended 12-8-87, 1-2-89, 8-10-92, 6-19-01, 4-17-03, 11-3-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Buzz McKown, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on December 23, 2010 (Vol. 36, No. 51, pp. 6069-6070). No request was received by the Department to hold a workshop.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:
12A-1.0143

RULE TITLE:
Manufacturing and Spaceport
Investment Incentive Program Tax
Refunds

PURPOSE AND EFFECT: Rule 12A-1.0143, F.A.C. (Manufacturing and Spaceport Investment Incentive Program Tax Refunds), is being created to provide procedures to be used in obtaining a refund of taxes paid on purchases of eligible equipment authorized by the Manufacturing and Spaceport Investment Incentive Program administered by the Office of Tourism, Trade, and Economic Development. When in effect, this rule will provide how to obtain a refund of taxes paid on purchases of eligible equipment authorized under the Program and the time frame for filing an application for refund with the Department of Revenue.

SUMMARY: The proposed creation of Rule 12A-1.0143, F.A.C. (Manufacturing and Spaceport Investment Incentive Program Tax Refunds), provides procedures to be used in obtaining a refund of taxes paid on purchases of eligible equipment from the Department of Revenue pursuant to the Manufacturing and Spaceport Investment Incentive Program administered by the Office of Tourism, Trade, and Economic Development.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 213.255, 215.26, 288.1083 FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jeff Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7347

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.0143 Manufacturing and Spaceport Investment Incentive Program Tax Refunds.

(1) Who May Claim the Refund? Any eligible entity that has received approval from the Office of Tourism, Trade, and Economic Development for the purchase of eligible equipment for use in the Manufacturing and Spaceport Investment Incentive Program may claim the refund. A refund will be allowed on state sales and use taxes previously paid, but not on any discretionary sales surtax paid. The refunds are limited to the time periods and amounts provided in subsection (2).

(2) Amount of the Refund. The refund amount is based on an eligible entity's purchases of eligible equipment placed in service in Florida during the state fiscal years 2010-2011 and 2011 – 2012 (July 1, 2010 – June 30, 2011, and July 1, 2011 – June 30, 2012) in excess of the entity's total cost of eligible equipment purchased and placed into service in Florida by the entity in its tax year that began in 2008. The total amount of refund available to an eligible entity is limited to the amount of previously paid state sales and use tax certified by the Office of Tourism, Trade, and Economic Development and will not exceed \$50,000 in each of the state fiscal years 2010-2011 and 2011-2012.

(3) Obtaining the Refund.

(a) Taxpayers must file an application with the Office of Tourism, Trade, and Economic Development for eligibility for a tax refund under the Manufacturing and Spaceport Investment Incentives Program. Applications may be obtained at http://www.fkgov.com/financial_incentives or by contacting the Office at (850)487-2568.

(b) When the Office of Tourism, Trade, and Economic Development sends written certification to the applicant certifying the amount of Florida sales and use tax refund, the Office will send a copy of the written certification to the Department. To obtain a refund of Florida sales and use tax previously paid on purchases of eligible equipment under the Manufacturing and Spaceport Investment Incentive Program, a completed Application for Refund-Sales and Use Tax (Form DR-26S, incorporated by reference in Rule 12-26.008, F.A.C.), with a copy of the certification letter issued by the Office, must be filed with the Department. Form DR-26S must be filed within 30 days from the date of the written certification issued by the Office. Applications for Refund-Sales and Use Tax are

available on the Department's website at www.myflorida.com/dor/forms. Form DR-26S, with a copy of the certification letter, should be mailed to:

Florida Department of Revenue
Refund Subprocess
P. O. Box 6490
Tallahassee, Florida 32314-6490.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 213.255, 215.26, 288.1083 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7347

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, p. 4559). A rule development workshop was held on October 11, 2010. No comments were received by the Department.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-8.001 RULE TITLE: Premium Tax; Rate and Computation
PURPOSE AND EFFECT: The Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., and amending Section 624.51055, F.S. Taxpayers continue to be allowed to apply for a credit allocation to be taken as a tax credit against insurance premium tax, as provided in Section 624.51055, F.S., as amended by Section 11, Chapter 2010-24, L.O.F. When in effect, proposed Rule Chapter 12-29, F.A.C., Multitax Credits, will establish the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

The purpose of the proposed changes to Rule 12B-8.001, F.A.C. (Premium Tax; Rate and Computation), is to remove provisions regarding the credit against insurance premium tax for contributions made to eligible nonprofit scholarship funding organizations that will be provided in Rule Chapter 12-29, F.A.C., when effective.

SUMMARY: The proposed amendments to Rule 12B-8.001, F.A.C. (Premium Tax; Rate and Computation), remove provisions and provide a reference to the rule chapter containing provisions for tax credits for contributions made to eligible nonprofit scholarship funding organizations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 213.06(1), 624.5105(4)(b), 1002.395(13) FS.

LAW IMPLEMENTED: 624.509, 624.51055, 1002.395 FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

THE FULL TEXT OF THE PROPOSED RULE IS:

12B-8.001 Premium Tax; Rate and Computation.

(1) through (2) No change.

(3) Credits Against the Tax.

(a) through (e) No change.

(f) Credit for Contributions to Nonprofit Scholarship Funding Organizations. See Rule Chapter 12-29, F.A.C., for provisions on credits against the tax for contributions made to eligible nonprofit scholarship funding organizations.

~~1. Section 624.51055, F.S., provides a credit of 100 percent of an eligible contribution made to an eligible nonprofit scholarship funding organization, as provided in Section 220.187, F.S., against any net tax due for a taxable year under Section 624.509(1), F.S. However, the credit may not exceed 75 percent of the tax due under Section 624.509(1), F.S., after deducting from such tax:~~

~~a. Deductions for assessments made pursuant to Section 440.51, F.S. (workers compensation administrative assessments);~~

~~b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighter's and police officers' pension trust funds); and,~~

~~e. Credits for income taxes and emergency excise taxes paid under Chapters 220 and 221, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation).~~

~~2. Contributions to a nonprofit scholarship funding organization are not payments of estimated tax or installment payments.~~

~~3. The provisions of Section 220.187, F.S., regarding definitions, the credit application process, the rescindment provisions, the preservation of credit provisions, and the administrative provisions, including the three year credit carryover provision, and the provisions of Rule 12C-1.0187, F.A.C., apply to the credit against the insurance premium tax for contributions to nonprofit scholarship funding organizations.~~

~~4. Applicants subject to the insurance premium tax imposed under Section 624.509(1), F.S., may only claim credit for eligible contributions they made to a nonprofit scholarship funding organization against their insurance premium tax liability.~~

(4) through (9) No change.

Rulemaking Authority 213.06(1), 220.183(4)(d), 288.99(11), 624.5105(4)(b), ~~1002.395(13)~~ FS. Law Implemented 175.101, 175.1015, 175.121, 175.141, 185.08(3), 185.085, 185.10, 185.12, 213.05, 213.235, 220.183(3), ~~220.187~~, 288.99(11), 624.4621, 624.46226, 624.4625, 624.475, 624.509, 624.5092, 624.50921, 624.510, 624.5105, 624.51055, 624.511, 624.518, 624.519, 624.520(2), 626.7451(11), 627.3512, 627.357(9), 628.6015, 629.5011, 634.131, 634.313(2), 634.415(2), ~~1002.395~~ FS. History—New 2-3-80, Formerly 12B-8.01, Amended 3-25-90, 4-10-91, 2-18-93, 6-16-94, 10-19-94, 1-2-96, 12-9-97, 6-2-98, 4-2-00, 10-15-01, 8-1-02, 6-20-06, 9-1-09, 4-26-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, p. 4561). A rule development workshop was held on October 11, 2010. No comments were received by the Department.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

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| <p>RULE NOS.:</p> <p>12C-1.0186</p> <p>12C-1.0187</p> <p>12C-1.051</p> | <p>RULE TITLES:</p> <p>Credit for Florida Alternative Minimum Tax</p> <p>Credits for Contributions to Nonprofit Scholarship Funding Organizations</p> <p>Forms</p> |
|--|--|

PURPOSE AND EFFECT: The Florida Tax Credit Scholarship Program, as amended by Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. This law expands the tax credits against corporate income tax and insurance premium tax, transferring Section 220.187, F.S., to new Section 1002.395, F.S., and creating Section 220.1875, F.S., to provide for the tax credit against corporate income tax. The proposed changes to Rule Chapter 12C-1, F.A.C., are necessary to update reference to the new law for purposes of the credit for the Florida alternative minimum tax and to remove rule provisions and forms relating to tax credits for contributions to nonprofit scholarship funding organizations prior to July 1, 2010. When in effect, proposed Rule Chapter 12-29, F.A.C. (Multitax Credits), will establish the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

SUMMARY: The proposed amendments to Rule 12C-1.0186, F.A.C. (Credit for Florida Alternative Minimum Tax), update the reference to the credits for contributions to nonprofit scholarship funding organizations to Section 220.1875, F.S., as provided in Sections 10 and 11, Chapter 2010-24, L.O.F.

The proposed repeal of Rule 12C-1.0187, F.A.C. (Credits for Contributions to Nonprofit Scholarship Funding Organizations), removes provisions regarding the credit against corporate income tax for contributions made to eligible nonprofit scholarship funding organizations that will be provided in Rule Chapter 12-29, F.A.C., when effective.

The proposed amendments to Rule 12C-1.051, F.A.C. (Forms), remove the obsolete application to obtain an allocation of the tax credit for contributions made to eligible nonprofit scholarship funding organizations and the obsolete application to rescind a credit allocation. Applications used to administer the Florida Tax Credit Scholarship Program will be provided in Rule Chapter 12-29, F.A.C. (Multitax Credits), when effective.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business. A Statement of Estimated Regulatory Cost 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: 220.51, 1002.395(13) FS.
LAW IMPLEMENTED: 220.131, 220.186, 220.1875, 624.51055, 1002.395 FS.

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

DATE AND TIME: April 11, 2011, 10:30 a.m.
PLACE: 2450 Shumard Oak Boulevard, Building One, Room 2503, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

THE FULL TEXT OF THE PROPOSED RULE IS:

12C-1.0186 Credit for Florida Alternative Minimum Tax.

(1) If the Florida alternative minimum tax is paid pursuant to Section 220.11(3), F.S., or the Florida alternative minimum tax is offset by the credits provided in Section 220.1875 ~~220.187~~ or 220.193, F.S., an alternative minimum tax credit is allowed by Section 220.186, F.S., in subsequent years.

(2) The amount of the alternative minimum tax credit is equal to the excess of the alternative minimum tax paid over the amount of regular corporate income tax without application of the credits provided in Section 220.1875 ~~220.187~~ or 220.193, F.S., that would have otherwise been due. There is no limitation on the total dollar amount of the credit.

(3) through (4) No change.

Rulemaking Authority 213.06(1), ~~220.187(12)~~, 220.193(4), 220.51, 1002.395 FS. Law Implemented 220.186, 220.1875, ~~220.187~~ 220.193 FS. History—New 12-7-92, Amended 4-26-10,_____.

12C-1.0187 Credits for Contributions to Nonprofit Scholarship Funding Organizations.

~~(1) An Application for Corporate Income Tax and Insurance Premium Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form F-1160, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to receive such credit. Applicants subject to the insurance premium tax imposed under Section~~

624.509, F.S., may only claim credit for eligible contributions they made to a nonprofit scholarship funding organization against their insurance premium tax liability. All other taxpayers may only claim the credit for eligible contributions made to a nonprofit scholarship funding organization against their corporate income tax liability. Contributions to a nonprofit scholarship funding organization are not payments of estimated tax or installment payments.

(a) Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply online via the Department's Internet site at www.myflorida.com/dor. When the application for credit has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for credit.

(b) Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., are encouraged to apply online via the Department's Internet site at www.myflorida.com/dor. However, such taxpayers may apply for an allocation of credit by filing a paper version of Form F-1160 with the Department.

(c) The Department will send written correspondence to each applicant within ten working days of receipt of application (Form F-1160) regarding the amount of the tax credit approved or the reason the credit could not be approved.

(2) If the nonprofit scholarship funding organization named in the approval letter is unable to accept a contribution, in whole or in part, as a result of its obligations under Section 220.187, F.S., and it provides a written statement declining the contribution, the taxpayer may make the contribution, in whole or in part, to another eligible nonprofit scholarship funding organization. Contributions must be made during the tax year specified in the approval letter.

(3) If a taxpayer receives an approval letter from the Department of Revenue, but fails to make the contribution, no credit is allowed. If a taxpayer receives an approval letter from the Department of Revenue, but makes the contribution to an ineligible organization, or a nonprofit scholarship funding organization does not accept the contribution, no credit is allowed. If the contribution is made outside the tax year for which the credit was approved, no credit is allowed.

(4) A taxpayer is required to make a separate application for each nonprofit scholarship funding organization it intends to support or any carry forward credit it would like to use.

(5) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may be carried forward for a period not to exceed three years. Any taxpayer that seeks to carry forward an unused amount of credit must submit Form F-1160 to the Department in the year that the taxpayer intends to use the carry forward amount. The Department will send written correspondence to the applicant

within ten working days regarding the amount of carry forward credit that the taxpayer may use or the reason the Department could not approve the use of a carry forward credit.

(6) A taxpayer may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

(7) A taxpayer may apply to the Department for rescindment of all or part of a previously approved credit allocation for a contribution to a nonprofit scholarship funding organization, or a credit carryforward. The rescindment will be approved unless: (1) the taxpayer has had more than one approved rescindment of this credit within the last three (3) tax years; (2) the previously approved credit allocation amount to be rescinded has been claimed as a credit on a previously filed Florida corporate income tax or insurance premium tax return; or (3) the allocation year is closed for all taxpayers. The allocation for a particular year is closed for all taxpayers at the end of the subsequent calendar year. For example, the allocation year beginning January 1, 2009, closes for all taxpayers on December 31, 2010, regardless of whether the annual allotment has been reached, because there are no more tax years remaining open that began in calendar year 2009 as of December 31, 2010.

(a) An Application for Rescindment of Corporate Income Tax and Insurance Premium Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (Form F-1161, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to rescind all or part of a previously approved credit allocation or credit carryforward allocation.

(b)1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply for rescindment of all or part of a previously approved credit allocation for a contribution to a nonprofit scholarship funding organization, or a credit carryforward, online via the Department's Internet site at www.myflorida.com/dor. When the application for rescindment has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for rescindment.

2. Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., are encouraged to apply for the rescindment of a credit allocation for a contribution to a nonprofit scholarship funding organization by applying online via the Department's Internet site. However, such taxpayers may apply for a rescindment by filing a paper version of Form F-1161 with the Department.

~~(e) The Department will send written correspondence to each rescindment applicant within ten working days of receipt of the application for rescindment regarding the amount of the rescindment or the reason the rescindment could not be approved.~~

~~(d) If the approval of a rescindment reopens the credit allocation for a year in which the annual allotment had previously been reached, the Department will notify each nonprofit scholarship funding organization that additional credit is available for allocation for that year.~~

Rulemaking Authority 213.06(1), 220.187, 220.51 FS. Law Implemented 213.05, 213.35, 213.755, 220.03(1), 220.131, 220.187, 220.44, 624.51055 FS. History--New 3-15-04, Amended 4-5-07, 4-26-10, Repealed.

12C-1.051 Forms.

(1)(a) The following forms and instructions are used by the Department in its administration of the corporate income tax and franchise tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

| | | |
|-------------|-------|----------------|
| Form Number | Title | Effective Date |
|-------------|-------|----------------|

(2) through (11) No change.

| | | |
|----------------|---|-------|
| (12)(a) F-1160 | Application for Corporate Income Tax and Insurance Premium Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (R. 07/09) | 04/10 |
|----------------|---|-------|

| | | |
|------------|--|-------|
| (b) F-1161 | Application for Rescindment of Corporate Income Tax and Insurance Premium Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (R. 07/09) | 04/10 |
|------------|--|-------|

(13) through (15) renumbered (12) through (14) No change.

Rulemaking Authority 213.06(1), ~~220.187~~, 220.192(7), 220.193(4), 220.51, 1002.395(13) FS. Law Implemented 119.071(5), 213.755(1), 220.11, 220.12, 220.13(1), (2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1875, ~~220.187~~, 220.1895, 220.19, 220.191, 220.192, 220.193, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 624.51055, 1002.395 FS. History--New 9-26-77, Amended 12-18-83, Formerly 12C-1.51, Amended 12-21-88, 12-31-89, 1-31-91, 4-8-92, 12-7-92, 1-3-96, 3-18-96, 3-13-00, 6-19-01, 8-1-02, 6-19-03, 3-15-04, 9-24-04, 6-28-05 5-1-06, 1-1-08, 1-27-09, 1-11-10, 4-26-10(12)(a)(b), 4-26-10(13)(a)(b), 6-28-10, 1-12-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on September 24, 2010 (Vol. 36, No. 38, pp. 4561-4562). A rule development workshop was held on October 11, 2010. No comments were received by the Department.

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

| | |
|-----------|----------------------|
| RULE NO.: | RULE TITLE: |
| 5M-5.002 | Approved Citrus BMPs |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 8, February 25, 2011 issue of the Florida Administrative Weekly.

The correct edition date for the *Water Quality/Quantity BMPs for Indian River Citrus Groves* is January 2005.

The correct title for the *Gulf Citrus BMP manual* is *Best Management Practices for Gulf Citrus*.

ADMINISTRATION COMMISSION

| | |
|------------|--------------------|
| RULE NOS.: | RULE TITLES: |
| 28-18.100 | Purpose and Effect |
| 28-18.400 | Comprehensive Plan |

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. 50, December 17, 2010 issue of the Florida Administrative Weekly.

28-18.100 Purpose and Effect.

~~(1) The purpose of this Chapter is to amend the Comprehensive Plan of the City of Marathon, effective date of May 5, 2005, within the Florida Keys Area of Critical State Concern, pursuant to Section 380.0552(9), F.S. In order to provide an accurate record of the amendments approved by this~~

~~chapter, each set of amendments is set forth in a separate rule section. If any provision of the comprehensive plan is amended by two rule sections, the latest amendment shall control.~~

(2) As provided in Sections 380.05(10) and 380.0552(7), F.S., the Comprehensive Plan of the City of Marathon ~~adopted herein~~ shall be superseded by amendments which are proposed by Marathon and approved by the Department of Community Affairs pursuant to Sections 380.05(6) and 380.0552(9), F.S.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New_____.

28-18.400 Comprehensive Plan.

(1) The Comprehensive Plan of the City of Marathon, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 1-3.5.18 Marathon Work Program Conditions and Objectives.

(a) The number of allocations issued annually for residential development under the Residential Building Permit Allocation System (BPAS) shall not exceed a total annual unit cap of 30, plus any available unused BPAS allocations from a previous year. Unused BPAS allocations may be retained and made available only for affordable housing and Administrative Relief from BPAS year to BPAS year. Unused market rate allocations shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. This BPAS allocation represents the total number of allocations for development that may be issued during a year. A BPAS year means the twelve-month period beginning on July 13. Policy 1-3.5.18 supersedes Policy 1-3.5.2 of the City of Marathon Comprehensive Plan.

(b) No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27, 2005 for affordable housing between the Department and the local government in the critical areas.

~~(c) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Section 381.0065(4)(l) and Section 403.086(10), F.S., and subsection 64E-6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction, or the unit has an onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Section 381.0065(4)(l) and Section 403.086(10), F.S.~~

~~(c)(d)~~ Through the Permit Allocation Systems, Marathon shall direct new growth and redevelopment to areas served by a central sewer system by 2015 that has committed or planned funding sources. Committed or planned funding is funding that

is financially feasible and reflected in a Capital Improvements Element approved by the Department of Community Affairs. ~~a construction permit from the Department of Environmental Protection and is physically under construction.~~ Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, Marathon shall coordinate with the central wastewater facility provider and shall increase an applicant's score by four points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Sections 381.0065(4)(l) and 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a construction design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(3) Reporting and Oversight.

~~(a)(e)~~ Beginning November 30, 2011, Marathon and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved toward accomplishing the tasks of the work program. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by ~~at least~~ 20 percent for the following year.

~~(b)(f)~~ If the Commission determines that progress has been made for the work program year, then the Commission shall restore the unit cap for residential development for the following year up to a maximum of 30 allocations per BPAS year.

~~(c)(g)~~ Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

~~(d)(h)~~ Wastewater treatment and disposal in Marathon is governed by the requirements of Sections 381.0065(4)(l) and 403.086(10), F.S., as amended. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or Department of Health to enforce Sections 381.0065(4)(l) and 403.086(10), F.S., as amended.

(4)(3) Policy 1-2.2.4 Hurricane Modeling.

For hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for the permanent population for a hurricane that is classified as a Category 3-5 wind event or Category C-E surge event category C-E hurricane event. The termination point shall be the intersection of U.S. Highway One and the Florida turnpike in Homestead/Florida City.

~~(5)(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program from Rule 28-20.110, F.A.C., and Rule 28-18.400, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rule 28-20.110, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A of the Work Program in Rule 28-20.110, F.A.C. Water Quality tasks from Year 8, Task M of the Work Program in Rule 28-20.110, F.A.C.~~

(a) Carrying Capacity Study Implementation.

1. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency. Marathon shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.

2. By July 1, 2011, Marathon shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency.

3. By July 1, 2011, Marathon shall amend the Comprehensive Plan to limit allocations into high quality tropical hardwood hammock.

4. By July 1, 2011, Marathon shall amend the Land Development Regulations to limit allocations into high quality tropical hardwood hammock.

5. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy discouraging private applications for future land use map amendments which increase allowable density/intensity on lands in the Florida Keys.

6. By July 1, 2011 and each July thereafter, Marathon shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.

7. By July 1, ~~2012~~ 2011, Marathon shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Monroe County, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys

Hurricane Evacuation Model or other models acceptable to the Department of Community Affairs to accurately depict evacuation clearance times for the population of the Florida Keys.

8. By July 1, ~~2012~~ 2011, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding. Marathon and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies). The City shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

9. By December 1, ~~2012~~ 2011, Marathon shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs, Monroe County and each municipality in the Keys.

10. By December 1, ~~2012~~ 2011, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour hurricane evacuation clearance time. If necessary, the Department of Community Affairs shall work with each local government to amend the respective Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

11. By July 1, ~~2013~~ 2012, based on the Department of Community Affairs' recommendations, Marathon shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity, and hurricane evacuation clearance time.

(b) Wastewater Implementation.

1. By July 1, 2011 and each July 1 thereafter, Marathon shall annually evaluate and allocate funding for wastewater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

~~2. By July 1, 2011, Marathon shall provide a final determination of service areas requiring upgrade to meet Sections 381.0065(4)(l) and 403.086(10), F.S., wastewater~~

~~treatment and disposal standards. This shall be in the form of a resolution, including a map of the non-service areas. The Department of Health, Marathon, and the City's wastewater provider shall explore possible mechanisms to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas of the City. By March 1, 2013, the Department of Health will provide an update to the Department of Community Affairs describing the mechanisms discussed by the parties and the results of those discussions.~~

~~2.3. By December 1, 2013, July 1, 2011~~ Marathon shall work with the owners of wastewater facilities and onsite systems throughout the City and the Department of Environmental Protection (DEP) and the Department of Health (DOH) to fulfill the requirements of Sections 381.0065(3)(h) and (4)(l) and 403.086(10), F.S., regarding implementation of wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment and disposal requirements.

~~4. By July 1, 2011, Marathon shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading on-site systems and package plants in non-service areas.~~

~~3.5-~~ By July 1, 2011, Marathon shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

~~4.6-~~ By July 1, 2011, Marathon shall continue to develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

~~5.7-~~ By July 1, 2011 and each year through 2013, Marathon shall annually draft a resolution requesting the issuance of a portion of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

~~6.8-~~ By July 1, 2011, Marathon shall develop a mechanism to provide accurate and timely information and establish Marathon's annual funding allocations necessary to provide evidence of unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

~~7.9. By December 1, 2014~~ ~~Beginning July 1, 2013 and each July 1 thereafter,~~ Marathon shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department and the Department of Community Affairs. This report shall describe the status of Marathon's enforcement action and provide the circumstances of why

enforcement may or may not have been initiated. ~~The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.~~

- (c) Wastewater Project Implementation.
 - 1. Sub area 1: Knight's Key.
 - a. By July 1, 2011, Marathon shall secure plant site; ~~and~~
 - b. By December 1, 2011, Marathon shall construct Knight's Key Wastewater Plant; ~~and~~
 - c. By May 1, 2012, Marathon shall initiate connections; and
 - d. By July 1, 2012, Marathon shall complete connections (100%).
 - 2. Sub area 2: Boot Key (non-service area).
 - By July 1, 2011, Marathon shall ensure completion of upgrade.
 - 3. Sub area 3: 11 Street – 39 Street (Vaca Key West).
 - a. By July 1, 2011, Marathon shall complete construction of plant; ~~and~~
 - b. By July 1, 2011, Marathon shall complete construction of collection system; ~~and~~
 - c. By July 1, 2011, Marathon shall initiate connections; and
 - d. By July 1, 2012, Marathon shall complete connections (100%).
 - 4. Sub area 4: Gulfside 39 Street (Vaca Key Central).
 - By July 1, 2013, Marathon shall complete connections (100%).
 - 5. Sub area 5: Little Venice (60 Street – Vaca Cut East).
 - a. By July 1, 2012, Marathon shall complete construction of collection system; ~~and~~
 - b. By July 1, 2012, Marathon shall initiate connections for Phase II; and
 - c. By July 1, 2013, Marathon shall complete connections (100%) for Phase II.
 - 6. Sub area 6-Vaca Cut-Coco Plum (Fat Key Deer West).
 - By July 1, 2011, Marathon shall complete connections (100%).
 - 7. Sub area 7: Tom Harbor Bridge-Grassy Key.
 - a. By July 1, 2012, Marathon shall complete construction of plant; ~~and~~
 - b. By July 1, 2012, Marathon shall bid and award design of collection system; ~~and~~
 - c. By July 1, 2012, Marathon shall construction of collection system; ~~and~~
 - d. By July 1, 2012, Marathon shall initiate connections; and
 - e. By July 1, 2013, Marathon shall complete connections (100%).
- (d) Stormwater Treatment Facilities.

1. Beginning July 1, 2011 and each July 1 thereafter Marathon shall annually evaluate and allocate funding for stormwater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. Beginning July 1, ~~2011~~ 2010 and each July 1 thereafter, Marathon shall annually apply for stormwater grants from the South Florida Water Management District.

3. Sub area 3: 11 Street – 37 Street (Vaca Key West): By July 1, 2011, complete Stormwater Treatment Facilities simultaneously with wastewater projects, including the direct outfall retrofits for 27th Street and 24th Street.

4. Sub area 5: Little Venice (60 Street – Vaca Cut East): By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects.

5. Sub area 7: Tom Harbor Bridge-Grassy Key: By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects.

6. By July 1, 2012, Marathon shall eliminate direct outfall retrofits for: 27th Street, Sombrero Islands, 24th Street, and 52nd Street.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History–New_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED CHANGES IS: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida, Telephone (850)922-1782

ADMINISTRATION COMMISSION

RULE NO.: 28-18.300
 RULE TITLE: Work Program Administration
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 50, December 17, 2010 issue of the Florida Administrative Weekly has been withdrawn.

ADMINISTRATION COMMISSION

RULE NO.: 28-19.300
 RULE TITLE: Work Program Administration
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 50, December 17, 2010 issue of the Florida Administrative Weekly has been withdrawn.

ADMINISTRATION COMMISSION

RULE NO.: 28-19.310
 RULE TITLE: Comprehensive Plan

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. 50, December 17, 2010 issue of the Florida Administrative Weekly.

28-19.310 Comprehensive Plan.

(1) The Comprehensive Plan of of Islamorada, Village of Islands, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 1-3.1.1 Islamorada Work Program Conditions and Objectives.

(a) The number of permits issued annually for residential development under the Residential Building Permit Allocation System (BPAS) shall not exceed a total annual unit cap of 22 market rate units and 6 affordable housing units, plus any available unused BPAS allocations from the previous BPAS year. Unused BPAS allocations may be retained and made available only for affordable housing and Administrative Relief from BPAS year to BPAS year. Unused market rate allocations shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. This BPAS allocation represents the total number of allocations for development that may be issued during a year. A BPAS year means the twelve-month period beginning on July 13.

~~(b) No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27, 2005, for affordable housing between the Department and the local government in the area of critical state concern.~~

(b)(e) Beginning November 30, 2011, the Village and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved toward accomplishing the tasks of the work program. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by ~~at least~~ 20 percent for the following year.

~~(d) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Section 381.0065(4)(1) and Section 403.086(10), F.S., and Rule 64E-6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction or the unit has an~~

~~onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Section 381.0065(4)(1) and Section 403.086(10), F.S.~~

~~(e) Through the Permit Allocation Systems, Islamorada shall direct new growth and redevelopment to areas connected to or that will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and is physically under construction. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, the Village of Islamorada, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by two points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Section 381.0065(4)(1) and Section 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.~~

~~(f) If the Commission determines that progress has been made for the work program year, then the Commission shall restore the unit cap for residential development for the following year up to a maximum of 28 allocations per BPAS year.~~

~~(g) Wastewater treatment and disposal in Islamorada is governed by the requirements of Section 381.0065(4)(1) and Section 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or Department of Health to enforce Section 381.0065(4)(1) and Section 403.086(10), F.S.~~

~~(h) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.~~

~~(3) Policy 2-1.2.10 Hurricane Modeling~~

~~For hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for the permanent population for a hurricane that is classified as a Category 3-5 wind event or Category C-E surge event category C-E hurricane event. The termination point shall be the intersection of U.S. Highway One and the Florida turnpike in Homestead/Florida City.~~

~~(4) Reporting and Oversight.~~

~~(a) Through the Permit Allocation Systems, Islamorada shall direct new growth and redevelopment to areas served by or that would be served a central sewer system by December 2015, that has committed funding or planned funding sources. Committed or planned funding is funding that is financially feasible and reflected in a Capital Improvements Element approved by the Department of Community Affairs. Prior to the ranking and approval of awards for an allocation~~

authorizing development of new principal structures, the Village of Islamorada, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by two points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Section 381.0065(4)(1) and Section 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a construction permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(b) If the Commission determines that progress has been made for the work program year, then the Commission shall restore the unit cap for residential development for the following year up to a maximum of 28 allocations per BPAS year.

(c) Wastewater treatment and disposal in Islamorada is governed by the requirements of Section 381.0065(4)(1) and Section 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or Department of Health to enforce Section 381.0065(4)(1) and Section 403.086(10), F.S.

(d) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

(5)(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program from Rule 28-20.110, F.A.C. and Rule 28-19.310, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rule 28-20.110, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A of the Work Program in Rule 28-20.110, F.A.C.

(a) Carrying Capacity Implementation.

1. By July 1, 2011 and each July 1 thereafter, Islamorada shall evaluate its land acquisition needs and state and federal funding opportunities and apply to at least one state or federal land acquisition grant program.

2. By July 1, 2012 2011, Islamorada shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Marathon, ~~Monroe Islamorada~~, Key West, Key Colony Beach, and Layton after a notice, public workshop and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department to accurately depict evacuation clearance times for the population of the Florida Keys.

3. By July 1, ~~2012~~ ~~2011~~, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding. Islamorada and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies). Islamorada shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

4. By July 1, ~~2012~~ ~~2011~~, Islamorada shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs, Monroe County and each municipality in the Keys.

5. By July 1, ~~2012~~ ~~2011~~, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour evacuation clearance time. If necessary, Department of Community Affairs shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

6. By July 1, ~~2013~~ ~~2011~~, based on the Department of Community Affairs' recommendations, Islamorada shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity constraints, and hurricane evacuation clearance time.

(b) Wastewater Implementation.

1. Beginning July 1, 2011 and each July 1 thereafter, Islamorada shall identify any funding for wastewater implementation. Islamorada shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By ~~December 1, 2013~~ ~~July 1, 2011~~, Islamorada shall provide a final determination of cold spots requiring upgrade to meet Sections 381.0065(4)(l) and 403.086(10), F.S., wastewater treatment and disposal standards. This shall be in the form of a resolution including a map of the non-service areas.

3. By ~~December 1, 2013~~ ~~July 1, 2011~~, Islamorada shall work with the owners of wastewater facilities and on site systems throughout the Village and the Department of Environmental Protection (DEP) and the Department of Health (DOH) to fulfill the requirements of Section 381.0065(3)(h) and (4)(l), and Section 403.086(10), F.S., regarding implementation of wastewater treatment and disposal systems. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment and disposal standards.

~~4. By March 2013, the Department of Health, Islamorada, and the City's wastewater provider shall explore possible mechanisms to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas and unfunded service areas of the City. The Department of Health will provide an update to the Department of Community Affairs describing the mechanisms discussed by the parties and the results of those discussions.~~

~~5. By July 1, 2011, Islamorada shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading onsite systems and package plants in non-service areas.~~

~~4.6.~~ By July 1, 2011 and by July 1 of each year thereafter, Islamorada shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

~~5.7.~~ By ~~September~~ ~~July~~ 1, 2011, Islamorada shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

~~6.8.~~ By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall annually draft a resolution requesting the issuance of a portion of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

~~7.9.~~ By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall develop a mechanism to provide accurate and timely information and establish Islamorada's annual funding allocations necessary to provide unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

~~8.10.~~ By ~~December 1, 2013~~ ~~July 1, 2011~~ and each July 1 thereafter, Islamorada shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department, Department of Environmental Protection and the Department of Community Affairs. This report shall describe the status of Islamorada's enforcement action and provide the

circumstances of why enforcement may or may not have been initiated. ~~The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.~~

(c) Wastewater Project Implementation.

1. By June 1, 2011, Islamorada shall provide a wastewater financing plan to the Department of Community Affairs and Administration Commission.

2. By July 1, 2011, Islamorada shall conclude negotiations with Key Largo Wastewater Treatment District for treatment capacity.

3. By July 1, 2011, Islamorada shall advertise for proposal for design build operate finance construction of Village-wide wastewater system.

4. By July 1, 2011 submit a copy of contract agreement with Key Largo Wastewater District documenting acceptance of effluent or alternative plan with construction of wastewater treatment plants in Village that ensures completion and connection of customers by December 2015.

5. By July 1, 2011, Islamorada shall make available to its customers an additional 700 connections (Phase II) to the North Plantation Key Wastewater Treatment Plant (WWTP).

6. By September 1, 2011, Islamorada shall select the design build operate finance contractor for the Village-wide wastewater system.

7. By October 1, 2011, Islamorada shall submit a wastewater construction status report to the Department of Community Affairs and the Administration Commission which includes substantial completion of construction prior to January 1, 2015 and final completion prior to July 1, 2015.

8. By September 1, 2013, Islamorada shall complete final design of the Village-wide wastewater system.

9. By December 1, 2013, Islamorada shall commence construction of the Village-wide wastewater system.

10. By June 1, 2014, Islamorada shall make available to its customers 25% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.

11. By December 1, 2014, Islamorada shall make available to its customers 50% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.

12. By June 1, 2015, Islamorada shall make available to its customers 75% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.

13. By December 1, 2015, Islamorada shall make available to its customers 100% of the Equivalent Dwelling Unit (EDU) connections to the Village-wide wastewater system.

1. By July 1, 2011, Islamorada shall finalize wastewater schedule and funding plan.

2. Environmental Protection Agency Decentralized Sewer Project.

~~a. By July 1, 2011, Islamorada shall award contract for design of system; and~~

~~b. By July 1, 2011, Islamorada shall advertise request for proposal to construct system; and~~

~~c. By July 1, 2011, Islamorada shall award contract for construction; and~~

~~d. By July 1, 2011, Islamorada shall initiate construction; and~~

~~e. By July 1, 2011, Islamorada shall complete construction; and~~

~~f. By July 1, 2011, Islamorada shall connect to decentralized system.~~

3. Plantation Key Wastewater Treatment Facility.

~~a. By July 1, 2011, Islamorada shall complete an additional 700 connections (Phase II) to the North Plantation Key Wastewater Treatment Plant (WWTP); and~~

~~b. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for the design of the South Plantation Key Wastewater Treatment Plant; and~~

~~c. By July 1, 2011, Islamorada shall award the contract for the design of the South Plantation Key wastewater treatment plant; and~~

~~d. By July 1, 2012, Islamorada shall finalize design of wastewater treatment plant; and~~

~~e. By July 1, 2012, Islamorada shall secure site for the South Plantation wastewater treatment plant; and~~

~~f. By July 1, 2012, Islamorada shall advertise for proposals for construction of wastewater treatment plant; and~~

~~g. By July 1, 2012, Islamorada shall award construction contract for wastewater treatment plant; and~~

~~h. By July 1, 2012, Islamorada shall complete construction of wastewater treatment plant; and~~

~~i. By July 1, 2012, Islamorada shall design the collection system; and~~

~~j. By July 1, 2012, Islamorada shall advertise for proposals for the construction of the collection system; and~~

~~k. By July 1, 2012, Islamorada shall award collection system construction contract; and~~

~~l. By July 1, 2013, Islamorada shall construct collection system; and~~

~~m. By July 1, 2013, Islamorada shall initiate connections to the treatment facility; and~~

~~n. By July 1, 2014, Islamorada shall complete connections (100%) to the treatment facility.~~

4. Lower Matecumbe Wastewater Treatment Facility.

~~a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of the Lower Matecumbe wastewater treatment plant; and~~

~~b. By July 1, 2011, Islamorada shall award contract for design of Lower Matecumbe wastewater treatment plant; and~~

~~c. By July 1, 2011, Islamorada shall initiate Lower Matecumbe wastewater treatment plant design; and~~

- d. By July 1, 2012, Islamorada shall finalize design of Lower Matecumbe wastewater treatment plant; and
 - e. By July 1, 2012, Islamorada shall secure site for Lower Matecumbe wastewater treatment plant; and
 - f. By July 1, 2012, Islamorada shall advertise for proposals for construction of Lower Matecumbe wastewater treatment plant; and
 - g. By July 1, 2012, Islamorada shall award construction contract for Lower Matecumbe wastewater treatment plant; and
 - h. By July 1, 2012, Islamorada shall design Lower Matecumbe collection system; and
 - i. By July 1, 2012, Islamorada shall advertise for proposals for construction of Lower Matecumbe wastewater treatment plant; and
 - j. By July 1, 2012, Islamorada shall award Lower Matecumbe collection system construction contract; and
 - k. By July 1, 2012, Islamorada shall complete construction of Lower Matecumbe wastewater treatment plant; and
 - l. By July 1, 2013, Islamorada shall construct Lower Matecumbe collection system; and
 - m. By July 1, 2013, Islamorada shall initiate connections to Lower Matecumbe treatment facility; and
 - n. By July 1, 2014, Islamorada shall complete connections (100%) to Lower Matecumbe treatment facility.
5. Upper Matecumbe Wastewater Treatment Facility.
- a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of Upper Matecumbe wastewater treatment plant; and
 - b. By July 1, 2011, Islamorada shall award contract for design of Upper Matecumbe wastewater treatment plant; and
 - c. By July 1, 2011, Islamorada shall initiate Upper Matecumbe wastewater treatment plant design; and
 - d. By July 1, 2012, Islamorada shall finalize design of Upper Matecumbe wastewater treatment plant; and
 - e. By July 1, 2012, Islamorada shall secure site for Upper Matecumbe wastewater treatment plant; and
 - f. By July 1, 2012, Islamorada shall advertise for proposals for construction of Upper Matecumbe wastewater treatment plant; and
 - g. By July 1, 2012, Islamorada shall award construction contract for the Upper Matecumbe wastewater treatment plant; and
 - h. By July 1, 2013, Islamorada shall complete construction of the Upper Matecumbe wastewater treatment plant; and
 - i. By July 1, 2012, Islamorada shall design the Upper Matecumbe collection system; and
 - j. By July 1, 2012, Islamorada shall advertise for proposals for the construction of the Upper Matecumbe collection system; and
 - k. By July 1, 2012, Islamorada shall award the Upper Matecumbe collection system construction contract; and

- l. By July 1, 2013, Islamorada shall initiate connections to the Upper Matecumbe treatment facility; and
 - m. By July 1, 2014, Islamorada shall complete connections (100%) to the Upper Matecumbe treatment facility.
6. Windley Wastewater Treatment Facility.
- a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of the Windley wastewater treatment plant; and
 - b. By July 1, 2011, Islamorada shall award contract for design of the Windley wastewater treatment plant; and
 - c. By July 1, 2011, Islamorada shall initiate the Windley wastewater treatment plant design; and
 - d. By July 1, 2012, Islamorada shall complete design of the Windley wastewater treatment plant; and
 - e. By July 1, 2012, Islamorada shall advertise for proposals for construction of the Windley wastewater treatment plant; and
 - f. By July 1, 2012, Islamorada shall award construction contract for the Windley wastewater treatment plant; and
 - g. By July 1, 2013, Islamorada shall complete construction of the Windley wastewater treatment plant; and
 - h. By July 1, 2013, Islamorada shall design the Windley collection system; and
 - i. By July 1, 2013, Islamorada shall advertise request for proposals for the construction of the the Windley collection system; and
 - j. By July 1, 2013, Islamorada shall award the Windley collection system construction contract; and
 - k. By July 1, 2013, Islamorada shall construct the Windley collection system; and
 - l. By July 1, 2013, Islamorada shall initiate connections to the Windley treatment facility; and
 - m. By July 1, 2013, Islamorada shall complete 50% connections to the Windley treatment facility; and
 - n. By July 1, 2014, Islamorada shall Complete connections (100%) to the Windley treatment facility.

Rulemaking Authority 380.0552(9), 380.05(22) FS Law Implemented 380.0552 FS. History--New _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED CHANGES IS: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida, telephone (850)922-1782

ADMINISTRATION COMMISSION

RULE NO.: 28-20.130
 RULE TITLE: Work Program Administration
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 50, December 17, 2010 issue of the Florida Administrative Weekly has been withdrawn.

ADMINISTRATION COMMISSION

RULE NO.: 28-20.140
 RULE TITLE: Comprehensive Plan
 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. 50, December 17, 2010 issue of the Florida Administrative Weekly.

28-20.140 Comprehensive Plan.

(1) The Monroe County Comprehensive Plan Policy Document, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 101.2.13 Monroe County Work Program Conditions and Objectives.

(a) Monroe County shall establish and maintain a Permit Allocation System for new residential development. The Permit Allocation System shall supersede Policy 101.2.1.

(b) The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13.

(c) This allocation represents the total number of allocations for development that may be issued during a ROGO year. No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27, 2005, for affordable housing between the Department and the local government in the critical areas.

~~(d) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Section 381.0065(4), F.S. and subsection 64E 6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction or the unit has an onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Section 381.0065(4), F.S.~~

~~(d)(e)~~ Through the Permit Allocation Systems, Monroe County shall direct new growth and redevelopment to areas served or that would be served by a central sewer system by

December 2015 that has committed or planned funding. Committed or planned funding is funding that is financially feasible and reflected in a Capital Improvements element approved by the Department of Community Affairs a construction permit from the Department of Environmental Protection and is physically under construction. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, Monroe County, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by four points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of s. 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a construction design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(3) Reporting and Oversight.

~~(a)(f)~~ Beginning November 30, 2011, Monroe County and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by ~~at least~~ 20 percent for the following ROGO year.

~~(b)(g)~~ If the Commission determines that progress has been made for the work program year, then the Commission may restore the unit cap for residential development for the following year up to a maximum of 197 allocations per ROGO year.

~~(c)(h)~~ Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

~~(d)(i)~~ Wastewater treatment and disposal in Monroe County is governed by the requirements of Section 381.0065(4), F.S., and Section 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or the Department of Health to enforce Section 381.0065(4), F.S., and Section 403.086(10), F.S.

~~(4)(3)~~ Policy 216.1.19. Hurricane Modeling.

For the purposes of hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for permanent residents for a hurricane that is classified as a Category 3-5 wind event or Category C-E surge event to evacuate during a Category C-E event. The termination point shall be U.S. Highway One and the Florida Turnpike in Homestead/Florida City.

~~(5)(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program that originate from Rule 28-20.110, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rules 28-20.110, and 28-20.140,, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A; Year 9 Tasks A and B; and Year 10, Tasks A, B, C, D, and E of the Work Program in Rule 28-20.110, F.A.C. Water Quality tasks from Year 8, Task M of the Work Program in Rule 28-20.110, F.A.C.~~

(a) Carrying Capacity Study Implementation.

1. By July 1, ~~2012~~ 2011, Monroe County shall adopt the conservation planning mapping (the Tier Zoning Overlay Maps and System) into the Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee with the adjusted Tier boundaries, into the Comprehensive Plan.

2. By July 1, ~~2012~~ 2011, Monroe County shall adjust the Tier I and Tier IIIA (SPA) boundaries to more accurately reflect the criteria for that Tier as amended by Final Order DCA07-GM166 and implement the Florida Keys Carrying Capacity Study, utilizing the updated habitat data, and based upon the recommendations of the Tier Designation Review Committee Work Group.

3. By July 1, ~~2012~~ 2011, Monroe County shall create Goal 106 to complete the 10 Year Work Program found in Rule 28-20.110 F.A.C., and to establish objectives to develop a build-out horizon in the Florida Keys and adopt conservation planning mapping into the Comprehensive Plan.

4. By July 1, ~~2012~~ 2011, Monroe County shall create Objective 106.2 to adopt conservation planning mapping (Tier Maps) into the Monroe Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee-Work Group.

5. By July 1, ~~2012~~ 2011, Monroe County shall adopt Policy 106.2.1 to require the preparation of updated habitat data and establish a regular schedule for continued update to coincide with evaluation and appraisal report timelines.

6. By July 1, ~~2012~~ 2011, Monroe County shall adopt Policy 106.2.2 to establish the Tier Designation Work Group Review Committee to consist of representatives selected by the Florida Department of Community Affairs from Monroe County, Florida Fish & Wildlife Conservation Commission, United States Fish & Wildlife Service, Department of Environmental Protection and environmental and other relevant interests. This Committee shall be tasked with the responsibility of Tier designation review utilizing the criteria for Tier placement and best available data to recommend amendments to ensure implementation of and adherence to the Florida Keys Carrying Capacity Study. These proposed amendments shall be recommended during 2009 and

subsequently coincide with the Evaluation and Appraisal report timelines beginning with the second Evaluation and Appraisal review which follows the adoption of the revised Tier System and Maps as required above adopted in 2011. Each evaluation and appraisal report submitted following the 2011 evaluation and appraisal report shall also include an analysis and recommendations based upon the process described above.

7. By July 1, ~~2012~~ 2011 and each July thereafter, Monroe County and the Monroe County Land Authority shall submit a report annually to the Administration Commission on the land acquisition funding and efforts in the Florida Keys to purchase Tier I and Big Pine Key Tier II lands and the purchase of parcels where a Monroe County building permit allocation has been denied for four (4) years or more. The report shall include an identification of all sources of funds and assessment of fund balances within those sources available to the County and the Monroe County Land Authority.

8. By July 1, ~~2012~~ 2011, Monroe County shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas or Tier I lands unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any county, state or federal or any private entity. The County shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.

9. By July 1, ~~2012~~ 2011, in order to implement the Florida Keys Carrying Capacity Study, Monroe County shall adopt a Comprehensive Plan Policy to discourage private applications for future land use changes which increase allowable density/intensity.

10. By July 1, 2011, Monroe County shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.

11. By July 1, ~~2012~~ 2011, Monroe County shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department to accurately depict evacuation clearance times for the population of the Florida Keys.

12. By July 1, ~~2012~~ 2011, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding to complete an

analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs and each municipality in the Keys.

13. By July 1, ~~2012~~ 2014, the County and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Economic and Business Research, and other studies). The County shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

14. By July 1, ~~2012~~ 2014, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24 hour evacuation clearance time. If necessary, the Department of Community Affairs shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

15. By July 1, 2013, if necessary, the Department of Community Affairs shall work with each local government to amend the Comprehensive Plan to reflect revised allocation rates and distribution or propose rule making to the Administration Commission.

(b) Wastewater Implementation.

1. By July 1, 2011, Monroe County shall annually evaluate and allocate funding for wastewater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

~~2. By July 1, 2011, Monroe County shall provide a final determination of cold spots and unfunded service areas requiring upgrade to meet Section 403.086(10) and 381.0065(4)(l), F.S., wastewater treatment and disposal standards. The determination shall be adopted by resolution and shall include a map delineating the non-service areas.~~

~~2.3. By December~~ August 1, 2013, Monroe County shall work with the owners of wastewater facilities and onsite systems throughout the County and the Department of Health (DOH) and the Department of Environmental Protection (DEP) to fulfill the requirements of Sections 403.086(10) and 381.0065(3)(h) and (4)(l), F.S., regarding implementation of wastewater treatment and disposal. This will include

coordination of actions with DOH and DEP to notify owners regarding systems that will not meet the 2015 advanced wastewater treatment and disposal standards.

~~4. By August 1, 2011, Monroe County shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading on-site systems and package plants.~~

~~3.5.~~ By July 1, 2011, Monroe County shall annually draft a resolution requesting the issuance of \$50 million of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

~~4.6.~~ By July 1, 2011, Monroe County shall develop a mechanism to provide accurate and timely information and establish the County's annual funding allocations necessary to provide evidence of unmet funding needs to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

~~5.7.~~ By July 1, 2011, Monroe County shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

~~6.8.~~ By July 1, 2011, Monroe County shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

~~9. By July 1, 2011, Monroe County shall, identify by County resolution the areas of the County that will be served by central sewage facilities ("service areas") and the areas of the County that will not be served by central sewage facilities ("non-service areas"). The non-service areas shall be delineated in the form of a map.~~

~~10. By July 1, 2013, the Department of Health, Monroe County, and the County's wastewater provider shall develop and execute an interlocal agreement for non-service areas and unfunded service areas. The agreement shall address mechanisms for the FKAA or other appropriate entity to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas and unfunded service areas. The Department of Health and the Department of Environmental Protection will provide a report to the Department of Community Affairs no later than July 1, 2013, assessing the magnitude of non-compliance and enforcement mechanisms necessary to ensure upgrades of wastewater treatment facilities in accordance with Section 403.086(10) and 381.0065(4), F.S.~~

~~7.44.~~ By December 1, 2013, July 1, 2013, and each July thereafter the County shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health

Department, Department of Environmental Protection, and the Department of Community Affairs. This report shall describe the status of the County's enforcement action ~~and provide the circumstances of why enforcement may or may not have been initiated. The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.~~

(c) Wastewater Project Implementation.

1. Key Largo Wastewater Treatment Facility. Key Largo Wastewater Treatment District is responsible for wastewater treatment in its service area and the completion of the Key Largo Wastewater Treatment Facility.

a. By July 1, ~~2012~~ 2011, Monroe County shall complete construction of the South Transmission Line; ~~and~~

b. By July 1, ~~2013~~ 2011, Monroe County shall complete design of Collection basin C, E, F, G, H, I, J, and K; ~~and~~

c. By July 1, ~~2012~~ 2011, Monroe County shall complete construction of Collection basins E-H; ~~and~~

d. By ~~December~~ July 1, 2011, Monroe County shall schedule construction of Collection basins I-K; ~~and~~

e. By July 1, 2011, Monroe County shall complete construction of Collection basins I-K; ~~and~~

f. By July 1, 2011, Monroe County shall complete 50% of hook-ups to Key Largo Regional WWTP; ~~and~~

g. By July 1, 2012, Monroe County shall complete 75% of hook-ups to Key Largo Regional WWTP; ~~and~~

h. By July 1, 2013, Monroe County shall complete all remaining connections to Key Largo Regional WWTP.

2. Hawk's Cay, Duck Key and Conch Key Wastewater Treatment Facility.

a. By July 1, ~~2012~~ 2011, Monroe County shall complete construction of Hawk's Cay WWTP upgrade/expansion, transmission, and collection system; ~~and~~

b. By July 1, ~~2013~~ 2011, Monroe County shall complete construction of Duck Key collection system; ~~and~~

c. By July 1, ~~2012~~ 2011, Monroe County shall initiate property connections to Hawk's Cay WWTP; ~~and~~

d. By ~~December~~ July 1, 2012, Monroe County shall complete 50% of hook-ups to Hawk's Cay WWTP; ~~and~~

e. By July 1, 2013, Monroe County shall complete 75% of hook-ups to Hawk's Cay WWTP; ~~and~~

f. By July 1, 2014, Monroe County shall complete all remaining connections to Hawk's Cay WWTP.

3. South Lower Keys Wastewater Treatment Facility (Big Coppitt Regional System).

a. By July 1, 2012, Monroe County shall complete 75% hookups to South Lower Keys WWTP; ~~and~~

b. By July 1, 2013, Monroe County shall complete all remaining connections to the South Lower Keys WWTP.

4. Cudjoe Regional Wastewater Treatment Facility.

a. By July 1, 2011, Monroe County shall complete planning and design documents for the Cudjoe Regional Wastewater Treatment Facility the Central Area (Cudjoe, Summerland, Upper Sugarloaf) collection system and the Central Area Transmission Main; ~~for Phases 1 and 2 (WWTP; transmission main and collection system); and~~

b. By ~~October~~ July 1, 2012, Monroe County shall ~~initiate complete~~ construction of Wastewater Treatment Facility, Central Area collection System and Central Area Transmission Main; ~~Plant Phase 1 and collection systems (Phase 1 is the initial WWTP construction to treat flows from a central collection area); and~~

c. By July 1, ~~2014~~ 2012 Monroe County shall complete construction of Wastewater Treatment Facility, Central Area collection System and Central Area Transmission Main; ~~Plant Phase 2 (Phase 2 is the planned WWTP expansion to provide additional capacity to treat flows from the expanded collection area); and~~

d. By ~~February 1, 2012~~ July 1, 2013 Monroe County shall ~~initiate complete~~ construction of Wastewater Treatment Outer Area Collection System and Transmission Main; ~~Plant Phase 2 Expansion; and~~

e. By ~~July 1, 2013~~ February 1, 2015, Monroe County shall complete construction of Outer Area central collection lines and transmission main; ~~and~~

f. By July 1, ~~2014~~ 2013, Monroe County shall initiate property connections – complete 25% of hook-ups to Cudjoe Regional WWTP; ~~and~~

g. By July 1, ~~2015~~ 2012, Monroe County shall complete 50% of hook-ups to Cudjoe Regional WWTP; ~~and~~

h. By ~~December 1, 2015~~ July 1, 2014, Monroe County shall complete remaining 75% of hook-ups to Cudjoe Regional WWTP; ~~and~~

~~i. By January 1, 2015, Monroe County shall complete all remaining connections to Cudjoe Regional WWTP.~~

(d) Stormwater Treatment Facilities.

1. By July 1, 2011, Monroe County shall evaluate and allocate funding for stormwater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By July 1, 2011, Monroe County shall apply for stormwater grants from the South Florida Water Management District.

~~3. By July 1, 2011, Monroe County shall design and construct Mile Marker 17-19 stormwater runoff management improvements along U.S. Highway One through Joint Participation Agreement with FDOT.~~

~~3.4.~~ By July 1, 2011, Monroe County shall complete Card Sound Road stormwater improvements.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History–New_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED CHANGES IS: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida, telephone (850)922-1782

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.659 Forms and Instructions
NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a hearing regarding the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 Florida Administrative Weekly.

DATE AND TIME: April 26, 2011, 9:00 a.m.
PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will be updated on the status of the amendments it approved on December 14, 2010 to Rule 40D-1.659, F.A.C. which is part of a rulemaking package involving amendments to Chapters 40D-1, 40D-2, 40D-8, and 40D-80, F.A.C., relating to the Dover/Plant City Frost/Freeze Management Strategy. A hearing has been scheduled pursuant to Section 120.54(3)(c), F.S., for the date, time and place described above. A copy of the agenda may be obtained by contacting: Pamela A. Gifford, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4156.

Pursuant to the provisions of 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: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a hearing regarding the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 Florida Administrative Weekly.

DATE AND TIME: April 26, 2011, 9:00 a.m.
PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will be updated on the status of the amendments it approved on December 14, 2010 to Rules 40D-2.021, 40D-2.041, 40D-2.101, 40D-2.381, and 40D-2.801, F.A.C. which are part of a rulemaking package involving amendments to Chapters 40D-1, 40D-2, 40D-8, and 40D-8, F.A.C., relating to the Dover/Plant City Frost/Freeze Management Strategy. A hearing has been scheduled pursuant to Section 120.54(3)(c), F.S., for the date, time and place described above.

A copy of the agenda may be obtained by contacting: Pamela A. Gifford, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4156.

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

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. 51, December 23, 2010 issue of the Florida Administrative Weekly.

The change made to the original proposed Rule 40D-2.091, F.A.C., is to add the words “[effective date of rule]” to indicate that the Water Use Information Manual Part B, Basis of Review for the Water use Permit Applications will not be effective until the rule becomes effective upon filing the rule with and receiving the effective date of the rule from the Secretary of State. Also, Section 373.245, F.S., was added to the Law Implemented section.

40D-2.091 Publications Incorporated By Reference.

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District’s website at www.WaterMatters.org or from the District upon request:

(a) Water Use Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (effective date of rule) ~~6-30-10~~.

(b) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.0831, 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.1963, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, ~~373.245~~, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, _____.

The following document is incorporated by reference in Rule 40D-2.091, F.A.C., and is proposed to be changed as indicated below.

Water Use Permit Information
Part B
WUP Basis of Review

The change made to original proposed section 3.3 is to substitute the word “shall” for the word “may” in the first line of the first paragraph.

3.3 AGRICULTURE.

Frost/Freeze Protection.

Frost/freeze protection quantities ~~shall may~~ be identified based on the number of acres to be protected, ~~the crop grown~~, the ~~type of~~ irrigation system used, and the hours of pumpage required. If the number of hours is not known, the maximum daily quantity will be based on the best available data for frost/freeze recurrence and duration. Alternate calculations will be considered, but they must be thoroughly documented.

Frost/freeze protection quantities will be determined as set forth in Section 7.4 of the WUP Basis of Review incorporated in Rule 40D-2.091, F.A.C., for permits within the Dover/Plant City WUCA and for any permit with frost/freeze quantities authorized to be used or withdrawn from any combination of sources that if withdrawn from groundwater alone would have the potential to impact the Minimum Aquifer Level Protection Zone established for the Dover/Plant City WUCA.
Revised

In the proposed Chapter 7.0, subsection 7.4.6, titled Permit Conditions: Investigation of Frost/Freeze and Crop Establishment Withdrawal-related Well Complaints by Permittees within the Dover/Plant City WUCA; condition C.4, the change made to the original proposed section is to delete the word “may” and substitute the word “shall” in the last sentence.

C. Permittee’s Mitigation Activities and Report.

1. through 3. No change.

4. Within one business day after the complaint is fully mitigated, the permittee shall provide a report to the District in which the permittee details the activities undertaken by either the complainant or the permittee to mitigate the complaint as well as any reimbursements made by the permittee to the complainant. The permittee shall provide a copy of this report to the complainant. The District will review the report submitted by the permittee and shall require additional action by the permittee if the District determines that the complaint has not been fully mitigated.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.626
RULE TITLE: Minimum Aquifer Levels

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a hearing regarding the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 Florida Administrative Weekly.

DATE AND TIME: April 26, 2011, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will be updated on the status of the amendments it approved on December 14, 2010 to Rule 40D-8.626, F.A.C. which is part of a rulemaking package involving amendments to Chapters 40D-1, 40D-2, 40D-8, and 40D-8, F.A.C., relating to the Dover/Plant City Frost/Freeze Management Strategy. A hearing has been scheduled pursuant to Section 120.54(3)(c), F.S., for the date, time and place described above.

A copy of the agenda may be obtained by contacting Pamela A. Gifford, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4156.

Pursuant to the provisions of 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: Southwest Florida Water Management District (Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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|------------|---|
| RULE NO.: | RULE TITLE: |
| 40D-80.075 | Regulatory Portion of Recovery Strategy for the Dover/Plant City Water Use Caution Area |

NOTICE OF PUBLIC HEARING

The Southwest Florida Water Management District announces a hearing regarding the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 Florida Administrative Weekly.

DATE AND TIME: April 26, 2011, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will be updated on the status of the proposed Rule 40D-80.075, F.A.C., that it approved on December 14, 2010 which is part of a rulemaking package involving amendments to Chapters 40D-1, 40D-2, 40D-8, and 40D-80, F.A.C., relating to the Dover/Plant City Frost/Freeze Management Strategy. A hearing has been scheduled pursuant to Section 120.54(3)(c), F.S., for the date, time and place described above. A copy of the agenda may be obtained by contacting: Pamela A. Gifford, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4156.

Pursuant to the provisions of 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: Southwest Florida Water Management District (Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), 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).

DEPARTMENT OF ELDER AFFAIRS

| | |
|------------|---------------------------------------|
| RULE NOS.: | RULE TITLES: |
| 58-2.001 | Definitions |
| 58-2.003 | Background Screening Requirements |
| 58-2.005 | Implementation and Retention |
| 58-2.007 | Exceptions |
| 58-2.009 | Electronic Submission of Fingerprints |
| 58-2.011 | Background Screeners |
| 58-2.013 | Sharing of Screening Results |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 50, December 17, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

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|-------------|-------------------------------|
| RULE NOS.: | RULE TITLES: |
| 60BB-11.001 | Authority |
| 60BB-11.002 | Public Inspection and Copying |
| 60BB-11.003 | Listing of Final Orders |
| 60BB-11.004 | Numbering of Final Orders |
| 60BB-11.005 | Electronic Database of Orders |
| 60BB-11.006 | Maintenance of Final Orders |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

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|------------|---------------------------------------|
| RULE NO.: | RULE TITLE: |
| 61B-39.003 | Filing of Single-Site Timeshare Plans |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 44, November 5, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Law Enforcement

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Massage

| | |
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| RULE NOS.: | RULE TITLES: |
| 64B7-28.009 | Continuing Education |
| 64B7-28.0095 | Continuing Education for Pro Bono Services |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 7, February 18, 2011 issue of the Florida Administrative Weekly.

The corrections are as follows:

The petition requests the Board to issue a declaratory statement regarding Rules 64B7-28.009 regarding Continuing Education, and 64B7-28.0095, F.A.C., with respect to Continuing Education for Pro Bono Services.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Anthony Jusevitch, Executive Director, at the below address, or at telephone number (850)245-4161. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:
 64J-2.010 Apportionment of Trauma Centers within a Trauma Service Area (TSA)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 37, September 17, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.: RULE TITLES:
 65G-4.014 Eligibility for Agency Services – Definitions
 65G-4.015 Eligibility Criteria
 65G-4.016 Application Process
 65G-4.017 Establishing Eligibility

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 7, February 19, 2010 issue of the Florida Administrative Weekly.

65G-4.014 Eligibility for Agency Services – Definitions.

(1) Autism means any condition which is part of the autism spectrum disorder and which meets the requirements of Section 393.063, Florida Statutes, which are that the condition is:

- (a) Pervasive, meaning always present and without interruption.
- (b) Neurologically based, meaning that the condition is not the result of physical impairment.
- (c) A developmental disability.
- (d) With extended duration, meaning that the condition can reasonably be expected to continue indefinitely into the future;
- (e) Which causes all of the following:

1. Severe learning disorders, which may include but not be limited to:

a. Executive dysfunction, exhibited by an inability to bring together various details from perception to make a meaningful whole.

b. A lack of cognitive central coherence which leads to impairment or deficits in the higher-order processes that enable planning, sequencing, initiating, and sustaining behavior towards some goal, incorporating feedback, and making adjustments.

c. Theory of mind deficit, exhibited by an inability to recognize that other people have thoughts, feelings, and intentions that are different to one’s own, and an inability to intuitively guess what these might be difficulty grasping pragmatic language skills.

d. A severe communication disorders, which may include but not be limited to:

(I) A delay in, or total lack of, the development of spoken language having a marked impairment in the ability to initiate or sustain a conversation with others.

(II) Stereotyped and repetitive use of language or idiosyncratic language.

(III) Non-verbal communication problems exhibited by at least one of the following:

- (A) Limited uses of gestures
- (B) Clumsy/gauche body language
- (C) Limited facial expression
- (D) Inappropriate expression
- (E) Peculiar, stiff gaze
- (F) Motor clumsiness

e. Severe behavior disorders, which may include but not be limited to:

(I) Restrictive repetitive and stereotyped patterns of behavior, interests and activities, as manifested by any of the following:

(II) Encompassing preoccupation with one or more stereotypes and restricted patterns of interest that is abnormal either in intensity or focus.

(III) Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures and gestures to regulate social interaction.

(IV) Apparently inflexible adherence to specific, nonfunctional routines or rituals.

(V) Stereotyped and repetitive motor mannerisms (e.g., hand or finger flapping or twisting, or complex whole-body movements).

(VI) Persistent preoccupation with parts of objects.

(2) Cerebral Palsy – means a group of disabling symptoms of extended duration that result from damage to the developing brain during the prenatal period and characterized by paralysis, spasticity, or abnormal control of movement or posture, such as poor coordination or lack of balance, which is manifest prior to

three years of age. For purposes of the rule, cerebral palsy also means the presence of other significant motor dysfunction appearing prior to age 18 due to perinatal or external events such as anoxia, oxygen deprivation, or traumatic brain injury. Excluded from this definition are motor dysfunction caused by medical events, including stroke or progressive diseases, such as muscular dystrophy. The impairment from cerebral palsy must constitute a substantial handicap which is reasonably expected to continue indefinitely.

(3) Mental Retardation or Intellectual Disability – is evidenced by the concurrent existence of:

(a) Significantly sub average general intellectual functioning evidenced by:

1. An Intelligence Quotient (IQ) of 70 or below on an individually administered IQ or for infants and young children, and

2. A clinical judgment of significantly sub average intellectual functioning;

(b) Deficits in adaptive functioning in one or more of the following areas:

1. Communication skills,

2. Self-care, home living,

3. Social and interpersonal skills,

4. Use of community resources and self-direction,

5. Functional academic skills,

6. Work, leisure, health and safety awareness and skills,

(c) Which are manifested prior to age 18; and

(d) Constitute a substantial handicap which is reasonably expected to continue indefinitely.

(4) Prader-Willi Syndrome – means a non-inherited, genetic syndrome which is most often associated with a random deletion of chromosome 15. Commonly associated characteristics include diminished fetal activity, insatiable appetite and chronic overeating. Individuals diagnosed with Prader-Willi Syndrome generally have mental retardation; however, an individual with Prader-Willi syndrome can be determined as eligible for services without an accompanying diagnosis of mental retardation.

(5) Spina Bifida – for the purposes of Agency eligibility, spina bifida refers to a confirmed diagnosis of spina bifida cystica or myelomeningocele.

(6) Eligibility Rules – Rules 65G-4.014 through 65G-4.017, F.A.C., inclusive, which apply to eligibility determinations for services provided through the Agency for Persons with Disabilities for individuals with developmental disabilities.

Rulemaking Authority 393.065, 393.501, 393.063 FS. Law Implemented 393.065 FS. History–New _____.

65G-4.015 Eligibility Criteria.

In order to be determined eligible for Agency services the applicant must:

(1) Be at least three years of age.

(2) Be a resident of and domiciled in the state of Florida in accordance with Sections 222.17(1) and (2), F.S. Domicile may not be established in Florida by a minor who has no parent domiciled in Florida, or by a minor who has no legal guardian domiciled in Florida, or by any alien not classified as a resident alien. Dependents of active duty military personnel stationed in the state of Florida are exempt from residency and domicile requirements.

(3) Have a confirmed diagnosis of one of the following developmental disabilities as defined in this rule:

(a) Autism,

(b) Cerebral palsy,

(c) Mental retardation,

(d) Prader-Willi Syndrome,

(e) Spina Bifida, or

(f) Children between 3 and 5 years of age who are at high risk of later diagnosis of one of these disabilities. Such high risk children shall not be placed on the waiting list for waiver services until a confirmed diagnosis of a qualifying disability is given.

Rulemaking Authority 393.065, 393.501, 393.063 FS. Law Implemented 393.065 FS. History–New _____.

65G-4.016 Application Process.

(1) Application for services from the Agency shall be made, by submitting an application by hand delivery, U.S. Mail or facsimile, to the Agency service area where the applicant resides. The application for services is available on the Agency website at www.APD.myflorida.com or by contacting the Agency.

(2) Upon receipt of a completed, signed and dated Application for Services, the area Agency staff shall review the application and supporting documentation and within 45 days for children under the age of 6, and 60 days for individuals 6 years of age and older, shall notify the applicant of the final determination of eligibility for Agency services. If requests for collateral information or additional evaluations are necessary to determine eligibility, the time may be extended for no more than an additional ninety (90) days.

(3) If an applicant is unable to produce an existing evaluation that establishes eligibility or if there is concern that the information provided is inaccurate, incorrect or incomplete, the Agency area office will be responsible for obtaining an evaluation to establish eligibility. Professional diagnoses under Rule 65G-4.017, F.A.C., must document all criteria for eligibility as set forth in Rules 65G-4.014-.017, F.A.C. The evaluation process includes only those assessments necessary to determine eligibility that were administered by a person qualified to administer the instrument(s).

(4) When the eligibility determination is complete, the Agency Area Office shall notify the applicant, in writing, within five (5) business days of the decision. If the applicant is

determined ineligible for Agency services, the Agency Area Office shall notify the applicant of the right to appeal the decision in accordance with Chapter 120, F.S.

(5) If the applicant is determined to be ineligible to receive services from the Agency, the Agency Area Office shall offer suggestions regarding other programs, agencies or services for which the applicant may be eligible.

Rulemaking Authority 393.065, 393.501, 393.063 FS, Law Implemented 393.065 FS, History—New _____.

65G-4.017 Establishing Eligibility.

(1) Establishing Eligibility – Autism. A diagnosis of autism, as defined by Rule 65G-4.014, F.A.C., may only be made by one or more of the following who has specific training and experience in making such diagnoses:

(a) A Florida-licensed psychiatrist.

(b) A Florida-licensed psychologist.

(c) A board certified pediatric neurologist who is qualified by training and experience to make a diagnosis of autism.

(d) A board certified developmental pediatrician.

(e) Collateral information received from another state may be accepted if the evaluator is licensed through the same credentials required for licensure in Florida for the professions listed in paragraph (1)(a) above.

(2) Establishing Eligibility – Cerebral Palsy. Diagnosis is confirmed by written documentation from one or more of the following:

(a) A medical doctor;

(b) A doctor of osteopathy; or

(c) Medical records documenting a diagnosis of cerebral palsy before the age of 18.

(3) Establishing Eligibility – Mental Retardation. to establish that an individual has mental retardation the following criteria shall be applied:

(a) When there are several assessments that have been conducted with varying I.Q.s, the Agency shall rely on patterns or clusters of scores and shall reject those scores that appear to be significantly lower or higher than the average of the other scores. A single subtest should not be used alone to determine eligibility. If a person has significantly different (statistically defined) scores on different scales of a test or tests, or a great deal of variability on subtest scores of an IQ test, the full-scale score may not indicate mental retardation and should not be relied on as a valid score. In that instance, closer scrutiny is required to make an appropriate differential diagnosis. This may include review of school records, school placement, achievement scores, medical records, medication history, behavior during testing and the psychosocial situation at the time of testing. Closer scrutiny must also be required when there is a great deal of variability between IQ scores on different IQ tests or different administrations of the same IQ

test. Nothing here is intended to preclude clinical judgment from appropriately determining that a single full scale IQ of 70 or below is sufficient to establish eligibility.

(b) The performance measures for this category of adaptive functioning deficits must be validated by the professional judgment of a psychologist who is experienced in working with people who have retardation, who has specific training and validation in the assessment instrument that is used, and who is either:

1. A Florida-licensed psychologist.

2. A Florida-licensed school psychologist.

3. A certified school psychologist.

(c) Any standardized test may be submitted as proof, however the applicant must demonstrate that any test not presumptively accepted by the Agency is valid. The following are presumptively accepted standardized tests of intelligence to establish eligibility for mental retardation are:

1. Stanford-Binet Intelligence Test (all ages).

2. Wechsler Preschool and Primary Scale of Intelligence (under six years of age).

3. Differential Ability Scales – Preschool Edition (under six years of age).

4. Wechsler Intelligence Scale for Children (WISC) (children up to fifteen years, eleven months).

5. Differential Ability Scales (children up to fifteen years, eleven months).

6. Wechsler Adult Intelligence Scale (WAIS).

7. Test of Nonverbal Intelligence-3 (TONI-3).

8. Comprehensive Test of Nonverbal Intelligence-2 (C-TONI 2).

9. Universal Nonverbal Intelligence Test (UNIT).

10. Leiter International Performance Scale-Revised (Leiter-R).

(d) The following are Tests of Adaptive Functioning are presumptively accepted in the determination:

1. Vineland Adaptive Behavior Scales.

2. AAMR Adaptive Behavior Scale.

3. Adaptive Behavior Assessment System (ABAS).

4. Adaptive Behavior Evaluation Scale (ABES).

5. In all cases, assessments or evaluations for eligibility should be obtained from appropriately licensed professionals with experience and training with the instruments and population for whom eligibility is to be determined.

(e) Establishing Eligibility – Prader-Willi Syndrome. Diagnosis is confirmed by written documentation from one or more of the following:

1. A medical doctor;

2. A doctor of osteopathy; or

3. Medical records that document a diagnosis of Prader-Willi Syndrome before the age of 18.

4. Establishing Eligibility – Spina Bifida. Diagnosis is confirmed by written documentation from one or more of the following:

- a. A medical doctor;
- b. A doctor of osteopathy; or
- c. Medical records that document a diagnosis of spina bifida cystica or myelomeningocele before the age of 18.

5. Establishing Eligibility – High Risk Children, 3 to 5 years of age. Evidence under this category requires an area office determination that a medical diagnosis of developmental delay evidenced by the child indicates a high probability that the child is likely to have an eventual diagnosis of a qualifying condition under Rule 65G-4.014, F.A.C., if early intervention services are not provided, or the child has one or more physical or genetic anomalies associated with a developmental disability, such as:

- a. Genetic or chromosomal disorders (such as Down syndrome or Rett syndrome);
- b. Metabolic disorders (such as phenylketonuria);
- c. Congenital malformations (such as microcephaly or hydrocephaly);
- d. Neurological abnormalities and insults;
- e. Congenital and acquired infectious diseases;
- f. Chronic or catastrophic illnesses or injuries;
- g. A parent or guardian with developmental disabilities who requires assistance in meeting the child’s developmental needs; or
- h. Other conditions or genetic disorders generally associated with developmental disabilities, such as tuberous sclerosis, congenital syphilis, fetal alcohol syndrome, or maternal rubella, as documented by a physician.

(4) If a child between three and five years of age already has been determined to have a developmental disability in one of the five categories identified in Chapter 393, F.S., that child shall be eligible for services from the Agency under the appropriate diagnosis and shall be added to the wait list.

(5) If a child served under the category of high risk does not have a confirmed diagnosis by his or her fifth birthday, they shall be given a notice of case closure, the child’s case will be closed at the Agency. The Agency shall make the child’s parent or guardian aware of appropriate agencies, programs or school programs which the Agency is aware of which might be able to assist the child.

Rulemaking Authority 393.065, 393.501, 393.063 FS. Law Implemented 393.065 FS. History–New _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:
67-48.002 Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 48, December 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.003 Protection of Certain Deer and Turkey; Tagging of Deer and Turkey; Evidence of Sex Required

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 3, January 21, 2011 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.004 Possession or Sale of Birds or Mammals; Taxidermy Operations and Mounting Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 3, January 21, 2011 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-138.047 Description of Actuarial Memorandum Including an Asset Adequacy Analysis and Regulatory Asset Adequacy Issues Summary

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-162.203 Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-164.020
 RULE TITLE: Valuation of Life Insurance Policies
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 69O-200.004
 RULE TITLES: Qualification to Obtain and Hold a License
 69O-200.005 Use of the Statutory Deposit
 69O-200.006 Contractual Liability Insurers
 69O-200.009 Form Filings
 69O-200.014 Exemption From Financial Examination
 69O-200.015 Forms Incorporated by Reference

NOTICE OF WITHDRAWAL

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

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-12
 RULE TITLE: Instant Game Number 1087, FIRE ‘n DICE

SUMMARY: This emergency rule describes Instant Game Number 1087, “FIRE ‘n DICE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-12 Instant Game Number 1087, FIRE ‘n DICE.

(1) Name of Game. Instant Game Number 1087, “FIRE ‘n DICE.”

(2) Price. FIRE ‘n DICE lottery tickets sell for \$1.00 per ticket.

(3) FIRE ‘n DICE lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning FIRE ‘n DICE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The play symbols and play symbol captions are as follows:



(5) The prize symbols and prize symbol captions are as follows:

| | | | | |
|---------|---------|----------|-----------|-------------|
| \$1.00 | \$2.00 | \$3.00 | \$4.00 | |
| ONE | TWO | THREE | FOUR | |
| \$5.00 | \$10.00 | \$15.00 | \$20.00 | \$25.00 |
| FIVE | TEN | FIFTEEN | TWENTY | THIRTY FIVE |
| \$40.00 | \$50.00 | \$100 | \$1,000 | \$4,000 |
| FORTY | FIFTY | ONE HUND | ONE THOUS | FOUR THOU |

(6) The legends are as follows:



(7) Determination of Prizewinners.

(a) There are four (4) rolls on a ticket. Each roll is played separately. A ticket having a roll, the total of which is 7 or 11, shall entitle the claimant to the corresponding prize shown for

that roll. A ticket having a “WIN” play symbol and corresponding play symbol caption in a roll shall entitle the claimant to all four (4) prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$1,000 and \$4,000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 1087 are as follows:

| GAME PLAY | WIN | ESTIMATED ODDS OF 1 IN | NUMBER OF WINNERS IN 50 POOLS OF 240,000 TICKETS PER POOL |
|------------------------|-----|------------------------------|---|
| \$1 | \$1 | 10.71 | 1,120,000 |
| \$1 x 2 | \$2 | 30.00 | 400,000 |
| \$2 | \$2 | 30.00 | 400,000 |
| \$1 x 4 (FIRE) | \$4 | 150.00 | 80,000 |
| (\$1 x 2) + \$2 | \$4 | 300.00 | 40,000 |
| \$2 x 2 | \$4 | 150.00 | 80,000 |
| \$4 | \$4 | 150.00 | 80,000 |
| \$1 + (\$2 x 2) | \$5 | 750.00 | 16,000 |
| (\$1 x 3) + \$2 (FIRE) | \$5 | 750.00 | 16,000 |
| \$2 + \$3 | \$5 | 750.00 | 16,000 |
| \$1 + \$4 | \$5 | 750.00 | 16,000 |
| \$5 | \$5 | 750.00 | 16,000 |

| | | | |
|-----------------------------------|---------|------------|--------|
| (\$1 x 2) + (\$4 x 2) (FIRE) | \$10 | 500.00 | 24,000 |
| (\$2 x 3) + \$4 (FIRE) | \$10 | 500.00 | 24,000 |
| (\$2 x 2) + (\$3 x 2) | \$10 | 500.00 | 24,000 |
| \$5 x 2 | \$10 | 500.00 | 24,000 |
| \$10 | \$10 | 500.00 | 24,000 |
| \$5 + \$15 | \$20 | 1,500.00 | 8,000 |
| \$5 x 4 (FIRE) | \$20 | 1,500.00 | 8,000 |
| (\$5 x 2) + \$10 | \$20 | 1,500.00 | 8,000 |
| \$10 x 2 | \$20 | 1,500.00 | 8,000 |
| \$20 | \$20 | 1,500.00 | 8,000 |
| (\$5 x 2) + \$10 + \$20 (FIRE) | \$40 | 4,800.00 | 2,500 |
| \$10 x 4 (FIRE) | \$40 | 4,800.00 | 2,500 |
| (\$5 x 2) + (\$15 x 2) | \$40 | 4,800.00 | 2,500 |
| \$20 x 2 | \$40 | 4,800.00 | 2,500 |
| \$40 | \$40 | 4,800.00 | 2,500 |
| (\$20 x 3) + \$40 (FIRE) | \$100 | 12,000.00 | 1,000 |
| \$25 x 4 (FIRE) | \$100 | 12,000.00 | 1,000 |
| (\$40 x 2) + \$20 | \$100 | 12,000.00 | 1,000 |
| \$50 x 2 | \$100 | 12,000.00 | 1,000 |
| \$100 | \$100 | 20,000.00 | 600 |
| \$1,000 | \$1,000 | 120,000.00 | 100 |
| \$4,000 | \$4,000 | 240,000.00 | 50 |

(9) The estimated overall odds of winning some prize in Instant Game Number 1087 are 1 in 4.88. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1087, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for FIRE 'n DICE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-4-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 4, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-13
 RULE TITLE: Instant Game Number 1097, SILVER 7's

SUMMARY: This emergency rule describes Instant Game Number 1097, "SILVER 7's," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-13 Instant Game Number 1097, SILVER 7's.

(1) Name of Game. Instant Game Number 1097, "SILVER 7's."

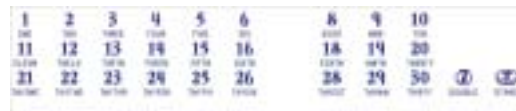
(2) Price. SILVER 7's lottery tickets sell for \$5.00 per ticket.

(3) SILVER 7's lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning SILVER 7's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "BLACK" play symbols and play symbol captions are as follows:



(5) The "BLUE" play symbols and play symbol captions are as follows:





(6) The prize symbols and prize symbol captions are as follows:

| | | | | |
|-----------------------|-------------------------|-------------------------|--------------------------|---|
| \$2.00 TWO | \$5.00 FIVE | \$10.00 TEN | \$15.00 FIFTEEN | \$20.00 TWENTY |
| \$30.00 THIRTY | \$40.00 FORTY | \$50.00 FIFTY | \$100 ONE HUNDRED | \$200 TWO HUNDRED |
| \$400 FOUR HUNDRED | \$1,000 ONE THOUSAND | \$2,000 TWO THOUSAND | \$10,000 TEN THOUSAND | \$250,000 TWO HUNDRED FIFTY THOUSAND |

(7) Determination of Prizewinners.

(a) A ticket having a BLACK "7" play symbol and corresponding play symbol caption in the play area shall entitle the claimant to the prize shown for that symbol. A ticket

having a BLUE “” play symbol and corresponding play symbol caption in the play area shall entitle the claimant to double the prize shown for that symbol. A ticket having a

BLUE “” play symbol and corresponding play symbol caption in the play area shall entitle the claimant to five (5) times the prize shown for that symbol.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$400, \$1,000, \$2,000, \$10,000 and \$250,000.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 1097 are as follows:

| GAME PLAY | WIN | ESTIMATED ODDS OF 1 IN | NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL |
|------------------------------------|-------|------------------------------|---|
| \$5 | \$5 | 10.00 | 624,000 |
| \$5 (BLUE 7) | \$10 | 30.00 | 208,000 |
| \$2 (BLUE COIN) | \$10 | 60.00 | 104,000 |
| \$5 x 2 | \$10 | 60.00 | 104,000 |
| \$10 | \$10 | 30.00 | 208,000 |
| \$5 (BLUE 7) + \$5 | \$15 | 300.00 | 20,800 |
| \$2 (BLUE COIN) + \$5 | \$15 | 300.00 | 20,800 |
| \$5 x 3 | \$15 | 300.00 | 20,800 |
| \$5 + \$10 | \$15 | 300.00 | 20,800 |
| \$15 | \$15 | 300.00 | 20,800 |
| \$2 x 10 | \$20 | 300.00 | 20,800 |
| \$2 (BLUE COIN) + (\$5 x 2) | \$20 | 300.00 | 20,800 |
| \$5 x 4 | \$20 | 300.00 | 20,800 |
| \$10 (BLUE 7) | \$20 | 300.00 | 20,800 |
| \$20 | \$20 | 300.00 | 20,800 |
| (\$2 x 10) + (\$5 x 2) | \$30 | 600.00 | 10,400 |
| \$2 (BLUE COIN) + (\$5 x 4) | \$30 | 600.00 | 10,400 |
| \$5 x 6 | \$30 | 600.00 | 10,400 |
| \$5 (BLUE 7) + \$10 (BLUE 7) | \$30 | 600.00 | 10,400 |
| \$30 | \$30 | 600.00 | 10,400 |
| (\$2 x 10) + (\$10 x 2) | \$40 | 2,400.00 | 2,600 |
| (\$5 x 5) + \$15 | \$40 | 2,400.00 | 2,600 |
| \$5 (BLUE COIN) + \$15 | \$40 | 2,500.00 | 2,496 |
| \$10 (BLUE 7) + (\$10 x 2) | \$40 | 2,500.00 | 2,496 |
| \$40 | \$40 | 2,500.00 | 2,496 |
| (\$2 x 5) + (\$5 x 6) + \$10 | \$50 | 2,000.00 | 3,120 |
| \$5 (BLUE COIN) + \$5 + (\$10 x 2) | \$50 | 2,000.00 | 3,120 |
| \$10 x 5 | \$50 | 2,400.00 | 2,600 |
| \$10 (BLUE 7) + \$30 | \$50 | 2,500.00 | 2,496 |
| \$50 | \$50 | 2,500.00 | 2,496 |
| (\$10 x 8) + (\$5 x 4) | \$100 | 1,500.00 | 4,160 |
| \$10 (BLUE COIN) + (\$10 x 5) | \$100 | 1,500.00 | 4,160 |
| \$20 x 5 | \$100 | 2,000.00 | 3,120 |

| | | | |
|-------------------------------|-----------|--------------|-------|
| \$40 + (\$30 x 2) | \$100 | 2,000.00 | 3,120 |
| \$50 (BLUE 7) | \$100 | 1,500.00 | 4,160 |
| \$100 | \$100 | 2,000.00 | 3,120 |
| (\$10 x 10) + (\$50 x 2) | \$200 | 12,000.00 | 520 |
| \$30 (BLUE COIN) + (\$10 x 5) | \$200 | 12,000.00 | 520 |
| \$50 x 4 | \$200 | 12,000.00 | 520 |
| \$100 (BLUE 7) | \$200 | 12,000.00 | 520 |
| \$200 | \$200 | 12,000.00 | 520 |
| (\$30 x 8) + (\$40 x 4) | \$400 | 20,000.00 | 312 |
| \$40 (BLUE COIN) + \$50 x 4 | \$400 | 20,000.00 | 312 |
| \$100 (BLUE 7) | \$400 | 20,000.00 | 312 |
| \$400 | \$400 | 20,000.00 | 312 |
| (\$100 x 8) + (\$50 x 4) | \$1,000 | 60,000.00 | 104 |
| (\$100 x 6) + (\$200 x 2) | \$1,000 | 60,000.00 | 104 |
| (\$100 (BLUE 7) x 5) | \$1,000 | 60,000.00 | 104 |
| \$200 + \$400 (BLUE 7) | \$1,000 | 60,000.00 | 104 |
| \$1,000 | \$1,000 | 60,000.00 | 104 |
| \$200 x 10 | \$2,000 | 60,000.00 | 104 |
| \$1,000 (BLUE 7) | \$2,000 | 60,000.00 | 104 |
| \$2,000 | \$2,000 | 60,000.00 | 104 |
| \$10,000 | \$10,000 | 120,000.00 | 52 |
| \$250,000 | \$250,000 | 1,248,000.00 | 5 |

(9) The estimated overall odds of winning some prize in Instant Game Number 1097 are 1 in 4.00. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1097, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for SILVER 7’s lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-4-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 4, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-14
 RULE TITLE: Instant Game Number 1098, THE COLOR OF MONEY

SUMMARY: This emergency rule describes Instant Game Number 1098, "THE COLOR OF MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-14 Instant Game Number 1098, THE COLOR OF MONEY.

(1) Name of Game. Instant Game Number 1098, "THE COLOR OF MONEY."

(2) Price. THE COLOR OF MONEY lottery tickets sell for \$10.00 per ticket.

(3) THE COLOR OF MONEY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning THE COLOR OF MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the prize shown for that symbol. A ticket having a

"ONE" play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area shall entitle the claimant to

the prize shown for that symbol. A ticket having a "TWO" play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area shall entitle the claimant to double the

prize shown for that symbol. A ticket having a "THREE" play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area shall entitle the claimant to ten (10) times the prize shown for that symbol.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$40.00, \$50.00, \$100, \$150, \$200, \$500, \$1,000, \$1,000,000 and \$500,000,000.

(9) \$1,000,000 Prize Payment Options.

(a) A winner of a \$1 million prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time the \$1,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in one (1) lump sum cash payment of \$700,000, less applicable federal withholding taxes.

(c) Annual Payment prizes will be paid in twenty (20) equal annual installments of \$50,000 each, less applicable federal withholding taxes.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1098 are as follows:

| GAME PLAY | VALUE | ESTIMATED | NUMBER OF |
|------------|-------|-----------|---|
| | | ODDS OF | WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL |
| \$5 x 2 | \$10 | 30.00 | 168,000 |
| \$5 (\$\$) | \$10 | 20.00 | 252,000 |
| \$10 | \$10 | 30.00 | 168,000 |
| \$5 x 3 | \$15 | 60.00 | 84,000 |
| \$5 + \$10 | \$15 | 30.00 | 168,000 |

| | | | |
|----------------------------|---------|-----------|--------|
| \$15 | \$15 | 60.00 | 84.000 |
| \$5 x 4 | \$20 | 60.00 | 84.000 |
| (\$5 x 2) + \$10 | \$20 | 100.00 | 50.400 |
| \$10 x 2 | \$20 | 150.00 | 33.600 |
| \$10 (\$\$) | \$20 | 60.00 | 84.000 |
| \$20 | \$20 | 60.00 | 84.000 |
| \$5 x 5 | \$25 | 250.00 | 20.160 |
| (\$5 x 3) + \$10 | \$25 | 400.00 | 12.600 |
| \$5 + (\$10 x 2) | \$25 | 400.00 | 12.600 |
| \$5 (\$\$) + \$15 | \$25 | 400.00 | 12.600 |
| \$25 | \$25 | 400.00 | 12.600 |
| \$5 x 6 | \$30 | 600.00 | 8.400 |
| \$5 (\$\$) + (\$10 x 2) | \$30 | 600.00 | 8.400 |
| \$10 x 3 | \$30 | 600.00 | 8.400 |
| \$15 (\$\$) | \$30 | 600.00 | 8.400 |
| \$30 | \$30 | 600.00 | 8.400 |
| \$5 x 8 | \$40 | 1,200.00 | 4.200 |
| \$10 x 4 | \$40 | 1,200.00 | 4.200 |
| \$20 x 2 | \$40 | 1,200.00 | 4.200 |
| \$20 (\$\$) | \$40 | 1,200.00 | 4.200 |
| \$40 | \$40 | 1,200.00 | 4.200 |
| \$5 (GOLD BAR) | \$50 | 750.00 | 6.720 |
| \$10 x 5 | \$50 | 750.00 | 6.720 |
| \$10 (\$\$) + (\$15 x 2) | \$50 | 923.08 | 5.460 |
| \$25 x 2 | \$50 | 923.08 | 5.460 |
| \$50 | \$50 | 923.08 | 5.460 |
| (\$5 x 10) + (\$10 x 5) | \$100 | 600.00 | 8.400 |
| \$10 (GOLD BAR) | \$100 | 480.00 | 10.500 |
| \$10 x 10 | \$100 | 480.00 | 10.500 |
| \$20 x 5 | \$100 | 600.00 | 8.400 |
| \$50 (\$\$) | \$100 | 600.00 | 8.400 |
| \$100 | \$100 | 600.00 | 8.400 |
| \$10 x 15 | \$150 | 6,000.00 | 840 |
| \$15 (GOLD BAR) | \$150 | 6,000.00 | 840 |
| \$15 (\$\$) + (\$30 x 4) | \$150 | 6,000.00 | 840 |
| \$50 x 3 | \$150 | 6,000.00 | 840 |
| \$150 | \$150 | 6,000.00 | 840 |
| (\$10 x 10) + (\$20 x 5) | \$200 | 6,000.00 | 840 |
| \$20 (GOLD BAR) | \$200 | 6,000.00 | 840 |
| \$25 x 8 | \$200 | 6,000.00 | 840 |
| \$100 (\$\$) | \$200 | 6,000.00 | 840 |
| \$200 | \$200 | 6,000.00 | 840 |
| (\$25 x 10) + (\$50 x 5) | \$500 | 6,000.00 | 840 |
| \$50 (GOLD BAR) | \$500 | 6,000.00 | 840 |
| \$100 x 5 | \$500 | 6,000.00 | 840 |
| \$50 (\$\$) + \$200 (\$\$) | \$500 | 6,000.00 | 840 |
| \$500 | \$500 | 6,000.00 | 840 |
| (\$50 x 10) + (\$100 x 5) | \$1,000 | 60,000.00 | 84 |
| \$100 (GOLD BAR) | \$1,000 | 60,000.00 | 84 |
| \$200 x 5 | \$1,000 | 60,000.00 | 84 |
| \$500 (\$\$) | \$1,000 | 60,000.00 | 84 |
| \$1,000 | \$1,000 | 60,000.00 | 84 |

| | | | |
|------------------------------|-----------|------------|----|
| (\$500 x 10) + (\$1,000 x 5) | \$10,000 | 120,000.00 | 42 |
| \$10,000 | \$10,000 | 120,000.00 | 42 |
| \$1,000,000 | \$700,000 | 840,000.00 | 6 |
| (\$50K/yr/20yrs) | | | |

(11) The estimated overall odds of winning some prize in Instant Game Number 1098 are 1 in 3.38. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1098, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for THE COLOR OF MONEY lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Reulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-4-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 4, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-15
 RULE TITLE: Instant Game Number 1102, SUPER LOTERIA®

SUMMARY: This emergency rule describes Instant Game Number 1102, “SUPER LOTERIA®,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-15 Instant Game Number 1102, SUPER LOTERIA®.

(1) Name of Game. Instant Game Number 1102, “SUPER LOTERIA®.”

(2) Price. SUPER LOTERIA lottery tickets sell for \$2.00 per ticket.

(3) SUPER LOTERIA lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning SUPER LOTERIA lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "CALLER CARDS" prize symbols and prize symbol captions are as follows:



(5) The legend is as follows:

CALLER CARDS

(6) Determination of Prizewinners.

(a) A ticket having four (4) play symbols and corresponding play symbol captions in any one horizontal, vertical or diagonal line in the play area that match four (4) play symbols and corresponding play symbol captions in the "CALLER CARDS" play area shall entitle the claimant to the prize shown for that line.

(b) The prizes are: \$2, \$5, \$10, \$20, \$40, \$100, \$200, \$400, \$10,000 and \$30,000.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 1102 are as follows:

| GAME PLAY | WIN | ESTIMATED ODDS OF | NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL |
|---------------------|-------|-------------------|---|
| \$2 | \$2 | 9.38 | 1,152,000 |
| \$5 | \$5 | 12.50 | 864,000 |
| \$10 | \$10 | 75.00 | 144,000 |
| \$5 + \$10 | \$15 | 150.00 | 72,000 |
| \$20 | \$20 | 150.00 | 72,000 |
| \$5 + \$20 | \$25 | 300.00 | 36,000 |
| \$10 + \$20 | \$30 | 360.00 | 30,000 |
| \$40 | \$40 | 1,125.00 | 9,600 |
| \$10 + \$40 | \$50 | 3,600.00 | 3,000 |
| \$10 + \$20 + \$40 | \$70 | 3,600.00 | 3,000 |
| \$100 | \$100 | 1,440.00 | 7,500 |
| \$5 + \$20 + \$100 | \$125 | 7,200.00 | 1,500 |
| \$10 + \$40 + \$100 | \$150 | 22,500.00 | 480 |
| \$200 | \$200 | 7,200.00 | 1,500 |
| \$5 + \$20 + \$200 | \$225 | 60,000.00 | 180 |
| \$10 + \$40 + \$200 | \$250 | 60,000.00 | 180 |
| \$100 + \$200 | \$300 | 60,000.00 | 180 |

| | | | |
|----------------------|----------|--------------|-----|
| \$40 + \$100 + \$340 | \$900.00 | 90,000.00 | 120 |
| \$200 | | | |
| \$400 | \$400 | 90,000.00 | 120 |
| \$10,000 | \$10,000 | 900,000.00 | 12 |
| \$30,000 | \$30,000 | 1,350,000.00 | 8 |

(8) The estimated overall odds of winning some prize in Instant Game Number 1102 are 1 in 4.50. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Instant Game Number 1102, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for SUPER LOTERIA lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-4-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: March 4, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-16
RULE TITLE: Replacement of Obsolete Emergency Rules

SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-16 Replacement of Obsolete Emergency Rules.
The following Department of the Lottery emergency rules relating to Lottery games, promotions or retailer programs are being replaced because the games, promotions or programs have concluded, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER03-68, 53ER06-45, 53ER07-3, 53ER07-4, 53ER07-43, 53ER07-44, 53ER07-69, 53ER08-3, 53ER08-6, 53ER08-7, 53ER08-44, 53ER08-45, 53ER08-48, 53ER08-53, 53ER08-55, 53ER08-56, 53ER08-58, 53ER08-64, 53ER08-72, 53ER08-73, 53ER08-74, 53ER08-75, 53ER08-76, 53ER08-77, 53ER08-82, 53ER08-83, 53ER08-85,

53ER09-2, 53ER09-3, 53ER09-4, 53ER09-5, 53ER09-6, 53ER09-11, 53ER09-13, 53ER09-14, 53ER09-20, 53ER09-24, 53ER09-26, 53ER09-27, 53ER09-28, 53ER09-29, 53ER09-30, 53ER09-34, 53ER09-47, 53ER09-48, 53ER09-49, 53ER09-50, 53ER09-53, 53ER09-59, 53ER09-60, 53ER09-62, 53ER09-63, 53ER09-67, 53ER09-68, 53ER09-71, 53ER10-5, 53ER10-13, 53ER10-17, 53ER10-18, 53ER10-20, 53ER10-21, 53ER10-55, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 3-4-11. Replaces 53ER03-68, 53ER06-45, 53ER07-3, 53ER07-4, 53ER07-43, 53ER07-44, 53ER07-69, 53ER08-3, 53ER08-6, 53ER08-7, 53ER08-44, 53ER08-45, 53ER08-48, 53ER08-53, 53ER08-55, 53ER08-56, 53ER08-58, 53ER08-64, 53ER08-72, 53ER08-73, 53ER08-74, 53ER08-75, 53ER08-76, 53ER08-77, 53ER08-82, 53ER08-83, 53ER08-85, 53ER09-2, 53ER09-3, 53ER09-4, 53ER09-5, 53ER09-6, 53ER09-11, 53ER09-13, 53ER09-14, 53ER09-20, 53ER09-24, 53ER09-26, 53ER09-27, 53ER09-28, 53ER09-29, 53ER09-30, 53ER09-34, 53ER09-47, 53ER09-48, 53ER09-49, 53ER09-50, 53ER09-53, 53ER09-59, 53ER09-60, 53ER09-62, 53ER09-63, 53ER09-67, 53ER09-68, 53ER09-71, 53ER10-5, 53ER10-13, 53ER10-17, 53ER10-18, 53ER10-20, 53ER10-21, 53ER10-55, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: March 4, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 4, 2011, the Florida Public Service Commission, received a petition for waiver of subsection 25-6.049(5), Florida Administrative Code. Docket No. 110063-EU – Petition for variance from or waiver of individual metering requirements of subsection 25-6.049(5), F.A.C., by Destin Gulfgate Owners Association, Inc. This rule requires the individual electric metering by the utility for each separate occupancy unit of a condominium, among other types of occupancy units. Comments on the petition should be filed with the Commission’s Office of Commission Clerk, within 14 days of publication of this notice.

For additional information, please contact: Rosanne Gervasi, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6224.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on March 3, 2011, the South Florida Water Management District (District), received a petition for waiver from Florida Power and Light Company, Application No. 11-0224-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District for a proposed aerial transmission line crossing, including placement of a concrete pole, within the west right of way of C-102 Canal immediately north of S.W. 248th Street Bridge lying in Section 23, Township 56 South, Range 39 East, Miami-Dade County. The petition seeks relief from paragraphs 40E-6.221(2)(a) and (j), F.A.C, which governs use of the District’s Works and Lands for the placement of above-ground permanent and semi-permanent above-ground encroachments within the District’s designated equipment staging areas located at all bridges and pile-supported crossings.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on March 4, 2011, the South Florida Water Management District (District), received a petition for waiver from Robert Kyle and Joy Luanne Ray, Application No. 11-0304-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as L-28, Miami-Dade and Collier Counties, for utilization of approximately 22.5 miles of L-28 for temporary access to and from the applicant’s property. The petition seeks relief from subsection 40E-6.221(9), F.A.C., which governs that an applicant must own or lease the land adjacent to or served by the portions of the Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Agency for Workforce Innovation, received a petition for Variance of subsection 60BB-4.100(22), F.A.C., which provides the definition of “working family” in the context of determining the eligibility to receive services for the state’s school readiness program. The Petition was filed by the Early Coalition of Florida’s Gateway, 1104 S.W. Main Blvd., Lake City, FL 32025.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Turlington. Petitioner seeks an emergency variance of the requirements of paragraph 61C-5.0051, Florida Administrative Code that requires upgrading the elevators with an in-car 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 2011-075).

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 March 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Sarasota Manatee Airport Authority. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 6.1.3.15, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanent provision to prevent accumulation of water in the pit 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 2011-076).

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 March 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Beach Club Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters’ emergency operations 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 2011-077).

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

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Jason Hickson. The Notice of Petition for Variance or Waiver was published in Vol. 36, No. 50, of the December 17, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on January 14, 2010. The Petition requested a Variance or Waiver of Rule 61G4-16.005, Florida Administrative Code, dealing with duration of exam validity, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board.

The Board’s Order, filed on February 18, 2011, denies the Petition for Variance or Waiver of Rule 61G4-16.005, Florida Administrative Code. With the application having been approved, the Petition is moot.

A copy of the Board’s Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice on March 7, 2011, the Department issued an Order Granting Variance to Sandhill Recycle Center, Inc., from the provisions of subsection 62-701.730(11), F.A.C., which requires submittal of proof of financial assurance for closure of a construction and demolition debris facility. On December 10, 2010, Sandhill submitted a petition to allow it to delay funding its financial assurance mechanism for Cell C of its facility until such time as Cell C is constructed, and demonstrated that it would suffer a hardship if required to comply with the rule. The Order requires Sandhill to fully fund its financial assurance mechanism at least 60 days prior to receipt of waste in Cell C. Notice was published in the F.A.W. on December 30, 2010.

A copy of the Order or additional information may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

NOTICE IS HEREBY GIVEN that on February 23, 2011, the Department of Environmental Protection, received a petition for Southeastern Guide Dogs, Inc., seeking a variance from Rule 62-550.310, F.A.C., to allow for an exceedance of the sodium maximum contaminant level. The petition has been assigned OGC File No. 11-0422.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jeff Greenwell, Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637; telephone (813)632-7600.

Written comments must be received by Jeff Greenwell at the above address no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on March 2, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Jiade Jay Lu, M.D., from Rule 64B8-8.004, F.A.C., with regard to reapplying for licensure when a previous license has been revoked. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Acting Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Board of Psychology, received a petition for waiver or variance filed by Daryl P. Di Dio, Ph.D., from Rule 64B19-13.003, F.A.C., with regard to a six-hour training seminar attended by the Petitioner and whether this particular seminar will fulfill the continuing education requirement. Comments on this petition should be filed with: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

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
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection
DATE AND TIME: April 5, 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

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; report 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 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 for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

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 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 duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set

forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

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, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The Department of State, Office of Cultural, Historical and Information Programs announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 4, 2011, 10:00 a.m. – 12:00 Noon EST

PLACE: Mission San Luis Visitor Center (Mission Room), 2100 West Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning for Florida's 500-year anniversary, or Quincentennial, of its discovery by European explorer Juan Ponce de León. This is a Viva Florida! Quincentennial Initiative strategy setting workshop for all established partners, state agency representatives and other interested organizations and individuals. State agencies and other partners are invited to discuss their efforts to date, while strategizing the future effort and mobilizing the Viva Florida! initiative in local communities around the state.

A copy of the agenda may be obtained by contacting: Rachel Porter, Special Programs Coordinator at (850)245-6360 or rbporter@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: Rachel Porter, Special Programs Coordinator at (850)245-6360 or rbporter@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachel Porter, Special Programs Coordinator at (850)245-6360 or rbporter@dos.state.fl.us.

The **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 24, 2011, 5:00 p.m. – 7:00 p.m.

PLACE: R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History, (850)245-6400.

Pursuant to the provisions of 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: Elyse Cornelison, Museum of Florida History, (850)245-6400. If you are 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: Elyse Cornelison, Museum of Florida History, (850)245-6400.

The **Division of Historical Resources**, Bureau of Historic Preservation, The Friends of Florida Main Street announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2011, 10:00 a.m.

PLACE: Community Redevelopment Agency, 804 Bryan Street, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the organization.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or by calling 1(800)847-7278.

Pursuant to the provisions of 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: Joan Jefferson, 1(800)847-7278. If you are 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: Joan Jefferson, 1(800)847-7278.

The Florida **Department of State, Division of Library and Information Services**, announces a meeting of the State Library Council Governmental Affairs Subcommittee via conference call. All persons are invited.

DATE AND TIME: Monday, March 28, 2011, 8:15 a.m. – 8:30 a.m. EDT.

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 State Library Council Governmental Affairs Subcommittee will review and discuss matters and issues related to the programs and/or activities of the Division of Library and Information Services. Subject matter may include issues that have local or statewide impact on the Division and/or the services it provides to Florida's citizens, and strategies to promote the Division's values and work.

For additional information, contact: Judith Ring, Division Director, (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 **Department of State, Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2011, 1:00 p.m.

PLACE: Hernando County Health Department, 300 S. Main Street, Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for this facility will hold a meeting to review the proposals submitted by their selected finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 S. Bronough Street, Tallahassee FL 32399-0250, (850)294-5445.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Laura Blischke, (850)245-6476. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys, announces the following telephone conference meetings for the "Election of Officers" which all persons are invited to attend:

Florida Council on the Social Status of Black Men and Boys

DATE AND TIME: March 29, 2011, 2:00 p.m. – 4:30 p.m.,
Toll Free Dial in Number: (888)808-6959, Conference Code:
5690287421

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs, (850)414-3300. If you are 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2011, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: The Pesticide Registration Section, (850)617-7940 or from the PREC Web Site at: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

The **Department of Agriculture and Consumer Services**, Florida Food and Nutrition Advisory Council announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, April 7, 2011, 9:00 a.m. – 5:00 p.m.; Friday, April 8, 2011, 8:30 a.m. – 12:30 p.m.

PLACE: Florida Fruit and Vegetables Association, 800 Trafalgar Court, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the status of food and nutrition programs and initiatives in the State of Florida.

A copy of the agenda can be obtained by contacting: Erica Field, 407 S. Calhoun Street, 2nd Floor, Tallahassee, Florida 32399-0800, (850)488-9355.

If special accommodations are needed to attend this meeting because of a disability, please contact (850)488-9355, by April 6, 2011.

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: Erica Field, (850)488-9355.

The **Department of Agriculture and Consumer Services, Division of Forestry** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 12, 2011, 9:00 a.m. – 12:30 p.m. EST

PLACE: Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Blvd., Tallahassee, FL 32399, (850)414-9852.

Pursuant to the provisions of 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: John Waldron, 3125 Conner Blvd., Tallahassee, FL 32399, (850)414-9852. If you are 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: John Waldron, 3125 Conner Blvd., Tallahassee, FL 32399, (850)414-9852.

The Florida **Department of Agriculture and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2011, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4102667

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Consumers' Council will be meeting to discuss: proposed legislation for the 2011 Florida session addressing issues of interest to consumers; and issues to advise and assist the department.

A copy of the agenda may be obtained by contacting: Tom Steckler, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Steckler at (850)922-2966. If you are 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 Agriculture and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2011, 1:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4102667

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Motor Vehicle Repair Advisory Council will be meeting to discuss: proposed legislation for the 2011 Florida session addressing issues of interest to consumers; and issues to advise and assist the department.

A copy of the agenda may be obtained by contacting: Tom Steckler, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Steckler at (850)922-2966. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The **Division of Blind Services**, Direct Support Organization announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 25, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: Conference Call: 1(877)347-0176, Conference Code: 720674; Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122.

Pursuant to the provisions of 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: Craig Kiser at (850)345-9122. If you are 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: March 30, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FRC Survey Contract will be discussed by the full 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)245-3307. If you are 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**, Florida Rehabilitation Council (FRC) announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Public Awareness – April 5, 2011, 9:30 a.m. – 11:30 a.m.; Executive – April 6, 2011, 9:00 a.m. – 11:00 a.m.; Evaluation – April 7, 2011, 9:30 a.m. – 11:30 a.m.; Legislative – April 12, 2011, 2:00 p.m. – 4:00 p.m.; Planning – April 13, 2011, 9:30 a.m. – 11:30 a.m.; Coordination – April 14, 2011, 9:30 a.m. – 11:30 a.m.; By-Laws Workgroup – April 19, 2011, 9:00 a.m. – 11:00 a.m.; Strategic Planning Workgroup – April 21, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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: 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).

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “the COMMISSION”, announces a public meeting to which all persons are invited.

DATES AND TIMES: March 29, 2011, 9:00 a.m. – until completion; The Accessibility Technical Advisory Committee Beginning at 9:00 a.m.; The Accessibility Advisory Council beginning upon completion of the Technical Advisory Committee meeting

PLACE: Meeting to be Conducted Using Communications Media Technology, specifically Webinar and Conference Call
Registration for Accessibility Advisory Council Webinar:

<https://www2.gotomeeting.com/register/435856634>

Conference Call: 1(888)808-6959, Conference

Code: 1967168;

Public Point of Access: Department of Community Affairs, Room 220N, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Accessibility Technical Advisory Committee (TAC).

Petitions for Declaratory Statements, update on legislative actions, other new and old business as indicated in the agenda posted to the Florida Building Commission website FloridaBuilding.org.

Petitions for Declaratory Statement as follows:

DCA10-DEC-285 by Larry Schneider, AIA

DCA10-DEC-286 by Larry Schneider, AIA

ACCESSIBILITY ADVISORY COUNCIL

Waiver Applications for the following projects.

Nail Bar, 1486 and 1488 Apalachee Parkway, Tallahassee

Miami Art Museum, 1075 Biscayne Boulevard, Miami

Pestana Hotel and Resorts, 1817, 1831, 1835, 1837,

1839 James Avenue, Miami Beach

Eden Roc Hotel, 4525 Collins Avenue, Miami Beach

Stardusr, 910 Collins Avenue, Miami Beach

Caritas Alegre Adult Day Care, 2407 NW 7 Street, Miami

Florida Atlantic University Athletic Stadium –

Seating, 777 Glades Boulevard, Boca Raton

Florida Atlantic University Athletic Stadium –

Parking, 777 Glades Boulevard, Boca Raton

Florida Institute of Technology Aquatic Center,

3015 Panther Place, Melbourne

A copy of the agenda may be obtained by contacting: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Department of Community Affairs, Florida Building Commission** announces a hearing to which all persons are invited.

DATE AND TIME: June 7, 2011, 8:30 a.m. or as soon thereafter as the matter is brought before the Commission in accordance with its agenda

PLACE: University, Florida Hilton, 1714 S. W. 34th Street, Gainesville, FL 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To accept additional public comment related to the 2010 edition of the Florida Building Code adopted in this rule by reference, including a report of legislative actions from the 2011 session; comments pertaining to code modifications necessary to address issues identified in Section 553.73(8), F.S.; and other issues raised pursuant to Chapter 120, F.S.

A copy of the agenda may be obtained by contacting: Mo Madani, Program Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)921-2247.

Pursuant to the provisions of 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: Mo Madani, Program Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)921-2247. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF LAW ENFORCEMENT

The **Region XIV Trust Fund Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2011, 10:00 a.m.

PLACE: Miami Dade College, North Campus, Room 9118, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV reports and other Region XIV business matters.

A copy of the agenda may be obtained by contacting: Maevis Manoly, Interim, Region XIV Secretary, (305)237-1237 or email: mmanoly1@mdc.edu.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: March 28, 2011, 3:00 p.m. (EST) until conclusion of business

PLACE: Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Executive Team Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone, (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399 or phone (850)414-4105.

FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, April 6, 2011; April 20, 2011; April 27, 2011, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, (850)488-1293.

Pursuant to the provisions of 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: Florida Parole Commission at ada@fpc.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.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: April 5, 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 at (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, Tallahassee, Florida.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: April 6, 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: 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, Tallahassee, Florida.

*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/>.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: March 29, 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).

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: March 28, 2011, 1:00 p.m.

PLACE: Suwannee River Economic Council Meeting Room, 114 Southwest Community Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Lafayette 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 **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: April 7, 2011; Planning & Growth Management Committee, 8:30 a.m.; Personnel, Budget & Finance Committee, 9:30 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Policy Committee immediately following the Board meeting.

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde, (904)279-0880 or sforde@nefrfc.org.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2011, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

Pursuant to the provisions of 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: 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: Avera Wynne at (727)570-5151, ext. 30 or email: avera@tbrpc.org.

The **Tampa Bay Regional Planning Council**, Regional Planning Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2011, 1:30 p.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 Regional Planning Advisory Committee.

For more information, you may contact: Avera Wynne at (727)570-5151, ext. 30 or email: avera@tbrpc.org.

The **South Florida and Treasure Coast Regional Planning Councils** announce a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 25, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: Broward Metropolitan Planning Organization, 100 West Cypress Creek Road, Suite 840, Fort Lauderdale, Florida 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southeast Florida Regional Partnership executive committee meeting to discuss the U.S. HUD Sustainable Communities Planning Grant.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021; telephone: (954)985-4416. The Southeast Florida Regional Partnership executive committee is comprised of elected and appointed leaders from Southeast Florida, including members of the South Florida and Treasure Coast Regional Planning Councils.

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

DATE AND TIME: Monday, April 4, 2011, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Proposed Local Government Comprehensive Plan Amendment for Town of Davie. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Pembroke Park, Margate and Cooper City. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings.

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 1, 2011, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics at website: www.ethics.state.fl.us or (850)488-7864.

Pursuant to the provisions of 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: Commission on Ethics at (850)488-7864. If you are 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.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District**, Agricultural Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 30, 2011, 1:30 p.m.

PLACE: Holiday Inn Daytona, 2620 W. International Speedway Blvd., Daytona Beach, FL 32114 (One or more members of the Governing Board may attend)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of proposed changes to the District's regulatory programs through the implementation of an Agricultural Assistance Team (Ag-Team). The Ag-Team staff will assist

growers/producers through the permit application process, perform any analysis and modeling that may be needed, and assist with reporting and permit compliance requirements. The agricultural community is invited to give input to this new initiative.

In addition, the meeting will include a discussion of minimum flows and levels (MFL) prevention and recovery strategies.

A copy of the agenda may be obtained by contacting: Vince Singleton at (386)329-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vince Singleton at (386)329-4197. 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 **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, March 25, 2011, 6:00 p.m.

PLACE: The Florida Aquarium, 701 Channelside Drive, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough County Adopt-A-Pond Lake, Pond & Stream Night: Educational seminar. SWFWMD Governing and Basin Board members may attend.

A copy of the agenda may be obtained by contacting: Jennifer Aragon, Hillsborough County Adopt-A-Pond at (813)744-5671 or email: aragonj@hillsboroughcounty.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: SWFWMD, Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103; email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Virginia Sternberger @WaterMatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4753 (Ad Order EXE0123).

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 29, 2011, 9:00 a.m.
PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: LuAnne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0122).

Pursuant to the provisions of 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; 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.

DATE AND TIME: March 28, 2011, 9:30 a.m. – 11:30 a.m.
PLACE: B-1 2B Bridge Conference Room, 3301 Gun Club Rd., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of East Coast Floridan Aquifer System Model Phase II.

A copy of the agenda may be obtained by contacting: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>.

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

For more information, you may contact: Hope Radin at (561)682-2120.

The **Loxahatchee River Management Coordinating Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2011, 2:00 p.m.

PLACE: River Center, 805 North U.S. Highway One, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

A copy of the agenda may be obtained by contacting: Gardenia Banks Long, South Florida Water Management District, 780 Southeast Indian Street, Stuart, Florida 34997, email: glong@sfwmd.gov, www.sfwmd.gov, (772)223-2600, ext. 3617.

Pursuant to the provisions of 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: Jacki McGorty, District Clerk 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).

For more information, you may contact: Gardenia Banks Long at (772)223-2600, ext. 3617.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2011, 9:30 a.m. – 11:30 a.m.
PLACE: 3301 Gun Club Rd., B-1 2B Bridge Conf. Rm., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of East Coast Floridan Aquifer System Model Phase II.

A copy of the agenda may be obtained by contacting: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>.

Pursuant to the provisions of 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: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>. If you are 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: Hope Radin, (561)682-2120.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 1, 2011, 10:00 a.m. (EDT)
PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142039

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of initiatives the Advisory Council and the Department wish to undertake.

A copy of the agenda may be obtained by contacting: Whitney Hults-Richartz, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2318, email: hultsw@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Whitney Hults-Richartz, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2318, email: hultsw@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Whitney Hults-Richartz, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2318, email: hultsw@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, May 11, 2011, 1:00 p.m.; Thursday, May 12, 2011, 9:00 a.m.

PLACE: Crowne Plaza Tampa East Hotel, 10221 Princess Palm Avenue, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

The **Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, July 27, 2011, 1:00 p.m.; Thursday, July 28, 2011, 9:00 a.m.

PLACE: The Renaissance Resort at World Golf Village, 500 South Legacy Trail, St. Augustine, Florida 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

The **Board of Professional Geologists** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, October 26, 2011, 1:00 p.m.; Thursday, October 27, 2011, 9:00 a.m.

PLACE: The Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2011, 1:30 p.m.

PLACE: South Florida Water Management District, Martin Service Center, 780 S. E. Indian Street, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a technical meeting to discuss detailed allocations related to the St. Lucie River and Estuary Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the St. Lucie Nutrient Total Maximum Daily Load (TMDL). Technical meetings serve a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding the development of the St. Lucie River Basin Management Action Plan.

A copy of the agenda may be obtained by contacting: Ms. Bonita Gorham, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3000, Tallahassee, Florida 32399-2400, or by e-mail at bonita.gorham@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Bonita Gorham at (850)245-8513. If you are 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 **Acquisition and Restoration Council (ARC)** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, April 15, 2011, 9:00 a.m. (Only); April 14, 2011 Public Hearing has been CANCELLED and will be held April 15, 2011

PLACE: Marjory Stoneman Douglas Building, Conference Rooms A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The previously noticed meeting of the Acquisition and Restoration Council (ARC) for the purpose of conducting business will proceed as scheduled and public testimony will be heard on the above date. The public hearing for April 14, 2011 has been CANCELLED.

A copy of the agenda may be obtained by contacting: Teresia Whalen, Office of Environmental Services at (850)245-2784 or on the web at www.floridaforever.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: Teresia Whalen, Office of Environmental Services at (850)245-2784 or on the web at www.floridaforever.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: Teresia Whalen, Office of Environmental Services at (850)245-2784 or on the web at www.floridaforever.org.

DEPARTMENT OF HEALTH

The Florida **Coordinating Council for the Deaf and Hard of Hearing, Education / Medical / Outreach Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, April 13, 2011, 8:30 a.m. (EDT)

PLACE: 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 communication accessibility in the education and medical fields for Floridians with Hearing Loss.

A copy of the agenda may be obtained by contacting: info@fccdhh.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: MaryGrace_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: MaryGrace_Tavel@doh.state.fl.us, (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

The **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 8, 2011, 8:30 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or website: www.doh.state.fl.us/mqa/chiro/index.html.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are 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: Sherra W. Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 39399-3257.

The **Board of Pharmacy**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 29, 2011, 9:00 a.m.

PLACE: Conference Call Number 1(888)808-6959; Conference Code: 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration cases.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy, (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Members and Board of Directors of South Florida State Hospital Financing Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2011, 10:00 a.m., EST

PLACE: One Park Place, Suite 700, 621 N. W. 53rd Street, Boca Raton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purposes of (1) the appointment by the Members of a successor Member of the Corporation to succeed Patricia

Persante, who has resigned as a Member and (2) consideration by the Members and Board of Directors of the Corporation of a proposed amendment to the Bylaws of the Corporation.

A copy of the proposed amendment is as follows:

First Amendment to the Bylaws of South Florida State Hospital Financing Corporation

Section 1 of Article I of the Bylaws of South Florida State Hospital Financing Corporation (the "Corporation") adopted by a written consent of the Members of the Corporation dated August 5, 1998 and a written consent of the Directors of the Corporation dated August 5, 1998 is hereby amended and restated to read as follows:

Section 1. Membership. On February 11, 2011 Patricia Persante, a former Member of the Corporation, resigned leaving Ron Maddux and Wayne H. Calabrese as the remaining Members of the Corporation.

Pursuant to Article I Section I of the Bylaws of the Corporation Ron Maddux and Wayne H. Calabrese have appointed the State of Florida Department of Children and Family Services (the "Department") as a Member of the Corporation to succeed Patricia Persante. Upon the resignation of Ron Maddux and Wayne H. Calabrese as Members of the Corporation the Corporation shall have a membership consisting solely of the Department.

Section 3 of Article III of the Bylaws of the Corporation as adopted by the written consents of the Members and Directors of the Corporation dated August 5, 1998 is hereby amended and restated to read as follows:

Section 3. Appointment and Term. The current members of the Board of Directors of the Corporation are Wayne H. Calabrese, Ron Maddux, and John J. Bulfin, who shall serve until the next annual meeting of the Corporation and until their successor is elected or appointed, or their earlier death, resignation, or removal. Their successors shall be elected by the Members, or in the event that the Department is the sole Member they shall be appointed by the Department as the sole Member.

Except as expressly set forth in this First Amendment, the Bylaws of the Corporation as adopted by the written consents of the Members and Directors of the Corporation dated August 5, 1998, are hereby ratified and shall remain in full force and effect.

A copy of the agenda may be obtained by contacting: Frank Dichio, Privatized Facilities Contract Manager, Florida Department of Children and Families, 1317 Winewood Boulevard, Building 6, Room 231, Tallahassee, FL 32399-0700, (850)921-0547, Fax: (850)487-1307, frank_dichio@dcf.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Frank Dichio, Privatized Facilities Contract Manager, Florida Department of Children and Families, 1317

Winewood Boulevard, Building 6, Room 231, Tallahassee, FL 32399-0700, (850)921-0547, Fax: (850)487-1307, frank_dichio@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Frank Dichio, Privatized Facilities Contract Manager, Florida Department of Children and Families, 1317 Winewood Boulevard, Building 6, Room 231, Tallahassee, FL 32399-0700, Phone: (850)921-0547, Fax: (850)487-1307, frank_dichio@dcf.state.fl.us.

The **Department of Children and Families**, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: PLEASE NOTE CHANGE OF DATE FROM MARCH 30, 2011 TO April 6, 2011, 10:00 a.m.

PLACE: Department of Children and Families, 1055 US Hwy 17 North, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the Polk County Baker Act Transportation Exception for Children at Winter Haven Hospital – Center for Psychiatry.

A copy of the agenda may be obtained by contacting: Janet Daigle, DCF/SAMH (863)534-7346.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Daigle, DCF/SAMH (863)534-7346. If you are 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: Janet Daigle, DCF/SAMH, (863)534-7346.

The **Department of Children and Families** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 6, 2011, 9:00 a.m. – 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959/Code: 4882881

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of the review of all aspects of the Department's adult protection system and identify areas that need improvement.

The Department of Children and Family Services complies with state and federal non discrimination laws and policies that prohibit discrimination based on age, color, disability, national origin, race, or sex.

A copy of the agenda may be obtained by contacting: Adult Protective Services Program, (850)488-2881.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Adult Protective Services Program, (850)488-2881. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robert Anderson, State Director, Adult Protective Services, (850)488-2881.

The **Collier Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 30, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Catholic Charities, 2210 Santa Barbara Blvd., Naples, FL 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Collier Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335. If you are 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: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

The **Department of Children and Family Services**, Agency For Persons with Disabilities announces a hearing to which all persons are invited.

DATE AND TIME: April 5, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Process and criteria for determining eligibility for services provided to persons with developmental disabilities.

A copy of the agenda may be obtained by contacting: <http://www.apd.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 7 days before the workshop/meeting by contacting: Terri McGarrity, Sr. Management Analyst

Supervisor, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7452, email: terri_mcgarrity@apd.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: Terri McGarrity, Sr. Management Analyst Supervisor, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7452, email: terri_mcgarrity@apd.state.fl.us.

The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2011, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Drive, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14, (863)413-3360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: APD Area 14, (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: APD Area 14, (863)413-3360.

The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2011, 10:00 a.m.

PLACE: Children's Advocacy Center, 1000 S. Highlands Avenue, Sebring, Florida 33872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14, (863)413-3360.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by

contacting: APD Area 14, (863)413-3360. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: APD Area 14, (863)413-3360.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 1, 2011, 2:00 p.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Avenue, Venice, FL 34285.

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2011, 7:00 p.m.

PLACE: Osceola County Commission Chambers, 4th Floor, Room 4100, 1 Courthouse Square, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comment regarding considerations for the FWC ten-year Management Plan for the Three Lakes Wildlife Management Area (WMA). This hearing is being held exclusively for discussion of the DRAFT Three Lakes WMA Management Plan.

A Management Prospectus for the Three Lakes WMA is available upon request. For a copy, please contact: Larame Ferry, Florida Fish and Wildlife Conservation Commission, Conservation Acquisition and Planning, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-9102.

A copy of the agenda may be obtained by contacting: Larame Ferry at (850)487-9102, e-mail: Larame.Ferry@MyFWC.com.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: April 6-7, 2011, 8:30 a.m. each day
 PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 215 Academy Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Stephanie French-Bergozza, Florida Fish and Wildlife Conservation Commission, (850)487-3796.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

DEPARTMENT OF FINANCIAL SERVICES

The Florida **Department of Financial Services, Division of Workers' Compensation**, announces a meeting of the Three-Member Panel to which all persons are invited.

DATE AND TIME: Tuesday, April 12, 2011, 1:00 p.m. – 3:00 p.m.

PLACE: Edwin Larson Building, Room 116, 200 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Three-Member Panel will meet to consider a single agenda item:

Presentation of the proposed methodology to establish maximum reimbursement allowances (MRAs) for certain CPT codes for hospital outpatient services.

CONTACT: Eric Lloyd, Program Administrator, Office of Medical Services, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, phone (850)413-1689 or eric.lloyd@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Department at least five (5) calendar days before the meeting by contacting: Eric Lloyd at (850)413-1689.

The **Fire and Emergency Incident Information System Technical Advisory Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 18, 2011, 1:00 p.m.

PLACE: Conference Call: (850)413-1591, Conference Code: 287328#; Atrium Building, 3rd Floor, 325 John Knox Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: Maryann.Benson@myfloridacfo.com.

The **Firefighters Employment, Standards and Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 18, 2011, approximately 10 minutes following the adjournment of the Fire and Emergency Incident Information System Technical Advisory Panel meeting which begins at 1:00 p.m.

PLACE: Conference Call: (850)413-1591, Conference Code: 287328#; Atrium Building, 3rd Floor, 325 John Knox Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: Maryann.Benson@myfloridacfo.com.

The **Board of Funeral, Cemetery and Consumer Services**, Probable Cause Panel A announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2011, 10:00 a.m.

PLACE: 111 West Madison Street, Claude Denson Pepper Building, Room 336J, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider the following two (2) disciplinary case with prior findings of probable cause: Alvis Summers, Case No. 110895-10-FC and Summers Funeral Home, Case No. 110897-10-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker at (850)413-3039 or email: 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. If you are 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 MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: March 26, 2011, 11:40 a.m.

PLACE: Post Headquarters Conference Room, Camp Blanding Joint Training Center, Camp Blanding, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting. The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armory Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IN ACCORDANCE WITH Section 286.0105, Florida Statutes. A copy of the agenda may be obtained by contacting: Sondra Vaughn, (904)823-0201.

Pursuant to the provisions of 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: Sondra Vaughn, (904)823-0201. If you are 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 AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces the following meetings to which all persons are invited:

FAJUA Finance Committee Meeting

DATE AND TIME: Monday, April 18, 2011, 3:00 p.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Financial Reporting and any other matters that may come before the committee.

Annual Meeting of Members

DATE AND TIME: Tuesday, April 19, 2011, 8:30 a.m.

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 20, 2010; receive Association's annual report; and consider any other matters that may come before the Members.

Board of Governors Meeting

DATE AND TIME: Tuesday, April 19, 2011, to begin immediately following the Annual Meeting

PLACE: Intercontinental Tampa Hotel, 4860 West Kennedy Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

The **Florida Self-Insurers Guaranty Association, Inc.**, Audit Committee of its Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 22, 2011, 11:00 a.m.

PLACE: Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, (850)222-1882.

The **Florida Self-Insurers Guaranty Association, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, March 28, 2011, 2:00 p.m.

PLACE: Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, Florida Self-Insurers Guaranty Association, Inc. 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, FL 32308, (850)222-1882.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center & Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2011, 12:00 Noon

PLACE: Stabile Trustees Boardroom, 12902 Magnolia Drive, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler, (813)745-1888. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2011, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2011, 5:00 p.m.

PLACE: 720 North Denning Drive, Winter Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz, (407)623-1070 or email: lkutz@cilorlando.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 business days before the workshop/meeting by contacting: Luana Kutz, (407)623-1070 or email: lkutz@cilorlando.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: Luana Kutz, (407)623-1070 or email: lkutz@cilorlando.org.

DISABILITY SOLUTIONS FOR INDEPENDENT LIVING, INC.

The **disAbility Solutions for Independent Living, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: March 30, 2011, 4:00 p.m.

PLACE: 119 S. Palmetto Avenue, Suite 180, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: DSIL will be holding an Audit Committee Meeting of Board Members to review the Audit Report as a result of the Audit that was recently performed on the agency.

Pursuant to the provisions of 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: email: kristine@dsil.org, phone: (386)255-1812 or TTY (386)252-6222. If you are 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: email: kristine@dsil.org, phone: (386)255-1812 or TTY (386)252-6222.

FLORIDA ENERGY AND CLIMATE COMMISSION

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2011, 1:00 p.m. – until completion

PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy & Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business. Staff will conduct the meeting from 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. The dial-in number is (866)233-5216 and the conference code is 5654699.

A copy of the agenda may be obtained by contacting: Jacqueline 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: Jacqueline 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).

For more information, you may contact: Jacqueline Warr at (850)487-3800.

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2011, 9:00 a.m. – 12:00 Noon Eastern.

PLACE: R. A. Gray Building Auditorium, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: The briefing will review HB 7109, HB 1565 and EO 11-01 regarding rulemaking process changes.

A copy of the agenda may be obtained by contacting: Vicky Baker at Vicky.Baker@FloridaSBRAC.org or (850)473-7816.

Pursuant to the provisions of 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: Vicky Baker at Vicky.Baker@FloridaSBRAC.org or (850)473-7816. If you are 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: Hannah Sharp at Hannah.Sharp@FloridaOSBA.org or (850)473-7817, to RSVP.

MONROE COUNTY LOCAL COORDINATING BOARD FOR TRANSPORTATION DISADVANTAGED

The **Health Council of South Florida, Monroe County Local Coordinating Board for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 1, 2011, 11:00 a.m.

PLACE: Marathon Government Center, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Monroe County Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Shelley-Anne Glasgow-Wilson, Health Council of South Florida at email: sglasgow@healthcouncil.org or phone (305)592-1452, ext. 107.

SOIL AND WATER CONSERVATION DISTRICTS

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: March 21, 2011, 8:15 a.m.

PLACE: Madison Service Center, 1416 U.S. 90 E., Madison, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, Swearing in new Supervisors.

A copy of the agenda may be obtained by contacting: (850)973-6595, ext 101.

STANTEC

The **City of Palm Coast** announces a hearing to which all persons are invited.

DATE AND TIME: April 11, 2011, 6:00 p.m.

PLACE: 305 Palm Coast Parkway N.E., Palm Coast, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The City of Palm Coast will conduct a public hearing for the proposed improvements to Old Kings Road in Palm Coast, Florida, Financial Aid #415964-1-28-01 and 415692-1-28-01. The proposed improvement involves Old Kings Road Widening and Extension from Palm Coast Parkway to Forest Grove Drive (Widening), for a length of 3.3 miles and from Forest Grove Drive to Old Kings Road (Extension), for a length of 1.43 miles.

A copy of the agenda may be obtained by contacting: Frank Domingo at frank.domingo@stantec.com or 1(866)894-5766.

Pursuant to the provisions of 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: Frank Domingo at frank.domingo@stantec.com or 1(866)894-5766. If you are 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: Frank Domingo at frank.domingo@stantec.com or 1(866)894-5766.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Bottle Club, LLC, Docket Number DS 2011-019. The petition seeks the agency's opinion as to the applicability of Section 561.14(6), Florida Statutes as it applies to the petitioner.

The Petitioners request a declaratory statement inquiring whether a licensee holding a 4-COP alcoholic beverage license may close its establishment at a predetermined time, then allow a separate licensee to open a bottle club at the same location

during the hours when the 4-COP license is not active. Petitioner's state that all alcohol used for the 4-COP license would be stored in a locked cabinet, and not consumed during the bottle club's hours or operation.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Michael Ross, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Delray Grande Condominium Association, Inc., Docket No. 2010062055 on December 17, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division may not issue a statement where persons who will be affected by the decision are not parties to the proceeding; or when there are facts in dispute; or when the question is moot.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony C. Apfelbeck, filed on December 6, 2010. The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 52, of the December 30, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on January 14, 2011.

The Board's Order, filed on February 18, 2011, denies the Petition for Declaratory Statement of Section 713.135, Florida Statutes. Petitioner is substantially affected as required by Section 120.565, Florida Statutes. The Board does not have jurisdiction to interpret Section 713.135, Florida Statutes. Therefore the Board denies the Petition for Declaratory Statement.

A copy of the Board's Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Edmund J. Dagner, filed on October 15, 2010. The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 48, of the December 3, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on January 14, 2011. The petition requested the Board's interpretation of Section 489.117(4)(a), Florida Statutes, and whether Lake County may continue to locally register and license marine specialty contractors and if the registered marine specialty contractor must register with Construction Industry Licensing Board.

The Board's Order, filed on February 18, 2011, answers the Petition for Declaratory Statement that pursuant to Section 489.117(4)(a), Florida Statutes, a locally licensed person whose job scope does not substantially correspond to that of a certified specialty contractor established by Board rule is not required to register with the Board to perform within the respective job scope.

Therefore, the Board answers the question in the affirmative. Lake County may locally register and license marine specialty contractors, and those locally registered marine specialty contractors are not required to register with the Board.

A copy of the Board's Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Teddy Medsker, filed on October 10, 2010. The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 48, of the December 3, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on January 14, 2011. The petition requested the Board's interpretation of Section 489.105(3)(m), Florida Statutes, and whether plumbing contractors are properly licensed, according to construction industry licensing requirements pursuant to Section 489.105(3)(m), Florida Statutes, to install, maintain, repair, alter, extend or, when not prohibited by law, design drainage and supply wells without obtaining any additional local regulatory license, certificate or registration.

The Board's Order, filed on February 18, 2011, answers the Petition for Declaratory Statement. Pursuant to Section 489.105(3)(m), Florida Statutes, a certified plumbing contractor can install and design supply wells.

A copy of the Board’s Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Psychology has received a Petition for Declaratory Statement filed by Douglas S. Marans, on March 4, 2011. The Petitioner seeks the Board’s interpretation of whether the course “Applied Behavior Analysis” would meet the requirements of paragraph 64B19-13.003(1)(b), F.A.C., in fulfillment of the continuing education requirement set forth in statute. The Board will consider this petition at its meeting scheduled for April 22, 2011.

Copies of the petition may be obtained by writing: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

NOTICE IS HEREBY GIVEN that the Department of Health has received the petition for declaratory statement from The Blood Alliance, Inc., 7595 Centurion Parkway, Jacksonville, Florida 32256; Florida Blood Services, Inc., 10100 Dr. Martin Luther King, Jr. St., North, St. Petersburg, FL 33716; Florida Blood Centers, Inc., 8669 Commodity Circle, Orlando, Florida 32819; and LifeSouth Community Blood Centers, Inc., 4039 West Newberry Road, Gainesville, Florida 32608. The petition seeks the agency’s opinion as to the applicability of as it applies to the petitioner.

The petitions seek the agency’s opinion as to the applicability of Section 499.003(17), Florida Statutes, as it applies to the petitioner. The petitions seek a declaratory statement that the provision of prescription drugs to an intracompany branch location of a blood bank from its headquarters and the transport of prescription drugs to and into a hospital in connection with the therapeutic procedures performed at the hospital does not constitute a “distribution” of the drugs.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Gregg Jones, Director, Drugs, Devices and Cosmetics Program, Department of Health, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399.

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 Tim Ippolito, Case No.: 115451-11-FM on February 28, 2011. The following is a summary of the agency’s declination of the petition:

PETITIONER WITHDREW HIS REQUEST FOR PETITION ON MARCH 3, 2011.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, or (850)413-4238, fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@myfloridacfo.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

Notice of Request for Bid

Sun Dome Arena and Convocation Center Renovation Bid
Package-1
Hillsborough County
Tampa, FL.

Skanska USA Building, Inc. the Construction Manager for the University of South Florida Sun Dome Arena and Convocation Center Renovation, hereby solicits proposals for the referenced project in accordance with the proposal documents for Bid Package #1 to include but not limited to the following:

Interior demolition and renovation of the Sun Dome Arena including entry additions and related site work. New arena structure and seating will be provided. Associated support offices and facilities will be constructed within the existing building shell. New mechanical and electrical systems will be provided.

Pre-bid meetings will be held according to the following (as applicable to Bid Package #1):

- Demolition – 9:00 a.m. local time; March 21, 2011
- Structural Steel – 10:00 a.m.. local time; March 21, 2011
- Precast Concrete – 11:00 a.m. local time; March 21, 2011
- HVAC (Equipment) – 1:00 p.m. Local time; March 21, 2011

At the Sun Dome Loading Dock
4202 East Fowler Avenue
Tampa, FL, 33620

Deadline for receipt of Bid Package 1 (Demolition, Electric, Surveyor, Trailer rentals, Waste Disposal Structural Steel, Precast Concrete, Foundations, HVAC.) has been set for 2:00 p.m. on 3/23/2011. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, may be returned.

All interested subcontractors for all trades must be pre-qualified or have completed the pre-qualification process within the last year. This advertisement is to request proposals for all bid packages. Please contact the following person to obtain information, bid package dates or documents about the pre-qualification requirements for this project:

Joe Ostrowski, Senior Estimator
Joseph.ostrowski@skanska.com

Phone: (813)281-3205 – Fax: (866)342-1340

The University of South Florida and Skanska USA, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

Electronic files of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available 3/18/2011. Trade contractors are responsible for the cost of document reproduction.

The University of South Florida and Skanska USA, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda. All questions regarding the work should be directed to Joe Ostrowski by 3/21/2011. The Owner and Architect will not accept calls regarding this project.

NOTICE FOR GENERAL CONTRACTORS

Request for Qualifications

RFQ 11-20

General Contracting Construction Services: Pre-Qualification ≤ \$250,000

The University of North Florida Board of Trustees, a public body corporate, announces that pre-qualified general contractor services will be required for construction/renovation projects budgeted at less than \$250,000 for the University of North Florida located at 1 UNF Drive, Jacksonville, FL 32224. The intent of this solicitation is to pre-qualify several area general contractor firms capable of successfully completing projects with a construction budget of under (or up to) \$250,000.00. The time period for the awarded firms to remain on the UNF Pre-qualified GC list is for a twelve (12) month period, with the opportunity for 2 additional annual renewals based on a review of the services provided during the prior year. The evaluation of each applicant’s submittal will be based on its overall competence, compliance, format and organization as it relates to the defined criteria for this solicitation.

The tentative solicitation schedule for this RFQ:

| | |
|-----------------|----------------------------|
| Advertisement | March 18, 2011 |
| Submissions due | April 19, 2011 @ 2:00 p.m. |
| Evaluation | April/May 2011 |
| Award | May/June 2011 |

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application with all of the appropriate documents from the RFQ 11-20 Pre-qualified GCs.

The letter of application should have attached:

1. The most recent version of the “UNF General Contractor Qualifications Supplement Form,” completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant’s current Florida General Contractor’s License from the appropriate governing board. An applicant must be properly registered at the

time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Certificate of Corporate Authorization.
4. Letter of intent from the surety company stating bonding capacity.
5. Six (6) complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions will be disqualified. Application materials will not be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, F.S., a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractors must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The UNF General Contractor Qualifications Supplemental form, additional information, required forms and the selection criteria may be obtained electronically online at the UNF Purchasing department website http://www.unf.edu/anf/purchasing/Bids_and_Notices.aspx or by emailing:

| | | |
|----------------------|-----------------------------|---------------------|
| Dianna White | AND | Angela Dyal |
| Dianna.white@unf.edu | University of North Florida | angela.dyal@unf.edu |
| (904)620-1731 | Purchasing Dept. Bldg. 53 | (904) 620-1733 |
| | Suite 2950 | |
| | 1 UNF Drive | |
| | Jacksonville, FL 32224 | |

Submit one (1) original and five (5) complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2:00 p.m. local time, on APRIL 19, 2011. Facsimile (FAX) or email submittals are not acceptable and will not be considered.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the School Board of Pinellas County, Florida, 301 – Fourth Street S. W., Largo, Florida 33770-3536 until 4:00 p.m. (Local Time), April 7, 2011, for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below.

SEALED BID NO.: 11-968-213

BID TITLE: Exterior/Interior Painting

DUE DATE: April 7, 2011

SCOPE OF PROJECT: This bid will select a “General or Painting Contractor”. The work shall consist of furnishing all materials, labor, tools, equipment and supervision required to

paint the interiors and exteriors at the following schools shown below. Specifications are “free of charge” see information in these bid documents.

| SCHOOLS | LOCATION | SCOPE |
|----------------------------|---|--|
| Lakewood Elementary School | 1400-54th Avenue S., St. Petersburg, FL 33705 | Repaint interior of all school buildings, 1, 2, 3, 4, 5, which includes all painted storage buildings, classrooms, workrooms, maintenance buildings, hallways, closets, storage rooms, shower areas, restrooms, offices, supply rooms, mechanical rooms, air handler rooms and common areas. |
| Oldsmar Elementary School | 302 W Dartmouth Avenue Oldsmar, FL 34677 | Repaint interior of all school buildings, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, which includes all painted storage buildings, classrooms, workrooms, maintenance buildings, hallways, closets, storage rooms, shower areas, restrooms, offices, supply rooms, mechanical rooms, air handler rooms and common areas. |
| Tarpon Springs High School | 1411 Gulf Rd., Tarpon Springs, FL 34689 | Repaint and or waterproof exterior of school buildings, storage building, maintenance buildings, walkways, signs, planters, concession stands, dug outs and install or replace exterior signage. |

BID & PERFORMANCE SECURITY: Bid and Performance Security is required with this bid.

PRE-BID CONFERENCE: A pre-bid conference will be held at each school in the Main Office at the prescribed location, date and time shown in the table below. Attendance at this pre-bid conference is MANDATORY in order for all potential bidders to receive the benefit of answers to theirs and other’s technical questions first hand. If you are not the prime bidder but are attending on behalf of someone else, please make note of this when signing the attendance roster where indicated. We apologize for any inconvenience this may cause you, but it is imperative that all information be disseminated in a public forum with all potential bidders present to minimize confusion or misunderstandings. Additions or changes to the original bid documents resulting from this conference of a material nature, will be documented in the form of written addenda and distributed to all attendees. Please note that if you are late to this mandatory pre-bid conference you will not be eligible to sign the attendance roster and therefore may not submit a bid. You may still, however, attend the conference if you wish. (Sign-in at the front desk, and you will escorted to the pre-bid room for the “official” sign-in).

| SCHOOLS | LOCATION | DATE / TIME |
|----------------------------|---|-----------------------------|
| Lakewood Elementary School | 1400-54th Avenue S., St. Petersburg, FL 33705 | March 16, 2011 @ 9:00 a.m. |
| Oldsmar Elementary School | 302 W Dartmouth Avenue, Oldsmar, FL 34677 | March 16, 2011 @ 11:00 a.m. |
| Tarpon Springs High School | 1411 Gulf Rd., Tarpon Springs, FL 34689 | March 16, 2011 @ 1:30 p.m. |

Purchasing Department
 301 Fourth Street, S. W.
 Largo, Florida 33770
 (727)588-6149
 (727)588-6129 (Fax)

The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. JULIE M. JANSSEN, ED.D CAROL J. COOK
 SUPERINTENDENT OF SCHOOLS CHAIRMAN
 AND EX-OFFICIO SECRETARY
 TO THE SCHOOL BOARD LINDA BALCOMBE
 DIRECTOR, PURCHASING

STATE BOARD OF ADMINISTRATION

INVITATION TO NEGOTIATE

The State Board of Administration (the "SBA") announces the following meeting dates, times, and locations with respect to an Invitation to Negotiate (ITN) for general consultant services and/or public market implementation consultant services. A meeting will be held on March 28, 2011, to discuss and evaluate the responses received. Interviews, if necessary, will be held April 11, 2011. A meeting will be held on June 1, 2011 to select the finalist to provide general consultant services and/or public market implementation consultant services. All meetings are open to the public and shall take place at the times and locations shown below:

TIME: All meetings shall begin at 10:00 a.m. (EST) and continue until the conclusion of business.

PLACE: The meetings shall take place in the Hermitage Room, 1801 Hermitage Blvd., Tallahassee, Florida 32308.

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA's website at <http://www.sbafla.com> at least 7 days prior to the meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact: Pam Noda at (850)413-1381, pam.noda@sbafla.com or by mail: 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

WATER MANAGEMENT DISTRICTS

NOTICE OF REQUEST FOR QUALIFICATIONS NO. 10/11-022WR

The Suwannee River Water Management District is requesting qualifications from consulting firms to assist in the planning-level conceptualization of water resource development projects to recover Upper Floridan aquifer levels and prevent additional water resources impacts.

The RFQ outlines the scope of services and all general and specific conditions. All qualifications submitted to perform the requested services must be prepared in accordance with the RFQ document.

A copy of this RFQ is available at: www.mysuwanneeriver.com OR requests for the RFQ document may be directed to:

Debbie Davidson, Business Resource Specialist II
 Suwannee River Water Management District
 9225 CR 49
 Live Oak, FL 32060
 (386)362-1001 or (800)226-1066 (Florida only)

A mandatory letter of interest must be submitted in pdf format to Debbie Davidson at dad@srwmd.org no later than 4 p.m. on March 28, 2011. There will be a mandatory pre-qualification webinar meeting at 3:00 p.m. on April 5, 2011.

The qualifications are due at SRWMD headquarters in Live Oak prior to 4:00 p.m., April 19, 2011.

REQUEST FOR PROPOSALS No. 10/11-021EO

The Suwannee River Water Management District (referred to as "District") is requesting sealed proposals for legal counsel for the District's Governing Board and for District staff.

The proposed schedule for this request for proposals is shown below:

- March 18, 2011 Release of Request for Proposals (RFP)
- April 1, 2011 Proposals due prior to 4:00 p.m., at District Headquarters in Live Oak. Opening will occur at this time.*
- April 12, 2011 Selection Committee Meeting for Governing Board counsel at 9:00 a.m., at District Headquarters in Live Oak.*
- April 26, 2011 Selection Committee Meeting for staff counsel at 9:00 a.m., at District Headquarters in Live Oak.*

*Denotes a public meeting.

Any individual or firm desiring to obtain additional information and a copy of the proposal package may do so by visiting the District's website at www.mysuwanneeriver.com or by contacting:

Kristel Callahan, Business Resource Specialist II
 Suwannee River Water Management District
 9225 CR 49
 Live Oak, Florida 32060

Email: kjc@srwmd.org

Phone: (386)362-1001

(800)226-1066 (Florida only)

Fax: (386)362-1056

Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District at the above address and phone numbers.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BID NO. BDC 31-10/11

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below. Contractor must be certified by the Florida Department of Transportation.

PROJECT NAME: Florida Keys Overseas Heritage Trail-Lower Sugarloaf to Summerland Key Trail Segment, MM16.5-MM25.5

SCOPE OF WORK: The Contractor shall provide the necessary labor, materials, equipment, and supervision required to construct an 8' to 12' wide paved bicycle/pedestrian trail and associated improvements on the bay side and ocean side of U.S. 1 between MM16.5 to MM25.5 as part of the Florida Overseas Heritage Trail.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$3,087,092.00

LOCATION: Between MM16.5 and MM25.5 on Florida Keys Overseas Heritage Trail

PROJECT MANAGER: Todd McGee, Office of Greenways and Trails, 3900 Commonwealth Blvd., MS #795, Tallahassee, Florida 32399-2400, Telephone Number: (850)245-2070

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on March 18,

2011, 3900 Commonwealth Boulevard, Florida 32399
 Attention: Todd McGee, Construction Projects Manager,
 telephone: (850)245-2052, fax: (850)245-2082

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

E-VERIFY: Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida and all persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, April 19, 2011 to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, May 3, 2011 unless extended by the Department for good cause.

NOTICE OF RIGHTS; Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, FAX: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), F.S., shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, F.A.C. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID

BID NO. BDC 32-10/11

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below. Contractor must be certified by the Florida Department of Transportation.

PROJECT NAME: Florida Keys Overseas Heritage Trail-Layton to Channel 5 Bridge Trail Segment, MM68.4-MM70.8

SCOPE OF WORK: The Contractor shall provide the necessary labor, materials, equipment, and supervision required to construct an 8' to 12' wide paved bicycle/pedestrian trail with associated work adjacent to the ocean side of U.S. 1 within the DOT right-of-way.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$1,490,600.00

LOCATION: Between MM68.4-MM70.8 on Florida Keys Overseas Heritage Trail

PROJECT MANAGER: Todd McGee, Office of Greenways and Trails, 3900 Commonwealth Blvd., MS #795, Tallahassee, Florida 32399-2400, telephone number: (850)245-2070

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on March 18, 2011, 3900 Commonwealth Boulevard, Florida 32399 Attention: Todd McGee, Construction Projects Manager, telephone: (850)245-2052, fax: (850)245-2082

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, F.S., for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling (800)955-8771 (TDD) or (800)955-8770 (Voice).

E-VERIFY: Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida and all persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

BID SUBMITTAL DUE DATE: No later than 4:00 p.m. (ET), Tuesday, April 19, 2011 to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, May 3, 2011 unless extended by the Department for good cause.

NOTICE OF RIGHTS; Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, FAX: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), F.S., shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, F.A.C. A bid protester shall comply with these statutes and rules.

WEST CENTRAL FLORIDA AREA AGENCY ON AGING, INC.

**REQUEST FOR INFORMATION
2012 Older Americans Act Program**

The West Central Florida Area Agency on Aging, Inc. (WCFAAA) is seeking Letters of Interest and Statements of Qualification from qualified agencies and organizations interested in providing an array of supportive, nutrition, and caregiver services under the Older Americans Act (OAA) to older persons residing in the planning and service area known as PSA 6. PSA 6 encompasses Hillsborough, Polk, Manatee, Highlands, and Hardee Counties. Interested agencies are required to have the capability of providing an array of services throughout the entire county of interest effective January 1, 2012 through December 31, 2012.

The "Request for Letters of Interest and Statements of Qualification" (RFI) process will provide WCFAAA with information concerning the availability of qualified contractors for OAA services in the five county planning and service area. The information received from qualified contractors will be used to determine if a full Request for Proposal (RFP) is necessary (due to interest from two or more qualified service contractors for the same services in the same county) or if a sole source procurement process will be used.

The services to be provided include: Adult Day Care, Caregiver Support Services, Congregate Meals, Grandparent Support Services, Health Support, Homemaker, Home Delivered Meals, Housing Improvement, Legal Assistance, Nutrition Counseling (Individual), Nutrition Education, Outreach, Respite (In-Home and Facility Based), and Transportation. Caregiver Support Services, Grandparent Support Services, Housing Improvement, and Legal Assistance may be bid as part of the array of services or as individual services in each county.

Details for the RFI may be obtained beginning Friday, March 18, 2011 at 9:00 a.m. (EDT) at the office of the West Central Florida Area Agency on Aging, Inc., or by accessing the Resources link on the agency's web site (www.agingflorida.com).

Responses to this Request for Letters of Interest and Statements of Qualification are due at the office of the West Central Florida Area Agency on Aging, Inc., located at 5905 Breckenridge Parkway, Suite F, Tampa, Florida 33610-4239, by 3:00 p.m. (EDT) on April 1, 2011.

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY (GACRAA)

REQUEST FOR BIDS

**GNV PROJECT NO 11-001: ACCESS ROAD – PHASE 1
GAINESVILLE – ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the Access Road – Phase 1 project. The work shall include the construction of a two-lane boulevard style roadway with wide median, signing and striping, drainage basins, lighting, landscaping, and irrigation from SR 24 (Waldo Road) towards the existing Gainesville Regional Airport passenger terminal.

Each contractor desiring to bid for the performance of any construction contract located on the National Highway System (NHS) or the State Highway System (SHS) in excess of \$250,000 must be currently certified by the Department of Transportation as qualified in accordance with Section 337.14(1), F.S. and Chapter 14-22, F.A.C.

Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:

1. All persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida; and
2. All persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

Complete sets of bid documents will be available for review or purchase beginning March 18, 2011 at the office of:

R. W. Armstrong
9019 Overlook Blvd, Suite D-4
Brentwood, Tennessee 37027
Phone (615)377-1320, x 406

A non-refundable payment of Two-Hundred dollars and 00/cents (\$200.00) will be required to purchase each set of the bid documents.

A mandatory pre-bid conference will be held on Wednesday, April 13, 2011, at 2:00 p.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N. E. 39th Avenue, Gainesville, Florida 32609.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked:

“GNV Project No. 11-001: ACCESS ROAD – PHASE 1”

and mailed or delivered to the:

Authority’s Administrative Office
Gainesville Regional Airport
Attn: Airport Chief Executive Officer
3880 N. E. 39th Avenue, Suite A
Gainesville, Florida 32609

Bids are due at 3:00 p.m., Wednesday, May 4, 2011 and will be publicly opened at this time. The official clock is located in the Authority’s Administrative Office. Bids received after 3:00 p.m., May 4, 2011 will not be considered.

The Notice of Contract Award will be issued on the basis of the total evaluated proposed cost, provided by the Lowest Responsive Bidder, which, in the Authority’s sole and absolute judgment will best serve the interests of the Authority. GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Authority.

For additional information, contact: Lynn Noffsinger at (352)373-0249, lynn.noffsinger@flygainesville.com.

Request for Bids No: 11-002

CENTRAL RENTAL CAR CLEANING FACILITY

at the Gainesville Regional Airport, Gainesville, Florida

Sealed bids addressed to the Gainesville-Alachua County Regional Airport Authority (GACRAA) for a Central Rental Car Cleaning Facility in accordance with the plans and specifications prepared by Passero Associates, LLC will be accepted and received by GACRAA at the Authority’s Office, 3880 N. E. 39th Street, Suite A, Gainesville, Florida 32609 until 2:00 p.m. on Friday, April 29, 2011 at which time said bids shall be publicly opened and read aloud in the Authority’s Board Room at 3880 N. E. 39th Avenue, Gainesville, FL 32609. This time will be based on the Airport Administration Office clock as the official time.

Any bid received after 2:00 p.m. on Friday, April 29, 2011 will be returned unopened.

A mandatory Pre-Bid Conference on this project will be held on Monday, April 4th, 2011 at 10:30 a.m. in the Passenger Terminal Board Room at 3880 N. E. 39th Avenue, Suite A, Gainesville, FL 32609.

Copies of the bid documents including project drawings and technical specifications are on file and may be inspected at:

Passero Associates, LLC, 13453 N. Main St.,
Suite 106, Jacksonville, FL;
www.passero.com under the ‘Bid’ Tab
Plan Room of Construction Bulletin, Jacksonville, FL;
Central Florida Builders Exchange, Winter Park, FL;
Construction Journal, Stuart, FL;
iSqFT Planroom, Orlando FL;
McGraw Dodge – Hill, Jacksonville, FL;
Mid-State Builders Exchange, Ocala, FL

A complete set of bid documents will be available on Friday, March 18, 2011, and may be obtained from Passero Associates at www.passero.com under the ‘BID’ tab for a non-refundable fee of \$50.00.

Base Bid: Consists of the demolition of the existing car wash facility and the construction of a new prefabricated one-story facility with new parking areas and decorative aluminum fencing. Additional construction included in the base bid are new canopies for the fueling and vacuuming areas, sewer and water service connections, a waste water recovery system, surface water management, an electronic arm gate system, pavement rehabilitation by mill and overlay, pavement markings, signage, and landscaping. The base bid also consists of the construction of a new parking area immediately north of the existing car wash facility. The extension of the existing rental car return parking to the west, associated with airside perimeter road and security fence relocations, and a new security gate system are also included in the Base Bid.

Bid Additive No. 1: Consists of the construction of a new parking area immediately south of the existing carwash including the installation of an electronic arm gate system, associated pavement markings and landscaping.

Bid Additive No. 2: Consists of the rehabilitation of the existing rental car return parking area by mill and asphalt overlay and pavement restriping.

Bid Additive No. 3: Consists of additional landscaping installation along the eastern side of the new car wash and parking area.

Bid envelopes shall be prepared as provided for in Section 20-10 of the General Provisions. Bids shall be submitted in sealed envelopes upon blank forms furnished. Sealed envelopes shall be marked as follows:

“Gainesville – Alachua County Regional Airport Authority”

Bid for: Central Rental Car Cleaning Facility

To be opened Friday, April 29, 2011 at 2:00 p.m.

The Bidder (Proposer) must supply all the information required by the bid or proposal form. A cashier's check, a certified check or a surety bond in the amount of five percent (5%) of the bid must accompany the proposal of each Bidder. Said check or bond must be submitted as security that, should the Bidder be awarded the work, the Bidder will enter into a contract and furnish the necessary bonds, information and insurance certificates within fifteen (15) days from the date of Notice of Award, and, failing to do so, said bid security shall be forfeited to the Owner (Gainesville – Alachua County Regional Airport Authority) as liquidated damages. The Owner reserves the right to reject any and all proposals and to waive technicalities as provided in Section 20-08 of the General Provisions.

The Owner reserves the right to defer award of contract for a period of sixty (60) calendar days after the date of Bid Opening or to reject any or all bids. In case of ambiguity or lack of clearness in stating proposal prices, the Owner reserves the right to adopt the most advantageous interpretation thereof and to accept or reject any informalities or irregularities.

Performance and Payment Bonds will be required as set forth in the INSTRUCTIONS TO BIDDERS. In addition, the successful Bidder shall also furnish to the Owner a Warranty covering defects of material and workmanship for one (1) calendar year following the Owner's approval and written acceptance of the construction.

DBE Policy: It is the policy of GACRAA to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in their contracts. All bidders and proposers shall make good faith efforts, as defined in Appendix A of 49 CFR Part 26, to subcontract 10% of the dollar value of the prime contract to qualified DBE businesses currently certified as such with the State of Florida.

The proposed contract is under and subject to Executive Order 11246 of September 24, 1965, and to the Equal Opportunity Clause. The Bidder's (Proposer's) attention is called to the "Equal Opportunity Contract Specifications" set forth in the specifications.

CANAVERAL PORT AUTHORITY

PUR-RFQ-11-1 PROFESSIONAL SERVICES NOTICE DESIGN SERVICES FOR A CANAVERAL COVE WELCOME CENTER, PEDESTRIAN PROMENADE, LANDSCAPE ARCHITECTURE AND SITE PLANNING IMPROVEMENTS

The CANAVERAL PORT AUTHORITY (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing architectural, landscape and site planning Design Services for a Welcome Center, and a central pedestrian landscape feature associated with the Canaveral Cove area and to provide technical support to staff at Port Canaveral – located in Brevard County, Florida. These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Section 287.055, F.S. The consulting firm(s) will be required to display a recurring knowledge of building design and building engineered systems design, particularly related to welcome centers, exhibit spaces, site design, lighting and landscape design. The Consultant will be coordinating with the other consultants hired by the CPA for the Cove improvements. Supplemental information regarding the design intentions of the Welcome Center and central pedestrian landscape feature as well as the scope and scale of the Canaveral Cove project components is available on CPA's website. All references to CPA's website shall be <http://www.portcanaveral.com/general/bids/php>.

MINIMUM REQUIREMENTS AND EVALUATION CRITERIA

As a minimum, the firms proposing shall have at least ten (10) years experience in work of a similar nature with welcome centers, landscape design and civic spaces and possess all building engineering, architecture, and landscape architecture professional registrations and licenses required in the State of Florida to obtain the typical permits required for a project of this scope. It is recommended that the firm have an office within reasonable proximity to the CPA and demonstrate that they would be able to provide services in a timely manner. The evaluation criteria that will be used to assess firms' qualifications is available on CPA's website.

PROPOSAL CONTENT

As a minimum, proposals shall contain detailed information on the following:

1. Firm history, location, capabilities, etc.
2. GSA Standard Form 330 or equivalent

3. At least five (5) examples and references 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 the firm and all subconsultants are licensed to conduct business in the State of Florida.
11. Provide a written acknowledgement of receipt of the materials related to this RFQ, which are posted on CPA's website.

All RFQ applicants should submit a Bidder Registration Form to the CPA's Purchasing Department in advance of their proposal submittal (see CPA website for form). All RFQ applicants are responsible to check the CPA website for evaluation criteria, the preliminary RFQ process schedule, an overview of the scope and scale of the Canaveral Cove project components, and any addenda that may be issued up to one week prior to the submittal deadline. All RFQ applicants and proposals shall be subject to the Terms and Conditions posted on the CPA's website.

SUBMITTAL SCHEDULE

Firms desiring to provide such professional services to the CPA must furnish six (6) printed copies and one (1) CD (containing complete proposal in pdf format) of their proposal to:

Canaveral Port Authority
Attn: Karen Pappas, Purchasing Department
445 Challenger Road
Cape Canaveral, FL 32920

All proposals shall be delivered to the CPA no later than 5:00 p.m., on Tuesday, March 29, 2011. The selected firm will be required to perform all contract services under a standard CPA service contract, a sample of which may be requested by contacting Karen Pappas, Purchasing Department, Canaveral

Port Authority by email kpappas@portcanaveral.com or via phone at (321)783-7831. All notices and additional schedule information will be posted on CPA's website.

PUR-RFQ-11-2 PROFESSIONAL SERVICES NOTICE DESIGN SERVICES FOR SITE IMPROVEMENTS, STORMWATER, PARKING, UTILITIES AND CONSTRUCTION MANAGEMENT ASSOCIATED WITH CANAVERAL COVE

The CANAVERAL PORT AUTHORITY (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing engineering Design Services for stormwater, parking, utility site improvements, and construction management associated with Canaveral Cove for Port Canaveral – located in Brevard County, Florida. These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Section 287.055, F.S. The consulting team will be required to display a recurring knowledge of stormwater design, utility design, survey, geotechnical, landscaping design, and construction management. The Consultant will be coordinating with other consultants hired by the CPA for the Cove improvements. Supplemental information regarding the scope and scale of the Canaveral Cove project components is available on CPA's website. All references to CPA's website shall be <http://www.portcanaveral.com/general/bids/php>.

MINIMUM REQUIREMENTS AND EVALUATION CRITERIA

As a minimum, the firms proposing shall have at least ten (10) years experience in work of a similar nature with site engineering and construction management, and possess all civil engineering, structural engineering and electrical engineering professional registrations and licenses required in the State of Florida to obtain the typical permits required for a project of this scope. It is recommended that the firm have an office within reasonable proximity to the CPA and demonstrate that they would be able to provide services in a timely manner. The evaluation criteria that will be used to assess firms' qualifications is available on CPA's website.

PROPOSAL CONTENT

As a minimum, proposals shall contain detailed information on the following:

1. Firm history, location, capabilities, etc.
2. GSA Standard Form 330 or equivalent
3. At least five (5) examples and references 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 the firm and all subconsultants are licensed to conduct business in the State of Florida.
11. Provide a written acknowledgement of receipt of the materials related to this RFQ, which are posted on CPA's website.

All RFQ applicants should submit a Bidder Registration Form to the CPA's Purchasing Department in advance of their proposal submittal (see CPA website for form). All RFQ applicants are responsible to check the CPA's website for evaluation criteria, the preliminary RFQ process schedule, an overview of the scope and scale of the Canaveral Cove project components, and any addenda that may be issued up to one week prior to the submittal deadline. All RFQ applicants and proposals shall be subject to the Terms and Conditions posted on the CPA's website.

SUBMITTAL SCHEDULE

Firms desiring to provide such professional services to the CPA must furnish six (6) printed copies and one (1) CD (containing complete proposal in pdf format) of their proposal to:

Canaveral Port Authority
 Attn: Karen Pappas, Purchasing Department
 445 Challenger Road
 Cape Canaveral, FL 32920

All proposals shall be delivered to the CPA no later than 5:00 p.m., on Tuesday, March 29, 2011. The selected firm will be required to perform all contract services under a standard CPA service contract, a sample of which may be requested by contacting Karen Pappas, Purchasing Department, Canaveral

Port Authority by email kpappas@portcanaveral.com or via phone at (321)783-7831. All notices and additional schedule information will be posted on CPA's website.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

RFP 2011-EM-9000 Discovering Personal Genius
 REQUEST FOR PROPOSALS (FDDC # 2011-EM-9000)
 Discovering Personal Genius

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2011-EM-9000) is released in order to implement the Discovering Personal Genius (DPG) model in several school districts in Florida. By utilizing the DPG process, high school students with developmental disabilities will have an effective vocational profile that will improve their post-secondary employment opportunities.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The anticipated award for this project is expected not to exceed \$100,000.00. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC at 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is 4/8/2011 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of 4/11/2011. The deadline for submitting proposals for this RFP to FDDC is 4/29/2011 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fddc.org) ON 3/18/2011.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

TAMPA AIRPORT

NOTICE TO PROFESSIONAL CONSULTANTS

HILLSBOROUGH COUNTY AVIATION AUTHORITY

The Hillsborough County Aviation Authority, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, is interested in acquiring professional design services for the following projects:

LANDSIDE TERMINAL RESTROOM REFURBISHMENT AND RELATED WORK

TAMPA INTERNATIONAL AIRPORT

HCAA PROJECT NO. 5765 11

FAA AIP #3-12-0078-XX-2011

This project provides for the upgrade and refurbishment of all public restroom facilities on the transfer and ticket levels as well as select restrooms on the baggage claim levels. The scope of work will include re-design of the restrooms, associated mechanical chases and adjacent janitorial closets.

A more detailed scope of services will be included in the formal request for professional services.

RFQ posted on web site: By 5:00 p.m. on March 23, 2011

Mandatory pre-qualification conference: At 10:00 a.m. on April 6, 2011

Request for clarification deadline: By 5:00 p.m. on April 11, 2011

Qualifications package due: By 5:00 p.m. on April 20, 2011

Technical evaluation committee meetings: At 9:00 a.m. on May 19, 2011 and May 20, 2011

Selection by Authority Board: At 9:00 a.m. on July 14, 2011

For additional information on location of meeting and other project details, go to the Authority website at www.tampaairport.com; Quick Links, Airport Business, Notice of Solicitations.

EARLY LEARNING COALITION OF DUVAL

A Florida not-for-profit corporation established pursuant to the School Readiness Act Section 411.01, Florida Statutes.

REQUEST FOR PROPOSALS

Solicitation #RFP-ELCD-DSSI-1112

Developmental Screening Support & Intervention – DSSI PROGRAM YEAR

SEPT 1, 2011 – JUNE 30, 2012

DEADLINE – FRIDAY, MAY 20, 2011 – 2:00 P.M.

Contact Information:

Early Learning Coalition of Duval

Attn: Padma Rajan, Director of Quality Initiatives

8301 Cypress Plaza Drive, Suite 201

Jacksonville, FL 32256

Phone: (904)208-2040, ext. 202

Email: prajan@elcofduval.org

For a full copy of the proposal, please send an email to Padma Rajan at prajan@elcofduval.org

What is the purpose of this proposal?

DSSI – Developmental Screening Support and Intervention Services – for which solicitations are made by the Early Learning Coalition of Duval, hereinafter referred to as ‘the Coalition’, is intended to do the following:

- Provide guidance and support to early learning providers in Duval based on developmental screening results of children enrolled in the school readiness program
- Develop and implement individualized learning plans for children, to address children’s learning needs as identified by developmental screening results
- Work with the teachers in the classrooms of the identified children, to implement classroom strategies
- Identify children with severe learning and / or developmental disabilities as part of the service delivery to the children who have been referred based on developmental screening results, for immediate referrals to access other relevant services within the community

Who may apply?

Organizations with experience and expertise in developmental screening support services and early intervention services, and solid familiarity of early learning and child care, may apply. Certified Minority Business Enterprises are encouraged to participate in any Solicitation Meetings that are held. Attendance at the Solicitation Meeting is not required for acceptance of proposals.

How much funding is available?

Maximum of \$150,000 will be provided by Early Learning Coalition of Duval.

How long is the grant period?

Sept. 1, 2011 to June 30, 2012. Renewal will depend on successful completion of deliverables, achievement of outcomes, ability to provide evidence or data of program / initiative success, and availability of funds.

How many applications will be funded?

Only one organization will be funded to provide the services for DSSI.

What is the deadline for the proposal?

Friday, May 20, 2011 at 2:00 p.m.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID06-2010-001
 DATE RECEIVED: March 2, 2011
 DEVELOPMENT NAME: OSCEOLA HERITAGE PARK
 DEVELOPER/AGENT: Osceola County/RJ Whidden & Assoc.
 DEVELOPMENT TYPE: 28-24.016, 28-24.020, F.A.C.
 LOCAL GOVERNMENT: Osceola County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Dade City Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd., (DAIX) at 36315 State Road 52, Dade City, (Pasco County), Florida 33525, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Dade City Powersports, Inc., are dealer operator(s): Chris Terino, 36315 State Road 52, Dade City, Florida 33525 and Cherry Terino, 36315 State Road 52, Dade City, Florida 33525; principal investor(s): Chris Terino, 36315 State Road 52, Dade City, Florida 33525 and Cherry Terino, 36315 State Road 52, Dade City, Florida 33525.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyundai Motor America, intends to allow the establishment of HHH Motors 2, LLP, d/b/a Jack's Hyundai as a dealership for the sale of automobiles manufactured by Hyundai (HYUN) at 1736 Cassat Avenue, Jacksonville, (Duval County), Florida 32210, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of HHH Motors 2, LLP, d/b/a Jack's Hyundai are dealer operator(s): Jack Hanania, 7200 Blanding Boulevard, Jacksonville, Florida 32244; principal investor(s): John Joyner, 7200 Blanding Boulevard, Jacksonville, Florida 32244.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bill Schultheiss, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, Georgia 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Greenway Italian Imports, Inc., d/b/a Greenway Fiat of East Orlando as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC, (FIAT) at 9103 East Colonial Drive, Orlando, (Orange County), Florida 32817, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Greenway Italian Imports, Inc., d/b/a Greenway Fiat of East Orlando are Frank Rodriguez, 9001 East Colonial Drive, Orlando, Florida 32817, Carl Atkinson, 9001 East Colonial Drive, Orlando, Florida 32817, and Conrad Letson, 9001 East Colonial Drive, Orlando, Florida 32817.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: P. R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hidria USA, Inc., intends to allow the establishment of H. Long Investments Corp., d/b/a Tropical Scooters of Vero as a dealership for the sale of motorcycles manufactured by Xiamin Xiashing Motorcycle Co., Ltd., (XIXI) at 1081 US Highway 1, Vero Beach, (Indian River County), Florida 32960, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp., d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi S. Long, 1081 US Highway 1, Vero Beach, Florida 32960, principal investor(s): Heidi S. Long, 1081 US Highway 1, Vero Beach, Florida 32960.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Douglas V. Joseph, Hidria USA, Inc., 202 Beechtree Boulevard, Greenville, South Carolina 29605.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kymco USA, Inc., intends to allow the establishment of John Kiley’s Cycleworld, Inc., as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd., (KYMC) at 8500 Pensacola Boulevard, Pensacola, (Escambia County), Florida 32534, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of John Kiley’s Cycleworld, Inc., are dealer operator(s): John Kiley, 4345 Jebnek Drive, Milton, Florida 32583; principal investor(s): John Kiley, 4345 Jebnek Drive, Milton, Florida 32583.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Steve Lazoff, Kymco USA, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant’s compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cobra Scooters, LLC, intends to allow the establishment of Carl’s Speed Shop, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu

Huanan Motors Group Co., Ltd., (GUNG) at 384 North Beach Street, Daytona Beach, (Volusia County), Florida 32114, on or after April 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Carl’s Speed Shop, Inc., are dealer operator(s): Carl Morrow, 384 North Beach Street, Daytona Beach, Florida 32114; principal investor(s): Carl Morrow, 384 North Beach Street, Daytona Beach, Florida 32114.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jessica Phillips, Cobra Scooters LLC, 3939 Royal Drive Northwest Street 139, Kennesaw, Georgia 30144.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant’s compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application for an emergency service exemption from Winter Haven Hospital located at 200 Ave F N.E., Winter Haven, FL 33881 pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Urology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)412-4549 or by e-mail at: Jessica.Munn@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION**NOTICE OF INTENT TO ISSUE PROPOSED****MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Cane Island Power Park, Power Plant Siting Application No. PA 98-38F, OGC Case No. 10-2588. On September 13, 2010 the Department received a petition from Florida Municipal Power Authority (FMPA) to construct and operate revised groundwater wells previously certified with Unit 4 at the Cane Island site, and correct the Units 1-3 well diameters to as-built conditions. The Department proposes to modify the Conditions of Certification for the Cane Island Power Park site to reflect the revised groundwater conditions as well as to incorporate Department initiated updates.

A copy of the proposed modification may be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification hearing have 45 days from issuance of notice to such party's last address of record in which to object to the proposed modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Pursuant to Section 403.516(1)(c)2., F.S., any person who is not already a party to the certification hearing and whose substantial interest is affected by the proposed modification has 30 days from the date of publication of this public notice to object in writing. Any written objection must be filed (received) in the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the

modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to Section 403.516(1)(c)3., F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), PEF or the Department may file a request for a hearing with the Department and the Division of Administrative Hearings on those portions of the proposed modification to which written objections were timely filed. The request for hearing will be handled pursuant to Chapter 120, F.S., and in accordance with Section 403.516(1)(c)4., F.S., and subparagraph 62-17.211(1)(b)7., F.A.C. Mediation is not available in this proceeding.

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH**Notice of Emergency Action**

On March 4, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Douglas William Cooper, R.N. License #RN 9179873. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action – Pain Clinic

On March 4, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Gisele Ashley Rakes, L.P.N. License #PN 5176113. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious

danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On March 4, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Wesley Glen Pearce, R.N. License #RN 3224862. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH COMMERCIAL INSURANCE ALLIANCE.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2011-191

In Re: The Receivership of COMMERCIAL INSURANCE ALLIANCE, a Florida Reciprocal Insurance Company.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH COMMERCIAL INSURANCE ALLIANCE.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 26th day of January, 2011, the Department of Financial Services of the State of Florida was appointed as Receiver of COMMERCIAL INSURANCE ALLIANCE and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons having claims against the assets of COMMERCIAL INSURANCE ALLIANCE, shall present such claims to the Receiver on or before 11:59:59 p.m. on Thursday, January 26, 2012, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for COMMERCIAL INSURANCE ALLIANCE, Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at: www.floridainsurancereceiver.org.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN February 28, 2011
 and March 4, 2011

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|---------------------------------|-----------|----------------|-------------------|------------------|
| DEPARTMENT OF EDUCATION | | | | |
| State Board of Education | | | | |
| 6A-1.039 | 2/28/11 | 3/20/11 | 36/47 | 37/5 |
| 6A-1.099824 | 3/4/11 | 3/24/11 | 36/46 | 37/5 |
| 6A-6.084 | 3/4/11 | 3/24/11 | 37/2 | |
| 6A-6.0981 | 2/28/11 | 3/20/11 | 36/46 | 37/5 |

DEPARTMENT OF CORRECTIONS

| | | | | |
|------------|--------|---------|-------|--|
| 33-602.210 | 3/2/11 | 3/22/11 | 36/49 | |
|------------|--------|---------|-------|--|

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
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REGIONAL UTILITY AUTHORITIES
Tampa Bay Water – A Regional Supply Authority

| | | | | |
|-----------|--------|---------|------|--|
| 49B-2.038 | 3/1/11 | 3/21/11 | 37/4 | |
|-----------|--------|---------|------|--|

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 | ***** | | |
|-------------|---------|-------|--|--|