Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

| RULE NO .: | RULE TITLE: |
|------------|------------------------------------|
| 5E-14.105 | Contractual Agreements in Public's |
| | Interest – Control and Preventive |
| | Treatment for Wood-Destroying |
| | Organisms |

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add amendments to the rule regarding contracts for wood destroying organisms that would require the signature on these contracts, would require a master contract for treatment of multiple properties owned by a single owner, require the use of a Department form for informing consumers when a second contract for the same wood destroying organism control is offered, and require a damage repair warranty when a protection contract is offered but no treatment is performed.

SUBJECT AREA TO BE ADDRESSED: Contractual Agreements in the Public's Interest – Control and Preventive Treatment for Wood Destroying Organisms.

SPECIFIC AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.051(3) FS.

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

DATE AND TIME: September 11, 2007, 1:00 p.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399. Telephone (850)488-7447

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 Agricultural Environmental Services

RULE NOS.:RULE TITLES:5E-14.117Application for Examination for Pest
Control Operator's Certificate and
Special Identification Card5E-14.1421Identification Card – Training
Verification

PURPOSE AND EFFECT: The purpose of the rule amendment is to increase the number of supervised jobs necessary to qualify for the certified operators examination, and clarify the requirements for verification of identification card training. The Department's purpose in applying these guidelines is to achieve compliance with Chapter 482, Florida Statutes (F.S.), and Chapter 5E-14, Florida Administrative Code (F.A.C.).

SUBJECT AREA TO BE ADDRESSED: Training and verification of training for pest control operators and identification card holders.

SPECIFIC AUTHORITY: 482.051, 482.163, 482.165 FS.

LAW IMPLEMENTED: 482.161, 482.163, 482.165 FS.

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

DATE AND TIME: September 11, 2007, 10:00 a.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399. Telephone (850)488-7447

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.:RULE TITLE:6E-2.002Institutional Licensure

PURPOSE AND EFFECT: The purpose and effect of rule development is to consider expanding licensure by means of accreditation beyond those institutions offering primarily residential programs and to include institutions offering distance learning.

SUBJECT AREA TO BE ADDRESSED: Institutional licensure.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2), (3) FS.

LAW IMPLEMENTED: 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS.

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

DATE AND TIME: August 28, 2007, Beginning at 11:00 a.m. and ending when business has been completed, but no later than 3:00 p.m.

PLACE: Grosvenor Resort, 1850 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830-2202, (407)828-4444

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.002 Institutional Licensure.

(1) Provisional license.

(a) through (b) No change.

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003(55)(52), F.A.C., while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission, except as provided in paragraph 6E-2.002(3)(g), F.A.C. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(d) through (g) No change.

(2) No change.

(3) License by Means of Accreditation.

(a) The chair of the Commission shall appoint a committee to provide recommendations to the Commission regarding the recognition of accrediting agencies. This committee shall be composed of persons who represent a cross-section of institutions holding an Annual License or extension thereof, or a License by Means of Accreditation. The chair of the Commission shall appoint the chair of the committee. The committee shall meet at the request of the Commission chair. Any member of the accreditation review committee whose institution is accredited by, or who is personally affiliated with, an accrediting agency being reviewed shall not vote on recommendation of that accrediting agency.

1. The committee shall evaluate applications of accrediting agencies recognized by the U.S. Department of Education to provide institutional accreditation for institutions licensed in Florida offering primarily residential programs.

2. No change.

(b) through (h) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3) FS. Law Implemented 1005.22(1)(o), (2)(d), 1005.31, 1005.32, 1005.33 FS. History–Repromulgated 12-5-74, Formerly 6E-4.01(1)(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 12-23-03, 7-10-06.

DEPARTMENT OF TRANSPORTATION

| RULE NO.: | RULE TITLE: |
|-----------|------------------------------------|
| 14-15.002 | Manual of Uniform Minimum |
| | Standards for Design, Construction |
| | and Maintenance for Streets and |
| | Highways |

PURPOSE AND EFFECT: The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as the "Greenbook," is being amended. In addition, other incorporated documents also are updated.

SUBJECT AREA TO BE ADDRESSED: This is an amendment to the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as the "Greenbook," and other incorporated documents.

SPECIFIC AUTHORITY: 334.048(3), 336.045(1) FS.

LAW IMPLEMENTED: 336.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

(1) The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, May 2007 2005, edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. A copy of the manual can be downloaded from the following website: <u>http://www.dot.state.fl.us/rddesign/</u> FloridaGreenbookFGB.htm. <u>http://www.dot.state.fl.us/ rddesign/Florida%20Greenbook/FGB.htm</u> A certified copy has been filed with the Department of State.

(2) The following documents also are hereby incorporated by reference and made a part of this rule:

(a) AASHTO Standard Specifications for Highway Bridges, 17th Edition (2002). A copy of the manual may be ordered from the AASHTO Bookstore website: https://bookstore.transportation.org/.

(a)(b) Sections 3.3.2, 3.14.1, 11 and 13 and Table 3.4.1-1 of <u>AASHTO</u> Load and <u>Resistance Factor Design</u> (LRFD) <u>Bridge Design Specifications</u>, 4th Edition (2004), with 2005 and 2006 Interims. A copy of the manual may be ordered from the AASHTO Bookstore webbiest https:// bookstore.transportation.org/.

(b) Department of Transportation *Structures Manual*. Volume 8 – FDOT Modifications to Manual for Conditions Evaluation and Load Resistance Factor Rating (LRFR) of Highway Bridges. A copy of the manual can be downloaded from the following website: http://www.dot.state.fl.us/ structures/StructuresManual/CurrentRelease/StructuresManual .htm.

(c) Sections 2.11 and 2.12 of Department of Transportation *Structures <u>Manual</u>*, Volume I – Structures <u>Design Guidelines</u>. A copy of the manual can be downloaded from the following website: http://www.dot.state.fl.us/structures/StructuresManual/Current Release/StructuresManual.htm.

(d) AASHTO Guide Specifications for Structural Design of Sound Barriers (1989) with the 2002 Interim to Guide Specifications for Structural Design of Sound Barriers. A copy of the manual may be ordered from the AASHTO Bookstore website: https://bookstore.transportation.org/.

(e) AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires and Traffic Signals (2001), with 2002 and 2003 Interims except as noted in Chapter 17, Section H.2 of The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways. A copy of the manual may be ordered from the AASHTO Bookstore website: https://bookstore.transportation.org/.

(f) Chapter 4 of Department of Transportation *Drainage Manual*. A copy of the manual can be downloaded from the following website: <u>http://www.dot.state.fl.us/rddesign/dr/</u><u>Manuals%20and%20handbooks.htm</u> <u>http://www.dot.state.fl.us/rddesign/dr/Manualsandhandbooks.htm</u>.

(g) Department of Transportation *Structures Manual*, Volume 9 – FDOT Modifications to Standard Specification for Structural Supports for Highway Signs, Luminaires and Traffic Signals (LTS-4) Bridges. A copy of the manual can be downloaded from the following website: http://www.dot.state.fl.us/structures/StructuresManual/Current Release/StructuresManual.htm.

(h) Department of Transportation Bridge Load Rating, Permitting and Posting Manual (2006). A copy of the manual can be downloaded from the following website: http://www2.dot.state.fl.us/proceduraldocuments/procedures/b in/85001005.pdf. Specific Authority <u>334.048(3)</u> <u>334.044(2)</u>, 336.045(1) FS. Law Implemented 336.045 FS. History–New 1-22-76, Amended 7-13-81, 6-24-84, Formerly 14-15.02, Amended 8-25-86, 11-29-89, 11-1-94, 5-15-01, 7-9-02, 11-24-05_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

| RULE NO.: | RULE TITLE: |
|-------------|-------------------------------------|
| 61A-1.01016 | Shelf Plans and Schematics of Shelf |
| | Plans |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for shelf plans and schematics of shelf plans to be given to a vendor but not considered an unlawful gift, loan of money or property, or a rebate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and TobaccoRULE NO.:RULE TITLE:61A-1.01017Educational Seminars

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for educational seminars to be provided to a vendor but not considered an unlawful gift, loan of money or property, or a rebate.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.:

RULE TITLE:

61A-1.01018 Trade Shows and Conventions PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to participate in vendor trade shows and conventions without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:

61A-1.01019 Proof of Insurance Coverage

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide proof of insurance coverage to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco RULE NO.: RULE TITLE:

| ROLL IVO. | RODD IIIDD. |
|-------------|----------------|
| 61A-1.01020 | Draft Cleaning |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide draft cleaning to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850) 487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:

61A-1.01021 Returns of Damaged Products

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to accept returns of damaged products from vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:

61A-1.01022 Returns of Undamaged Products PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to accept returns of undamaged products from vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

| RULE NO.: | RULE TITLE: |
|-------------|-------------|
| 61A-1.01023 | Warehousing |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to provide warehousing to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE: 61A-1.01024

Split Cases

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to set out what conditions must be met in order for manufacturers and distributors to offer split cases to vendors without violating Florida law related to unlawful gifts, loans of money or property, or rebates.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: RULE NO.:

61A-1.01025 Rebates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reformat the original Approved Advertising and Promotional Gifts rule and to clarify that manufacturers and importers are restricted from giving rebates to distributors as well as vendors.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions relating to approved advertising and promotional gifts as they pertain to the sales of alcoholic beverages.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 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 Livezey Comingore, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 40, Tallahassee, Florida 32399, (850)487-9677

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to update and correct Florida Administrative Code citations and material incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Division of State Fire Marshal and Department of Agriculture and Consumer Services Florida Administrative Code citations and material incorporated by reference.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(3), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a)(b)(c), 509.215, 509.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

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

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to correct Division of State Fire Marshal Florida Administrative Code and update National Fire Protection Association standards incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address Florida Administrative Code and National Fire Protection Association standards incorporated by reference.

SPECIFIC AUTHORITY: 509.032(2)(d), 509.032(6) FS.

LAW IMPLEMENTED: 509.032(2)(d), 509.032(3)(a), 509.211, 509.215, 509.221 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE: 61H1-29.003 Experience for Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.306, 473.308 FS. LAW IMPLEMENTED: 455.217(7), 473.308 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

| RULE NO .: | RULE TITLE: |
|-------------|------------------------------|
| 61H1-33.001 | Certified Public Accountants |
| | Required to Comply with this |
| | Chapter |

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Certified Public Accountants Required to Comply with this Chapter. SPECIFIC AUTHORITY: 473.304, 473.312, 473.313 FS.

LAW IMPLEMENTED: 473.311, 473.312, 473.313 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:

64B-9.001 Biennial Licensing

PURPOSE AND EFFECT: To update the existing text for administrative convenience.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensing.

SPECIFIC AUTHORITY: 456.004(1) FS.

LAW IMPLEMENTED: 456.004(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michael Murphy, OMC Manager, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C-10, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-9.001 Biennial Licensing.

(1) through (3) No change.

(4) The schedule for biennial license renewal for each respective profession shall be as follows:

| EVEN YEARS | ODD YEARS |
|---|--------------|
| Acupuncturists | February 28 |
| Athletic Trainers | September 30 |
| Certified Master Social Workers | March 31 |
| Certified Nursing Assistants (Group I) | December 31 |
| Certified Nursing Assistants (Group II) | December 31 |
| Chiropractic Physicians & Assistants | March 31 |

| | A |
|--|-----------------------|
| Clinical Laboratory Personnel Clinical Social Workers | August 31 March 31 |
| | |
| Consultant Pharmacists | December 31 |
| Dental Hygienists | February 28 |
| Dental Laboratories | February 28 |
| Dentists | February 28 |
| Dietitians/Nutritionists | May 31 |
| Dispensing Opticians | December 31 |
| Electrologists | May 31 |
| Electrolysis Facilities | May 31 |
| Hearing Aid Specialists | February 28 |
| Marriage & Family Therapists | March 31 |
| Massage Therapists | August 31 |
| Massage Establishments | August 31 |
| Medical Doctors (Group I) | January 31 |
| Medical Doctors (Group II) | January 31 |
| Medical Doctors – Public | |
| Psychiatry/Health Certificate | January 31 |
| Medical Doctors – Limited License | January 31 |
| Medical Doctors - Area of Critical Need | January 31 |
| Medical Physicists | January 31 |
| Mental Health Counselors | March 31 |
| Midwives | December 31 |
| Naturopathic Physicians | September 30 |
| Nuclear Pharmacists | February 28 |
| Nurses | |
| Group I: Registered & Advanced | April 30 |
| Registered Nurse Practitioners | _ |
| Group II: Registered & Advanced | |
| Registered | July 31 |
| Nurse Practitioners | |
| Group III: Registered & Advanced | |
| Registered | April 30 |
| Nurse Practitioners | |
| Licensed Practical Nurses | July 31 |
| Nursing Home Administrators | September 30 |
| Occupational Therapists & Assistants | February 28 |
| Optometrists | February 28 |
| Optometrist Branch Offices | February 28 |
| Orthotists & Prosthetists | November 30 |
| Osteopathic Physicians | March 31 |
| Pharmacies | February 28 |
| Pharmacists | September 30 |
| Physical Therapists & Assistants | November 30 |
| Physician Assistants | January 31 |
| Podiatric Physicians | March 31 |
| Psychologists | May 31 |
| Respiratory Care Practitioners | May 31 |
| Respiratory Therapists | May 31 |
| School Psychologists | • |
| | November 30 |

Speech Language Pathologists/

Audiologists & Assistants December 31 EXTENSION OF BIENNIAL LICENSURE PERIODS – When a current biennial licensure period for a profession is extended for a period longer than two years to conform to the above schedule of biennial periods, the biennial licensure fee for the profession shall be increased pro-rata to cover the additional extended period. The increased licensure fee shall be based on the biennial licensure fee established by the board. The amended licensure period and the pro-rated renewal fee shall be implemented for the purpose of restructuring the Department's renewal schedule.

(5) No change.

Specific Authority 456.004(1) FS. Law Implemented 456.004(1) FS. History–New 11-5-00, Amended 11-24-05_____.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:

64B24-2.001 Licensure to Practice Midwifery PURPOSE AND EFFECT: To update the rule.

SUBJECT AREA TO BE ADDRESSED: Licensure to Practice Midwifery.

SPECIFIC AUTHORITY: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 381.0034, 456.013, 467.011, 467.0125 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: Pamela King, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

WEEKLY.

RULE NO.: RULE TITLE: 64B24-3.002 Application Fees PURPOSE AND EFFECT: To update the rule. SUBJECT AREA TO BE ADDRESSED: Application Fees. SPECIFIC AUTHORITY: 467.005, 467.0135 FS. LAW IMPLEMENTED: 456.036(4), 467.0135(4) 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 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, 4052 Bald Cypress Way, Bin #A-06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B24-3.002 Application Fees.

(1) The application fee shall be \$200.

(2) The 4-month prelicensure course application fee shall be \$100.

Specific Authority 467.005, 467.0135 FS. Law Implemented 456.036(4), 467.0135(4) FS. History–New 1-26-94, Formerly 61E8-3.002, Amended 8-15-95, Formerly 59DD-3.002, Amended 12-23-97, 11-9-05, 5-4-06_____.

DEPARTMENT OF HEALTH

Division of Environmental Health

| Division of Linvironing | |
|-------------------------|--|
| RULE NOS .: | RULE TITLES: |
| 64E-3.001 | Fees |
| 64E-3.002 | Definitions |
| 64E-3.003 | Qualifications for Examination |
| 64E-3.0031 | Radiation Therapy Assistance by |
| | General Radiographers |
| 64E-3.0032 | Radiologist Assistant Duties and |
| | Supervision |
| 64E-3.004 | Practice of Radiologic Technology |
| | by Applicants for Certification by |
| | Examination |
| 64E-3.005 | Written Examinations |
| 64E-3.006 | Certification by Endorsement |
| 64E-3.007 | Bone Densitometry |
| 64E-3.008 | Continuing Education Requirements |
| 64E-3.009 | Standards for Continuing Education |
| | Courses |
| 64E-3.010 | Reactivation of Inactive Certificates |
| 64E-3.011 | Disciplinary Guidelines |
| DUDDOGE AND FEE | |

PURPOSE AND EFFECT: Review this Chapter and amend and/or adopt new rule language as necessary to ensure that all rules conform with statutory requirements and the current practices and procedures for radiological personnel.

SUBJECT AREA TO BE ADDRESSED: Fees, definitions; forms; application procedures and requirements; educational programs; examinations; endorsement; continuing education and providers; scope of practice and prohibited practices; training; remedial education; supervision; HIV/AIDS; certificate issuance, display, renewal, reactivation, resignation, and relinquishment; investigations; discipline guidelines; national organizations; speciality boards; advisory council's recommendations. SPECIFIC AUTHORITY: 381.0034(4), 468.302(3)(a), (3)(d), (3)(h), 468.303, 468.304(1), (2), (3)(e), 468.305, 468.306, 468.3065, 468.307(1), 468.309(1)(a), (2), (3), (5), (6), (7), 468.3095(1), (2)(a), 468.3101(4), (6) FS.

LAW IMPLEMENTED: 381.0034, 468.3003, 468.301, 468.302, 468.303, 468.304, 468.305, 468.306, 468.3065, 468.307, 468.309, 468.3095, 468.3101, 468.314 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James A. Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266. If you are 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: James A. Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266

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

DEPARTMENT OF HEALTH

Division of Environmental Health

| RULE NOS .: | RULE TITLES: |
|-------------|---|
| 64E-6.001 | General |
| 64E-6.002 | Definitions |
| 64E-6.003 | Permits |
| 64E-6.004 | Application for System Construction Permit |
| 64E-6.005 | Location and Installation |
| 64E-6.006 | Site Evaluation Criteria |
| 64E-6.008 | System Size Determinations |
| 64E-6.009 | Alternative Systems |
| 64E-6.010 | Septage and Food Establishment Sludge |
| 64E-6.0101 | Portable Restrooms and Holding Tanks |
| 64E-6.011 | Abandonment of Systems |
| 64E-6.012 | Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units |

| 64E-6.013 | Construction Materials and Standards for Treatment Receptacles |
|------------|--|
| 64E-6.014 | Construction Standards for Drainfield Systems |
| 64E-6.015 | Permitting and Construction of Repairs |
| 64E-6.0151 | Additive Use |
| 64E-6.016 | U.S. Department of Agriculture Soil Textural Classification System |
| 64E-6.017 | Definitions |
| 64E-6.018 | System Location, Design and Maintenance Criteria |
| 64E-6.0181 | Cesspit and Undocumented System Replacement and Interim System Use |
| 64E-6.0182 | Coordinated Permitting |
| 64E-6.019 | Requirements for Registration |
| 64E-6.020 | Master Septic Tank Contractors |
| 64E-6.021 | Issuance of Registration Certificates and Renewal |
| 64E-6.022 | Standards of Practice and Disciplinary Guidelines |
| 64E-6.023 | Certification of Partnerships and Corporations |
| 64E-6.025 | Definitions |
| 64E-6.026 | Applications for Innovative System Permits and System Construction Permits |
| 64E-6.027 | Permits |
| 64E-6.028 | Location and Installation |
| 64E-6.029 | Monitoring |
| 64E-6.0295 | Innovative System Reclassification |
| 64E-6.030 | Fees |

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair and maintenance; Septic Tank Contractor registration and training standards; Septage treatment and disposal; and Performance-based treatment standards. All aspects of the rule are open for discussion by the Technical Review and Advisory Panel.

SPECIFIC AUTHORITY: 381.0011(4), (13), 381.0065(3)(a), 489.553 (3), 489.557(1) FS.

LAW IMPLEMENTED: 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 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. Pursuant to the provisions of 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: Shirley Kugler, Bureau of Onsite Sewage Programs, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713. If you are 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.:RULE TITLE:64E-11.013Certificates and Fees

PURPOSE AND EFFECT: The purpose is to increase food hygiene program fees within the statutory limits. The effect will be to reduce the program's operating deficit.

SUBJECT AREA TO BE ADDRESSED: Food hygiene program fees.

SPECIFIC AUTHORITY: 381.0072 FS.

LAW IMPLEMENTED: 381.0072 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: Leslie L. Harris, Environmental Administrator, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| RULE NO.: | RULE TITLE: |
|------------|----------------------------------|
| 68A-13.002 | Migratory Birds; Adoption of |
| | Federal Statutes and Regulations |

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to remove Rule 68A-13.002 from Chapter 68A-13 and add it to new Chapter 68A-16 as Rule 68A-16.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include adoption of Federal statues and regulations related to migratory birds.

SPECIFIC 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| RULE NO.: | RULE TITLE: |
|------------|----------------------------------|
| 68A-16.001 | Migratory Birds; Adoption of |
| | Federal Statutes and Regulations |

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to create new Chapter 68A-16, F.A.C., entitled "Rules Relating to Birds" and to move existing Rule 68A-13.002 to new Rule 68A-16.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include rules related to birds.

SPECIFIC 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:RULE TITLE:68A-16.002Bald Eagle

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish rules necessary for the conservation and management of the bald eagle in Florida.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include prohibitions and permits pertaining to bald eagles.

SPECIFIC 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

| RULE NO.: | RULE TITLE: |
|------------|------------------------------------|
| 68A-27.004 | Designation of Threatened Species; |
| | Prohibitions; Permits |

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions associated with threatened species, specifically to remove the bald eagle from the list of threatened species upon approval of the Commission.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include designations, prohibitions, and permits pertaining to threatened species.

SPECIFIC 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: James V.

Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

DEPARTMENT OF FINANCIAL SERVICES

| Securities | |
|-------------|---------------------------------|
| RULE NO .: | RULE TITLE: |
| 69W-600.002 | Application for Registration as |
| | Associated Person |

PURPOSE AND EFFECT: Chapter 2007-63, Laws of Florida, relates to the regulation of securities transactions. This law amends Section 517.12, Florida Statutes, to increase fees applicable to the registration of associated persons. Statutory fees are increased from \$30 to \$50. The rule is amended to conform to the new statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation/Registration of Associated Persons.

SPECIFIC AUTHORITY: 517.03(1), 517.12(6) FS.

LAW IMPLEMENTED: 517.12, 517.1205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pam Epting, Bureau Chief, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahasee, Florida 32399, (850)410-9805

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or associated person shall be filed on Form U-4, which is incorporated by reference in subsection 69W-301.002(7), F.A.C., and shall include all information required by such form, any other information the Office of Financial Regulation may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 69W-600.0091, 69W-600.0092, or 69W-600.0093, F.A.C., the Office of Financial Regulation shall deem an application to be received at such time as it and the appropriate fee have been date-stamped by the cashier's office of the Department of Financial Services. For dealers that are member of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0091, F.A.C. For federal covered advisers, such

application shall be filed with the Office of Financial Regulation through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 69W-600.0092, F.A.C. For investment adviser applicants and registrants who file via the IARD, such application shall be filed with the Office of Financial Regulation through the CRD of the NASD in accordance with Rule 69W-600.0093, F.A.C.

(b) A complete initial application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. No change.

2. Statutory fee in the amount of \$30, for each registration sought, in the amount as required by Section 517.12(10), F.S.

3. through 5. No change.

(c) No change.

(2) No change.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6), (7), (10), 517.1205 FS. History–New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, 12-11-03, Formerly 3E-600.002, Amended 3-16-06, 5-15-07_____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:RULE TITLE:5E-1.023Procedures for Landowners and
Leaseholders to Submit a Notice of
Intent to Implement Nitrogen Best
Management Practices (BMPs)

PURPOSE AND EFFECT: This amendment is proposed to provide for the adoption of an interim best management practice for fertilization for urban landscape maintenance.

SUMMARY: Addresses a request to adopt interim measure for nitrogen management per paragraph 5E-1.023(3)(a), F.A.C., by representatives of the landscape maintenance industry.

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

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

SPECIFIC AUTHORITY: 576.045(3)(b) FS.

LAW IMPLEMENTED: 576.045(3)(b) FS.

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

DATE AND TIME: September 11, 2007, 9:00 a.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Box 200, Alachua, Florida 32615; (386)418-5500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; (850)488-7447

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.023 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs).

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

(d) Urban turf or lawns – The document titled "Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries" published by the Florida Department of Environmental Protection is hereby adopted and incorporated by reference.

Specific Authority 403.067(7)(c)2., 576.045(6) FS. Law Implemented 403.067, 576.045 FS. History–New 10-16-96, Amended 5-1-01, 10-17-02, 2-4-03_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Steve Dwinell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Anderson H "Andy" Rackley DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF TRANSPORTATION

| RULE NO.: | RULE TITLE: |
|-----------|-----------------------------------|
| 14-1.0081 | Special Service Charge for Public |
| | Records Request |

PURPOSE AND EFFECT: Rule 14-1.0081, F.A.C., is being repealed. Repeal of this rule is part of the Department's overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary. Repeal of this rule will remove the only rule in Part I as a recent repeal of Rule 14-1.013, F.A.C., removed one of the then three parts, the net result will be the elimination of the Part I and Part II subdivision of the rule chapter.

SUMMARY: Rule 14-1.0081, F.A.C., is being repealed.

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

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

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 119.07, 334.044(29) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

RULES OF PROCEDURE – PUBLIC RECORDS, FINAL ORDERS PART I PUBLIC RECORDS

14-1.0081 Special Service Charge for Public Records Request.

Specific Authority 334.044(2) FS. Law Implemented 119.07, 334.044(29) FS. History–New 3-24-98. Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Alexis M. Yarbrough, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary DATE PROPOSED RULES APPROVED BY AGENCY HEAD: July 24, 2007

DEPARTMENT OF TRANSPORTATION

RULE NO.:RULE TITLE:14-10.007Maintenance of Nonconforming
Signs

PURPOSE AND EFFECT: Rule 14-10.007, F.A.C., is being amended.

SUMMARY: Rule 14-10.007, F.A.C., is being amended to clarify what are permissible modifications and redefine when a nonconforming sign is destroyed or discontinued. Proposed amendments published in the January 5, 2007, Florida Administrative Weekly contained substantial rewording. After rule development workshops were conducted on January 23, 2007, and February 23, 2007, the amendment was revised to include fewer changes to the current rule.

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

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

SPECIFIC AUTHORITY: 334.044(2), 479.02(7) FS.

LAW IMPLEMENTED: 339.05, 479.02, 479.07(9) FS.

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

DATE AND TIME: August 28, 2007, 10:00 a.m.

PLACE: Haydon Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-10.007 Maintenance of Nonconforming Signs.

(1) A nonconforming sign must remain substantially the same as it was as of the date it became nonconforming.

(2) Reasonable repair and maintenance of nonconforming signs, including change of advertising message, is permitted and is not a change which would terminate the nonconforming status. Reasonable repair and maintenance means the work necessary to keep the sign structure in a state of good repair, including the replacement in kind of materials in the sign structure. Where the replacement of materials is involved, such replacement may not exceed 50% of the structural materials in the sign within any 24 month period. "Structural materials" are all those materials incorporated into the sign as load-bearing parts, including vertical supports, horizontal stringers, braces, bracing wires, brackets, and catwalks. Structural materials do not include the sign face, any skirt, any electrical service, or electric lighting, except in cases where such items have been incorporated into the sign as load-bearing parts defined in Section (6)(a)2.a. below. The following are examples of modifications which do not constitute reasonable repair or maintenance, and which constitute substantial changes to a nonconforming sign that will result in the loss of nonconforming status:

(a) Modification that changes the structure of, or the type of structure of, the sign, such as conversion of a back-to-back sign to a V-type, or conversion of a wooden sign structure to a metal structure;

1. The Department will authorize structural alterations to a nonconforming sign in instances where the Occupational Safety and Health Administration (OSHA) requirements or other safety related requirements necessitate alterations, provided that the reconstruction shall not be authorized primarily for the purpose of replacement of deteriorated materials. The Department will accept a notice or other writing from OSHA or other regulatory body to the permittee requiring the intended alteration as documentation of safety requirements. If the structural alterations are intended to be made to comply with OSHA regulations, the permittee must submit to the Department a statement in writing citing the OSHA regulation with which it is intending to comply and explaining how the intended alteration is required by the cited OSHA regulation. If the structural alterations are intended to be made to comply with building codes, the permittee must submit to the Department a statement in writing citing the specific requirement of the building code which the alterations are intended to meet. Structural alterations are allowed only if no alternatives are available which address safety requirements. Documentation of the requirements must be submitted to, and approved by, the Department prior to making any structural alterations. The location, structural configuration, number of faces, size of the sign faces, sign structure height, and the materials used in the sign structure and sign faces must be the same type as those used in the sign prior to approval of the alterations. <u>Structural configuration</u> means the physical arrangement of a sign whether arranged as a single-faced, V-type, back-to-back, side-to-side, or stacked sign. During the period of temporary removal for those approved structural alterations, the permittee must permanently display the permit tag at the sign location.

2. The addition of a catwalk or other fall protection device for safety reasons, where the device does not increase the structural integrity of the sign or prolong the life of the sign, is allowed without obtaining prior approval from the Department;

(b) Modification that changes the area of the sign facing or the HAGL of the sign, however:

1. Reduction in the area of the sign facing or the HAGL of the sign, which reduction is required by an ordinance adopted by a local governmental entity with jurisdiction over the sign, is not a change which would terminate the nonconforming status of the sign, provided like materials are used and no enhancements are made to the visibility of the sign.

2. Embellishments may be added to nonconforming signs subject to the limitations regarding size of sign facing, and provided they do not exceed 10% of the area of the sign facing prior to the addition of the embellishment;

(c) Modification that enhances the visibility of the sign's message, or the period of time that the sign's message is visible;

(d) Modification that adds automatic changeable faces; or

(e) Modification that adds artificial lighting, or changes the existing lighting such that the illumination to the sign facing is substantially increased.

(3) Prohibited modifications need not be physically part of the sign if they have the effect of enhancing the sign's message, the visibility of the message, or the period of time that the message is visible. However, in such cases, the modifications will not be considered a modification to the sign if:

(a) The modification is the result of removal, cutting, or trimming of vegetation in front of the sign pursuant to a permit for such removal, cutting, or trimming from the Department; or

(b) The modification only incidentally affects the visibility of the sign's message, and the bona fide purpose of the modification is unrelated to the sign.

(4) A nonconforming sign may not be disassembled and re-erected at the same location except as provided in paragraph (6)(a), below.

(5) A nonconforming sign may not be relocated, except to a conforming location.

(6) A nonconforming sign may continue to exist so long as it is not destroyed, abandoned, or discontinued. "Destroyed," "abandoned," and "discontinued" have the following meanings:

(a) "Destroyed" means more than 60% 50% of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least 25% of the length above ground of each broken, bent, or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the under the following conditions:

1. The destruction of a sign is caused by vandalism or other criminal or tortious act.

2. If the permittee demonstrates that the replacement materials cost to re erect the sign would not exceed 50% of the value of the structural materials in the sign, immediately prior to destruction. The following shall be applicable in determining whether the replacement materials cost to re-erect the sign would not exceed 50% of the value of the structural materials in the sign:

a. Structural materials are all those materials incorporated into the sign as load-bearing parts, including vertical supports, horizontal stringers, braces, bracing wires, brackets, and eatwalks. Structural materials do not include the sign face, any skirt, any electrical service, or electric lighting, except in eases where such items have been incorporated into the sign as load-bearing parts.

b. The value of the structural materials in the sign immediately prior to destruction shall be based on the cost of all structural materials contained in the sign as it was eonfigured just prior to damage, and the cost of such materials shall be based on normal market cost as if purchased new on or about the date of destruction, without regard to any labor costs or special market conditions.

c. The materials to be included in the replacement materials costs to re-erect the sign shall be all materials that would be used to return the sign to its configuration immediately prior to destruction, and shall include any material obtained from a source other than the sign itself, whether used, recycled, or repaired, but shall not include any material from the sign itself that is repaired on-site. The repairs to the sign shall be with like materials, both in type and size, and shall be those reasonably necessary to permanently repair the sign in a manner normally accomplished by the industry in that area. The cost of such materials shall be as described in paragraph (6)(a)2.b.

(b) A nonconforming sign is "abandoned" or "discontinued" when the sign owner fails to operate and maintain the sign for a period of 12 months or longer. Signs

displaying bona fide public interest messages are not "abandoned" or "discontinued" within the meaning of this section. The following conditions shall be considered failure to operate and maintain the sign:

1. Signs displaying only an "available for lease" or similar message,

2. Signs displaying advertising for a product or service which is no longer available,

3. Signs which are blank or do not identify a particular product, service, or facility.

(c) A nonconforming sign is "discontinued" when a sign structure no longer exists at the permitted location.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.02, 479.07(9) FS. History–New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.07, Amended 6-28-98, 8-10-99, 8-19-01._____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth Towcimak, Director, Office of Right of Way

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007

DEPARTMENT OF TRANSPORTATION

| RULE NOS.: | RULE TITLES: |
|------------|---------------------------------|
| 14-25.022 | Contracts Administration Office |
| 14-25.023 | District Offices |
| 14-25.024 | Protests |
| 14-25.026 | Resolution of Protest |

PURPOSE AND EFFECT: Rule Chapter 14-25, F.A.C., is being repealed as the subject of this rule chapter is covered in Rule Chapter 28-110, F.A.C. Further, matters addressed in the rule chapter are covered in bid solicitations and other notices. Repeal of this rule chapter is part of the Department's overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary.

SUMMARY: Chapter 14-25, F.A.C., is being repealed as the subject of this rule chapter is covered in Rule Chapter 28-110, F.A.C.

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

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

SPECIFIC AUTHORITY: 120.57(3), 334.044(2) FS.

LAW IMPLEMENTED: 120.57(3)(a), 120.57(3)(e), 337.11(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-25.022 Contracts Administration Office.

Specific Authority 120.53(5), 334.044(2) FS. Law Implemented 120.53(5)(a)3., 337.11 FS. History–New 11-12-85, Formerly 14-25.22, Amended 10-18-89, 4-17-91, 1-15-92, 2-10-92, 9-20-94. <u>Repealed</u>.

14-25.023 District Offices.

Specific Authority 120.53(5), 334.044(2) FS. Law Implemented 120.53(5), 337.11 FS. History–New 11-12-85, Formerly 14-25.23, Amended 10-18-89, 4-17-91, 9-20-94<u>. Repealed</u>.

14-25.024 Protests.

Specific Authority 120.57(3), 334.044(2) FS. Law Implemented 120.57(3), 337.11(5) FS. History–New 11-12-85, Formerly 14-25.24, Amended 10-18-89, 4-17-91, 6-24-91, 8-11-92, 9-20-94, 5-23-95, 8-29-95, 1-17-99. <u>Repealed</u>.

14-25.026 Resolution of Protest.

Specific Authority 120.57(3), 334.044(2) FS. Law Implemented 120.57(3)(e) FS. History–New 11-12-85, Formerly 14-25.26, Amended 10-18-89, 1-17-99, <u>Repealed</u>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juanita Moore, Manager, Contracts Administration Office NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.:

33-103.001 Inmate Grievances – General Policy PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the inmate grievance and appeal process to provide access to necessary information for

RULE TITLE:

reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUMMARY: The proposed rule amendments revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.001 Inmate Grievances – General Policy.

(1) through (4) No change.

(5) Staff in the Bureau of Inmate Grievance Appeals shall have unlimited access to information required to respond to inmate grievances and appeals. All department employees are required to cooperate with staff in the inmate grievance office by providing accurate and timely information.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Celeste Kemp, Chief, Bureau of Inmate Grievance Appeals

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF CORRECTIONS

| RULE NO .: | RULE TITLE: |
|------------|-----------------------------------|
| 33-103.006 | Formal Grievance - Institution or |
| | Facility Level |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUMMARY: The proposed rule amendments revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.006 Formal Grievance – Institution or Facility Level.

(1) No change.

(2) Procedural Requirements.

(a) through (h) No change.

(i) The inmate shall then submit <u>the grievance or appeal all</u> copies of the complete form, with attachments, to the person designated <u>staff by personally placing the grievance or appeal</u> <u>in a locked grievance box</u>. Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator's office, or the assistant warden's office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden's office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator. The institutional grievance coordinator shall log all formal grievances and provide the inmates with receipts. The appeals will be forwarded to the Bureau of Inmate Grievance Appeals after being processed for mailing in accordance with paragraphs 33-103.006(8)(b) and (c), F.A.C. The Bureau of Inmate Grievance Appeals shall log all appeals and forward receipts to the inmates. Grievances and appeals shall be picked up and forwarded by the institutions daily Monday through Friday. Failure to submit all copies as required shall result in one copy being returned to the inmate instead of two.

(j) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Celeste Kemp, Chief, Bureau of Inmate Grievance Appeals NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF CORRECTIONS

RULE NO.:RULE TITLE:33-103.015Inmate Grievances – Miscellaneous
Provisions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUMMARY: The proposed rule amendments revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) through (11) No change.

(12) Staff shall respond to inquiries made by the Bureau of Inmate Grievance Appeals by the close of business on the seventh day after the request.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 1-29-92, 9-3-92, 12-22-92, 07-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, Amended 5-27-02, 1-2-03, 2-9-05, 9-4-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Celeste Kemp, Chief, Bureau of Inmate Grievance Appeals NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-103.017 Inmate Grievances – Reprisal

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUMMARY: The proposed rule amendments revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

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

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

SPECIFIC AUTHORITY: 944.09 FS. LAW IMPLEMENTED: 944.09 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.017 Inmate Grievances – Reprisal.

(1) Inmates shall be allowed access to the grievance process without hindrance. Staff found to be obstructing an inmate's access to the grievance process shall be subject to disciplinary action ranging from oral reprimand up to dismissal in accordance with Rules 33-208.001-.003, F.A.C. Good faith use of or good faith participation in the grievance process shall not result in reprisal against the inmate.

(2) An inmate shall be subject to disciplinary action if the inmate knowingly includes false, threatening, obscene, or profane statements in the grievance or any of its attachments. In this instance the inmate shall be subject to administrative action in accordance with the provisions of Rules 33-601.301-601.314, F.A.C., or criminal prosecution. Notwithstanding administrative or criminal proceedings, the grievance shall be responded to on its merits.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 12-22-92, 4-10-95, Formerly 33-29.016, Amended 10-11-00, 2-9-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Celeste Kemp, Chief, Bureau of Inmate Grievance Appeals NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF CORRECTIONS

| RULE NO.: | RULE TITLE: |
|------------|-------------|
| 33-601.603 | Furloughs |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct an incorrect reference and remove references to exceptions for time frame criteria that no longer exist.

SUMMARY: The proposed rule correct a reference and remove references to exceptions for time frame criteria that no longer exist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.603 Furloughs.

(1) through (2) No change.

(3) Policy Statement.

(a) through (c) No change.

(d) The decision as to which inmates shall be allowed to leave the principal places of their confinement shall be based upon criteria set forth in subsection <u>33-601.603(6)</u> 33-601.602(6), F.A.C. Exceptions for the time frame requirements specified in paragraphs <u>33-601.602(6)(b)</u> and (c), F.A.C., shall be considered on a case by case basis when extenuating circumstances as defined in paragraph <u>33-601.602(1)(1), F.A.C., exist.</u>

- (e) through (f) No change.
- (4) through (11) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History–New 12-8-97, Amended 4-13-98, 10-20-98, Formerly 33-9.024. Amended ______.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Pridgen, Deputy Assistant Secretary of Institutions

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2007

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.220 Administrative Confinement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend form DC4-650, Observation Checklist, to include Self Harm Observation Status and amend the descriptive names of the items allowed or issued to inmates in an observation status.

SUMMARY: Form DC4-650, Observation Checklist, is revised to include Self Harm Observation Status and amend the descriptive names of the items allowed or issued to inmates in an observation status.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 945.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.220 Administrative Confinement.

(1) through (10) No change.

(11) Forms. The following forms referenced in this rule are hereby incorporated by reference. A copy of any of these forms may be obtained from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC4-650, Observation Checklist, effective date $\frac{3-5-06}{6}$.

(b) through (i) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History–New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, 1-19-03, 4-1-04, 3-5-06, 10-31-06._____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dean Aufderheide, Ph.D., Mental Health Services Director NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2007

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

| 000 | |
|-------------|-----------------------------------|
| RULE NOS .: | RULE TITLES: |
| 58A-2.002 | Definitions |
| 58A-2.003 | License Requirements |
| 58A-2.005 | Administration of the Hospice |
| 58A-2.010 | Quality Assurance and Utilization |
| | Review (QAUR) Committee and |
| | Plan |
| 58A-2.012 | Program Reporting Requirements |
| 58A-2.014 | Medical Direction |
| 58A-2.0232 | Advance Directives |
| | |

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to incorporate additional definitions; changes in licensure requirements; specific definitions regarding reporting requirements; changes to the reporting requirements pursuant to Chapter 2006-155, Section 7, Laws of Florida, including a reporting form incorporated by reference in Rule 58A-2.012, F.A.C; changes in accordance with Chapter 2006-155, Section 7, Laws of Florida, requiring development of outcome measures and adoption of national initiatives such as those developed by the National Hospice and Palliative Care Organization; and additional language, clarification of terms and update of the Health Care Advance Directives form incorporated by reference in Rule 58A-2.0232, F.A.C.

SUMMARY: The proposed rule amendments add definitions; change licensure requirements; specific definitions regarding reporting requirements; changes in reporting requirements including a new reporting form incorporated by reference; development of outcome measures; adoption of national initiatives developed by the National Hospice and Palliative Care Organization; and additional language, clarification of terms, and updating the Health Care Advance Directives form incorporated by reference.

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

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

SPECIFIC AUTHORITY: 400.605, 400.60501, 765.110 FS.

LAW IMPLEMENTED: 400.602, 400.605, 400.60501, Ch. 765 FS.

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

DATE AND TIME: August 28, 2007, 9:30 a.m. – 12:00 Noon EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference 225F, Tallahassee, FL 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone number (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone number (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-2.002 Definitions.

In addition to definitions contained in Chapter 400, Part $\underline{IV} \forall H$, F.S., the following terms shall apply:

(1) Advertising: The delivery, distribution, publication or display of an item, document, or medium initiated by the hospice that is intended to offer, describe, or advertise hospice or hospice-like services to the general public. A type of listing, which is formatted to only include a licensed hospice provider's name, address, and telephone number in the telephone directory, shall not be considered advertising.

(2) Agency: Agency for Health Care Administration.

(3) AHCA: Agency for Health Care Administration.

<u>(4)(1)</u> Autonomous: <u>A</u> means a separate and distinct operational entity, which functions under its own administration and bylaws, either within or independently of a parent organization.

(5)(2) Branch office: means <u>A</u>an office or other physical location <u>serving as a contact point for patients</u>, which is remote from the <u>provider's</u> principal office of the provider, but is not separately licensed, and which shares administration with the principal office which serves as a contact point for patients.

(6) Department: Department of Elder Affairs.

(7)(3) Employ: means <u>T</u>to engage the services of <u>an</u> <u>individual</u>, on either a salary or volunteer basis.

(8)(4) Home: means <u>T</u>the patient's current <u>primary</u> place of residence, including a private residence, assisted living facility, nursing home, hospice residential unit, or other place of permanent or temporary residence.

<u>(9)(5)</u> Home Health Aide: means <u>A</u>an individual who provides personal health care services for a patient in the patient's home or place of residence under the supervision of a registered nurse.

(10)(6) Licensed Practical Nurse: means <u>Aan</u> individual licensed pursuant to Chapter 464, F.S., to practice practical nursing.

(11)(7) Patient Care Staff: means those Ppersons involved in direct care of the patient, including registered nurses, practical nurses and home health aides, social workers and other mental health professionals, and clergy or pastoral counselors.

(12)(8) Patient's Family: The means that person or those persons designated by the patient as having primary responsibility for care, or persons who are closely linked with the patient and are involved in the health and supportive care of the patient.

(13)(9) Patient and Family Unit: means <u>T</u>the patient and the patient's family.

(14)(10) Registered Nurse: <u>means Aan</u> individual who is licensed pursuant to Chapter 464, F.S., to practice professional nursing.

Specific Authority 400.605 FS. Law Implemented <u>400.602</u>, 400.605 Ch. 400, Part VI FS. History–New 5-6-82, Formerly 10A-12.02, 10A-12.002, Amended 4-27-94, Formerly 59A-2.002, Amended 6-5-97._____.

58A-2.003 License Requirements Required.

(1) The face of the license $\underline{\text{must}} \frac{\text{shall}}{\text{shall}}$ contain the following information:

(a) The name and address of the provider, including the principal office and all branch offices;

(b) All freestanding hospice inpatient facilities and residential units;

(c) All counties served by the hospice;

(d) The name of the owner; and

(e) The effective and expiration dates of the license.

(2) The hospice must notify the department and the agency in writing at least sixty (60) days before making a change in name or address of the provider's principal or branch offices. the name and address of the provider, including the principal office and all branch offices, all hospice residences and inpatient facilities, all counties served by the hospice, the name of the owner, and the effective and expiration dates of the license. The hospice shall notify AHCA and the Department in writing at least sixty (60) days before making a change in name or address of the provider.

(3)(2) If <u>a</u> change of ownership <u>as defined in Section</u> <u>408.803(5), F.S.</u>, is contemplated, the new owner <u>must shall</u> submit, or cause to be submitted, <u>a</u> an <u>license</u> application for license and <u>must</u> receive a license prior to commencement of operation of the hospice. <u>The following materials must</u> accompany the license application:

(a) A signed agreement to correct any existing licensure deficiencies;

(b) Documented evidence that the change of ownership has taken place or will take place upon approval of the license; and (c) A statement that records pertaining to the administrative operation of the provider must be retained and made available for official inspection by the agency.

A signed agreement to correct any existing licensure deficiencies shall accompany the license application, together with documentation to evidence that the ownership change has taken place, and a statement that records pertaining to the administrative operation of the provider will be retained and available for official inspection by the AHCA.

(4)(3) If a merger of two or more hospice providers is contemplated, the legal and incorporated entity that will be responsible for the operational function of the hospice after the merger <u>must shall</u> notify the <u>agency</u> AHCA prior to the merger. Notification <u>must will</u> include the anticipated date for the merger and the reason for the merger. The <u>agency</u> AHCA shall require the legal entity to submit <u>a license</u> an application for license, including a revised plan for the delivery of hospice care to terminally ill patients and their families who will be affected by the merger.

Specific Authority 400.605 FS. Law Implemented <u>400.602</u>, 400.605 Ch. 400, Part VI FS. History–New 5-6-82, Formerly 10A-12.03, 10A-12.003, Amended 4-27-94, Formerly 59A-2.003, Amended 6-5-97_____.

58A-2.005 Administration of the Hospice.

(1) Governing Body. – <u>The hospice must establish written</u> <u>bylaws for</u> There shall be a governing body established by written bylaws of the hospice with autonomous authority for the conduct of the hospice program. <u>The governing body must</u> and which shall satisfy the following requirements:

(a) Members of the governing body <u>must</u> shall reside or work in the hospice's service area as defined in paragraph 59C-1.0355(2)(k), F.A.C.

(b) No change.

(c) Duties of the governing body <u>must shall-include</u>:

1. Adoption in writing, with updates as necessary, of the following documents which <u>must shall</u> be in compliance with provisions of Chapter 400, Part <u>IV</u> \forall H, F.S., and these rules, with updates as necessary:

a. through c. No change.

d. A comprehensive emergency management plan for all administrative, residential, free-standing inpatient facilities, and hospice services designed to protect the safety of patients and their families and hospice staff; and

e. No change.

2. Promulgation of rules and bylaws which include at least the following:

a. through c. No change.

d. The qualifications, method of selection and terms of office of members and chairpersons of the governing body and committees; <u>and</u>

e. A mechanism for <u>the administrator's</u> appointment by the administrator of the medical director and other professional and ancillary personnel.

(2) Administrative Officer. – The hospice <u>must shall</u> employ an administrator whose duties <u>must shall</u> be <u>outlined</u> enumerated in a <u>written</u> job description, including job qualifications.⁵, <u>The administrator must which shall</u> be approved by the governing body. and <u>The job description must</u> <u>be</u> kept in an administrative file.

(a) No change.

(b) The administrator <u>must</u> shall be responsible for maintaining an <u>administrative</u> office facility for the <u>purpose of the operations of the</u> hospice.

(3) Administrative Policies and Practices.

(a) The administrator <u>must shall</u> be responsible for developing, documenting and implementing administrative policies and practices which are consistent with these rules, and the <u>bylaws</u> by-laws, and the plans and decisions adopted by the governing body. These policies and practices must and which ensure the most efficient operation of the hospice program and <u>the</u> safe and adequate care of the patient and family units. At a minimum, tThese policies and practices <u>must shall</u> include:

1. through 2. No change.

3. A plan for orientation and training of all staff, including volunteers, which <u>must shall</u> ensure that all staff receive this training prior to <u>the delivery of their delivering</u> services of any kind to patients and their families. This plan <u>must shall</u> describe the method of assessing training needs and designing training to meet those needs, and <u>must shall</u> include a curriculum outline with specific objectives.

4. No change.

5. Policies for administering drugs and biologicals in the home which <u>must shall</u> include:

a. through b. No change.

c. All verbal orders for medication or treatments, or changes in medication or treatment <u>must orders shall</u> be taken by a licensed health professional and <u>recorded in the patient's</u> record reduced to writing., <u>Verbal orders must be</u> and signed by the physician within thirty (30) calendar days from the date of the order.

d. The use of experimental drugs or any FDA or Chapter 500, F.S., approved drug in a non-approved manner shall not be given without the <u>written</u> consent of the patient or the patient's <u>legal representative</u>, surrogate or proxy. The program administering such drugs <u>must shall be</u> fully informed the patient or the patient's legal representative, surrogate or proxy of any risks, and <u>be</u> prepared to invoke remedial action should an adverse reaction occur. A copy of the signed consent must be kept in the patient's record.

6. No change.

7. Policies and procedures approved by the medical director and governing body pertaining to the drug control system in the hospice <u>including which shall include</u> specific policies and procedures for disposal of Class II drugs upon the death of a patient.

8. No change.

9. <u>Policies and procedures for m</u>Maintenance, confidentiality, and retention of clinical records for a minimum five-year period following the patient's death.

10. through 11. No change.

12. Notice to the public that <u>the</u> hospice provides services regardless of ability to pay.

13. through 14. No change.

15. <u>Policies and procedures for c</u>Completion, retention, and submission of reports and records as required by the <u>d</u>Department, the <u>agency</u>, AHCA and other authorized agencies.

16. No change.

(b) Equipment and personnel, under medical supervision, <u>must shall</u> be provided for diagnostic procedures to meet the needs of the hospice inpatient, residential and home-care programs. This <u>must shall</u> include the services of a clinical laboratory and radiological services, which <u>must shall</u> meet all standards of the State of Florida. <u>There must be written agreements or contracts for such services u</u>Unless provided on the premises of the hospice, there shall be written agreements or contracts for such services. The hospice program <u>must shall</u> ensure that the sum of services <u>are available</u> under contract and services provided directly by the hospice shall assure twenty-four (24) hours a day, seven (7) days a week, <u>either</u> through contractual agreement, written agreement, or direct service provision by the hospice availability.

(c) No change.

(4) Outcome Measures.

Effective 2009, hospices must report the outcome measures outlined in this subsection on DOEA Form H-002, State of Florida Department of Elder Affairs Hospice Annual Report, July 2007, incorporated by reference in Rule 58A-2.012, F.A.C. The reporting time frame is prescribed in paragraph 58A-2.012(2)(a), F.A.C. In addition to the outcome measure regarding pain management pursuant to Section 400.60501, F.S., each hospice must conduct the National Hospice and Palliative Care Organization (NHPCO) Patient/Family Satisfaction Survey, or a similar survey, with its patients and families.

(a) Each hospice must report results from survey questions that inquire about the following areas of concern:

<u>1. Did the patient receive the right amount of medicine for</u> <u>his or her pain?</u>

2. Based on the care the patient received, would the patient and/or family member/caregiver/legal representative/ surrogate/proxy recommend hospice services to others? (b) The acceptable standard for this measure must be an affirmative response on at least fifty (50) percent of the survey responses received by the hospice.

(5) National Initiatives.

(a) In accordance with Section 400.60501, F.S., and as referenced in subsection 58A-2.005(4), F.A.C., the department adopts the national initiative of utilizing patient/family surveys as a tool to set benchmarks for measuring quality of hospice care in the State of Florida.

(b) The department has also considered the national initiatives that are under evaluation and development by the Centers for Medicare and Medicaid Services (CMS) in consultation with the NHPCO. These initiatives include patient-centered outcome measures, quality assessment and performance improvement (QAPI), and infection control. Upon adoption of these initiatives by CMS in final regulation, all hospices shall be required to implement the initiatives consistent with this regulation.

(c) Hospices must maintain documentary evidence of their compliance with these national initiatives and demonstrate their operations to the department or the agency during the survey process:

Specific Authority 400.605. 400.60501 FS. Law Implemented 400.605(1)(c). 400.60501 FS. History–New 5-6-82, Formerly 10A-12.05, 10A-12.005, Amended 4-27-94, Formerly 59A-2.005, Amended 6-5-97, 8-6-02, 8-10-03.

58A-2.010 Quality Assurance and Utilization Review (QAUR) Committee and Plan.

Each hospice <u>must shall</u> appoint a committee which <u>must shall</u> develop, document and implement a comprehensive quality assurance and utilization review plan pursuant to Section 400.610(2), F.S. The QAUR plan <u>must shall</u> include goals and objectives, provisions for identifying and resolving problems, methods for evaluating the quality and appropriateness of care, and the effectiveness of actions taken to resolve identified problems. The QAUR plan <u>must shall</u> establish a process for revising policies, procedures and practices when reviews have identified problems. The QAUR committee <u>must shall</u> review the QAUR plan and report findings and recommendations to the governing body annually. Dated and signed minutes of those meetings of the governing body at which QAUR findings and recommendations are presented <u>must shall</u> be kept in an administrative file.

(1) through (2) No change.

(3) The QAUR committee <u>must shall</u> audit patient records, including interdisciplinary care records, on a regular and periodic basis. All records <u>must shall</u> be stored in secured areas to protect patient confidentiality.

(a) No change.

(b) After the patient's death and the end of the bereavement period, <u>T</u>the master record <u>may be moved to</u> storage shall be stored in a secure and accessible location <u>after</u> termination of bereavement services or a minimum of one year <u>after the patient's death</u>.

(4) No change.

(5) Activities undertaken in the QUAR process <u>must shall</u> demonstrate a systematic collection, review, and evaluation of information and <u>must shall</u> result in proposed actions to correct any identified problems. The information used by the QUAR committee <u>must shall</u> include:

(a) through (e) No change.

(f) High-risk, high-volume and problem-prone activities that would have a significant impact on patients, staff or the organization, even if adverse incidents occur infrequently, if at all. For example, high-risk activities may include review and evaluation of protocols for containment of communicable diseases, emergency evacuations and continuity of operations; high-volume activites might include collection of information regarding timely patient intake assessments, administration of medications; lastly, identifying problem-prone activities might be deterioration or malfunction of equipment, including security of informations systems, disposal of contaminated materials or other bio-medical waste; and

(g) Appropriateness of team services and levels of care measured by whether:;

1. If <u>T</u> the plan of care was directly related to the identified physical and psychosocial needs of the patient and the patient's family;

2. If the <u>S</u>services, medications and treatments prescribed were in accordance with the current hospice plan of care; <u>and</u>

3. If <u>T</u>the hospice program of care was primarily a home-care program that utilized inpatient hospice care on a short-term or respite basis only.

(6) through (7) No change.

Specific Authority 400.605 FS. Law Implemented 400.605 FS. History–New 5-6-82, Formerly 10A-12.10, 10A-12.010, Amended 4-27-94, Formerly 59A-2.010, Amended 6-5-97_____.

(Substantial rewording of Rule 58A-2.012 follows. See Florida Administrative Code for the present text.)

58A-2.012 Program Reporting <u>Requirements</u>.

(1) Definitions.

The following definitions pertain specifically to program reporting for DOEA Form H-002, State of Florida Department of Elder Affairs Hospice Annual Report, incorporated by reference in this rule:

(a) Accreditation: Name of the specific accrediting organization.

(b) Agency Type: Hospice type based on Medicare filing status. Valid options are: Free standing, hospital based, home health based (private residence) or nursing home based. (c) Discharge Disposition: The patient's condition upon discharge. Options are death or non-death.

(d) Facility License Number: The facility's license number provided by the Agency for Health Care Administration.

(e) Hospice operated inpatient facility: An inpatient facility consisting of one or more beds that is owned or leased by the hospice, is staffed by hospice personnel, and has policies and procedures set by the hospice. This includes beds in hospitals or nursing homes that comply with the conditions set forth in this paragraph.

(f) Ownership Type: The type of ownership of the hospice. It can be for profit, not for profit or government operated.

(g) Patient Days: The number of days elapsed during which hospice services were provided for the period of time comprising from start of services until final discharge.

(h) Payor Source: Options are Medicare, Medicaid, third party, self-pay, uncompensated, and other.

(i) Race/ethnicity – A classification based on the patient's race or self -declared ethnic identity. Options are Asian, Black, Caucasian, Hispanic, and Other.

(2) Reporting Criteria.

(a) Each hospice must complete an annual report for the period January 1 through December 31 of each year and must submit the report to the department no later than February 28 of the following year.

(b) The report must be submitted electronically to the following Web site address: hospicereport@elderaffairs.org. The report may alternately be submitted to the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, FL 32399-7000.

(c) Effective with the report due in 2009, the information must be recorded on DOEA Form H-002, State of Florida Department of Elder Affairs Hospice Annual Report, July 2007.

1. The form is hereby incorporated by reference and may be obtained from the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. The form may be also obtained from the department's Web site at http://elderaffairs.state.fl.us/english/forms/DOEAformH002.pdf.

2. The form must be completed in its entirety.

(d) A copy of the report must be available to the public during all hours of operation of the hospice principal office and the department.

Specific Authority 400.605, 400.60501 FS. Law Implemented 400.605, 400.60501 Ch. 400, Part VI FS. History–New 5-6-82, Formerly 10A-12.12, 10A-12.012, Amended 4-27-94, Formerly 59A-2.012, Amended 6-5-97._____.

58A-2.014 Medical Direction.

(1) No change.

(2)(a) The medical director or his or her designee<u>. a</u> physician licensed under Chapter 458 or 459, F.S., must shall be a member of the hospice care team and <u>must shall</u> be responsible for the direction and quality of the medical component of the care rendered to the patient by the hospice care team. The patient's attending physician(s) may remain the primary physician(s) to the patient, depending upon the preferences of the patient and the patient's family. The patient and the patient's family may elect to have the hospice medical director assume all or part of the primary medical care functions, or act as a consultant to the patient's attending physician(s). In either case, the hospice care team <u>must shall</u> maintain liaison and a reporting relationship with the patient's attending physician(s).

- (b) No change.
- (3) through (4) No change.

Specific Authority 400.605 FS. Law Implemented 400.605 FS. History–New 5-6-82, Formerly 10A-12.14, 10A-12.014, Amended 4-27-94, Formerly 59A-2.014, Amended 6-5-97._____.

58A-2.0232 Advance Directives.

(1) The administrator <u>must</u> shall ensure the development, documentation and implementation of policies and procedures which delineate the hospice's compliance with the state law and rules relative to advance directives. The hospice <u>must shall</u> not <u>base condition</u> treatment or admission upon whether or not the patient has executed or waived an advance directive. In the event of <u>a</u> conflict between the hospice's policies and procedures and the patient's advance directive, <u>resolution must provision shall</u> be made in accordance with Chapter 765, F.S.

(2) The hospice's policies and procedures <u>must shall</u> include:

(a) At the time of admission to a hospice program, providing each patient, or the patient's surrogate or proxy, with a copy of Form SCHS-4-2006, "Health Care Advance Directives - The Patient's Right to Decide," as prepared by the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308, effective 4-2006 (April 2006) 1-11-93, which is hereby incorporated by reference, or with a copy of some other substantially similar document which incorporates information regarding advance directives included in is a written description of Chapter 765, F.S., regarding advance directives. The form is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or the agency's Web site at: http://ahca.myflorida.com/MCHQ/ Health_Facility_Regulation/HC_Advance_Directives/docs/ adv_dir.pdf.

(b) through (c) No change.

Specific Authority 765.110, 400.605 FS. Law Implemented 400.605, Ch. 765 FS. History–New 1-11-93, Formerly 59A-2.025, Amended 4-27-94, Formerly 58A-2.0232, Amended 6-5-97._____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jim Crochet

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2007

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006 and May 11, 2007

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.070 RULE TITLE: Durable Medical Equipment and Medical Supplies

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 59G-4.070, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2007. The revised handbook includes the policy and procedure code changes mandated by the federal Health Insurance Portability and Accountability Act (HIPAA) and revised provider enrollment and service requirement policies. The handbook also includes coverage of diabetic testing strips and insulin syringes, which are products that were transferred from the Medicaid Prescribed Drug Program to the Medicaid Durable Medical Equipment and Medical Supplies Program.

The effect of the amendment to Rule 59G-4.070, F.A.C., will be to incorporate by reference in the rule the revised Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2007.

In the Notice of Rule Development that was published in Vol. 32, No. 47, November 22, 2006 issue of the Florida Administrative Weekly, we stated the handbook was dated January 2007. We changed this date to July 2007.

SUMMARY: The rule amendment to Rule 59G-4.070, F.A.C., will incorporate by reference the revised Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2007.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD): DATE AND TIME: Monday, August 27, 2007, 2:00 p.m. PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Gabric, Medicaid Services Office, 2727 Mahan Drive, MS #20, Tallahassee, Florida 32308-5403, (850)922-73069, gabricd@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.070 Durable Medical Equipment and <u>Medical</u> Supplies.

(1) This rule applies to all durable medical equipment and <u>medical</u> supply providers enrolled in the Medicaid program.

(2) All durable medical equipment and <u>medical</u> supply providers enrolled in the Medicaid program must <u>be in</u> <u>compliance eomply</u> with the Florida Medicaid Durable Medical Equipment and <u>Medical</u> Supply Services Coverage and Limitations Handbook, <u>July 2007</u> April 1998, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, <u>CMS</u> HCFA-1500 and EPSDT 221, which is incorporated by reference in Rule 59G-4.001 5.020, F.A.C. Both handbooks are available from the Medicaid fiscal <u>agent's website at http://floridamedicaid.acs-inc.com</u> agent. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

(3) Medicaid durable medical equipment and medical supply providers are required to use the following form, which is incorporated by reference: the Custom Wheelchair Evaluation form, AHCA Med Serv Form, 015, July 2007, five pages. This form is available from the Medicaid fiscal agent's website at http://floridamedicaid.acs-inc.com. Click on Provider Support, and then on Medicaid Forms. The form may also be photocopied from Appendix A in the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907(7), 409.908<u>, 409.913</u> FS. History–New 8-26-92, Formerly 10C-7.070, Amended 5-23-94, 1-7-96, 3-4-99, 10-18-00, 4-30-01<u>.</u>

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Gabric

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

| RULE NO.: | RULE TITLE: |
|------------|-----------------------------------|
| 59G-13.081 | Developmental Disabilities Waiver |
| | Provider Rate Table |

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007. The effect will be to incorporate the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007, into rule. The proposed rate table is available from Pam Kyllonen at kyllonep@ahca.myflorida.com.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007. The effect will be to incorporate the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, January 1, 2007, into rule.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

DATE AND TIME: Wednesday, September 5, 2007, 1:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Kyllonen, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)414-9756, kyllonep@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.081 Developmental Disabilities Waiver Provider Rate Table.

(1) No change.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities <u>Home and Community-Based Services</u> Waiver Provider Rate Table, <u>January 1, 2007</u> November 2003, which is incorporated by reference. The rate table is available from the Medicaid fiscal

agent's website at http://floridamedicaid.acs-inc.com. Click on Provider Support, and then on Fees and. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New 5-29-06, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Kyllonen

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:RULE TITLE:61H1-31.001Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to include a fee for approval of a continuing education course in ethics.

SUMMARY: The fee for approval of a continuing education course in ethics will be \$250.00.

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

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

SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.001 Fees.

(1) through (14) No change.

(15) For approval of a continuing education course in ethics, meeting the requirements of Section 473.312(1)(c), F.S., two hundred fifty dollars (\$250.00).

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History–New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02, 1-27-04, 1-31-05, 7-14-05, 4-9-06, 12-3-06, 4-29-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 20, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0032

Board Approval of CPA Ethics Continuing Education by Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the fee for the Board and Department's review of each course for compliance to the one established in subsection 61H1-31.001(15), F.A.C.

RULE TITLE:

SUMMARY: The fee for the Board's and Department's review of each course for compliance will be changed to the fee established in subsection 61H1-31.001(15), F.A.C.

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

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

SPECIFIC AUTHORITY: 120.55(1)(a)4., 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-33.0032 Board Approval of CPA Ethics Continuing Education by Providers.

(1) through (2) No change.

(3) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following:

(a) through (h) No change.

(i) A fee in the amount of \$250.00 to reimburse the Board and Department for the review of each course for compliance with these rules and Section 473.312(1)(c), F.S. The fee as established in subsection 61H1-31.001(15), F.A.C.

(4) through (6) No change.

Specific Authority 120.55(1)(a)4., 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(6), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History–New 6-30-05. <u>Amended</u>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 20, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NO.: RULE TITLE:

63H-2.003 Contracted Residential Staff

PURPOSE AND EFFECT: Amending the timing for annual in-service training for contracted residential staff, so that it corresponds with similar provisions elsewhere in the rule chapter.

SUMMARY: The annual in-service training period will no longer commence on the anniversary of hire, but is amended to begin the calendar year after the staff has completed pre-service training.

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

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

SPECIFIC AUTHORITY: 20.316(1), 985.601(8) FS. LAW IMPLEMENTED: 985.02(3)(c), 985.601(8) FS.

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

DATE AND TIME: Tuesday, August 28, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63H-2.003 Contracted Residential Staff.

(1) through (4) No change.

(5) During each year, beginning on the first anniversary of hire, <u>C</u>eontracted residential staff must complete 24 hours of annual in-service training <u>beginning the calendar year after the staff has completed pre-service training</u>.

(6) through (12) No change.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History–New 6-11-07. <u>Amended</u>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Duane Pace, DJJ Bureau of Staff Development

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael McCaffrey, Director of Staff Development

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 20, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2007

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: RULE TITLE:

64D-4.002 Definitions

PURPOSE, EFFECT AND SUMMARY: This rule chapter is amended to update the effective date of the federal poverty level (FPL) from February 2006 to February 2007, and to comply with the most current federal poverty level standards. The Department of Health and Human Services updates the federal poverty level annually to better serve low-income persons living with HIV disease. This amended rule updates the effective date of the federal poverty level (FPL) from the year 2006 to 2007. The U.S. Department of Health and Human Services publishes the federal poverty level annually, and is used for eligibility purpose for the HIV/AIDS Patient Care Programs.

SPECIFIC AUTHORITY: 381.0011(13) FS.

LAW IMPLEMENTED: 381.001(1), 381.003(1)(c), 381.0011(5) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Joseph P. May, Program Administrator, Department of Health, Division of Disease Control, Bureau of HIV/AIDS, Patient Care, 2585 Merchants Row Boulevard, 3rd Floor, Room 345, Tallahassee, Florida 32399-1715.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-4.002 Definitions.

For the purpose of this rule chapter, the words and phrases listed below are defined in the following manner:

(1) through (9) No change.

(10) "Federal Poverty Level" (FPL) means the poverty income levels (effective February 2007 2006) as published by the U.S. Department of Health and Human Services (HHS), Federal Office of Management and Budget (OMB), which is incorporated by reference. The federal poverty guidelines are located on the Department of Health, Bureau of HIV/AIDS website or can be obtained at any Florida county health department.

(11) through (16) No change.

Specific Authority 381.0011(13) FS. Law Implemented 381.001(1), 381.003(1)(c), 381.0011(5) FS. History–New 1-23-07. <u>Amended</u>.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.030 Fees

PURPOSE AND EFFECT: The proposed changes to Chapter 64E-6, Florida Administrative Code, address shortfall in fee revenues for services provided in the Onsite Sewage Program. Review of fee revenue versus expenditures for the 2006/2007 fiscal year found that on average revenue covers only 62% of expenditures. These rule amendments reflect a previous agreement and should produce a 25% increase in revenue overall for services in the program.

SUMMARY: Areas addressed include fees for services in the Onsite Sewage Program.

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

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

SPECIFIC AUTHORITY: 154.06(1), 381.0066, 489.557(1) FS.

LAW IMPLEMENTED: 381.0065, 381.066, 489.557 FS.

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

DATE AND TIME: August 27, 2007, 1:00 p.m.

PLACE: Bureau of Onsite Sewage Programs, Conference Room 240P, Capital Circle Office Center, 4042 Bald Cypress Way, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 hours before the workshop/meeting by contacting: Shirley Kugler, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are 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: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-6.030 Fees.

(1) The following fees are required <u>for</u> to accompany applications for site evaluations, construction, modifications to existing systems or repair permits, and other services provided by the department.

| (a) Application and plan review for construction | |
|--|-----------------------------|
| permit for new system permitting of an onsite | |
| sewage treatment and disposal system, which | |
| includes application and plan review | \$ <u>100</u> 50 |
| (b) Application and approval for existing | |
| system, if system inspection is not required | |
| does not include system inspection. | \$35 |
| (c) Application and Existing System Evaluation | <u>\$50</u> |
| (d)(c) Application for permitting | |
| of a new performance-based treatment system | \$125 |
| (e)(d) Site evaluation for a new system | |
| which includes an evaluation of criteria | |
| specified in subsection 64E 6.004(3) | \$115 |
| (e) Site evaluation for a system repair which | |
| includes an evaluation of criteria specified in | |
| | Ф 7 Е |

subsection 64E-6.015(1), or modification of a system \$75

| (f) Site re-evaluation , new or repair, or | ф <i>с</i> о 7 с |
|---|----------------------------|
| modification of a system | \$ <u>50</u> 75 |
| (g) Permit or permit amendment for new | |
| system, or modification <u>or repair</u> to system | \$55 |
| (h) New system or modification of a system | *** |
| installation inspection | \$80 |
| The following research fee is to be collected | |
| in addition to, and concurrent with the permit for | |
| a new system installation fee | \$5 |
| (h)(i) Research / Training surcharge, new | |
| and repair permits Repair permit issuance, | * = = 0 |
| which includes inspection | \$ <u>5</u> 50 |
| (j) Inspection of existing system, does | |
| not include modifications to system | \$50 |
| (i) Initial system inspection | <u>\$75</u> |
| (j)(k) System reinspection (stabilization, | |
| non-compliance or other inspection after the | |
| initial inspection) Reinspection fee per visit for | |
| site inspections after system construction approval | \$50 |
| (k)(I) Application for system Installation | |
| reinspection for non compliant system per | |
| each site visit | \$50 |
| (m) System abandonment permit, includes | |
| permit issuance and inspection | \$ <u>50</u> 40 |
| (LAN) Annual operating permit fee for | |
| systems in industrial/, manufacturing zoning or, | |
| and equivalent areas, and for systems receiving | * • * • |
| commercial sewage waste | \$150 |
| (m) Amendments or changes to the operating | |
| permit during the permit period per change or | ФГО |
| amendment | \$50 |
| (o) <u>Biennial operating permit for aerobic</u> | |
| Aerobic treatment unit or performance-based | \$100 |
| treatment system biennial operating permit | \$100 |
| (p) Biennial operating permit fee for | |
| performance-based treatment system. A | |
| prorated fee is to be charged beginning with | ¢100 |
| second year of operation. | \$100 |
| (n) Amendment to operating permit | |
| (q) Review of application due to proposed | |
| amendments or changes after initial operating | |
| permit issuance for a performance-based | Ф <i>Е</i> О 7 <i>Е</i> |
| treatment system. | \$ <u>50</u> 75 |
| (o)(r) Tank Manufacturer's Inspection | ¢100 |
| per annum | \$100 |
| (p)(s) Septage Disposal Service permit | Ф 7 5 |
| per annum | \$75 \$25 |
| Additional charge per pumpout vehicle | \$35 |
| (q)(t) Portable or Temporary Toilet Service | ф л г |
| permit per annum | \$75 |
| (r) Additional charge per pumpout vehicle. | Ф 2 Е |
| septage disposal service or portable toilet service | \$35 |
| | |

| (s)(u) Septage stabilization facility inspection fee per annum per facility | \$150 |
|---|-------------------------------|
| $(\underline{t})(\underline{v})$ Septage disposal site evaluation fee per | |
| annum | \$200 |
| (u)(w) Aerobic treatment unit maintenance | |
| entity permit per annum | \$25 |
| (v)(x) Variance Application for a single | |
| family residence per each lot or building site | \$ <u>200</u> 150 |
| (w)(y) Variance Application for a | |
| multi-family or commercial building per each | |
| building site | \$ <u>300</u> 200 |
| (x)(z) Application for innovative product | |
| approval | \$ <u>2500</u> 500 |

(2) Except for the research fee which is to be placed in a designated account, all fees collected pursuant to paragraphs 64E 6.030(1)(a) through (w), F.A.C., shall be deposited in an individual county health department trust fund to be used to meet the cost of administering the onsite sewage treatment and disposal program.

(2)(3) No change.

Specific Authority 154.06(1), 381.0066, 489.557(1) FS. Law Implemented 381.0065, 381.0066, 489.557 FS. History–New 2-3-98, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06._____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Holcomb, Environmental Administrator, Bureau of Onsite Sewage Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

DEPARTMENT OF HEALTH Division of Family Health Services RULE NO .: RULE TITLE: General Regulations; Definitions 64F-12.001 PURPOSE AND EFFECT: The 2006 Florida legislature enacted session law 2006-310, amending Chapter 499, Part I, F.S., which changed requirements for prescription drug pedigrees in some instances; added a statutory provision authorizing drop shipment of prescription drugs in certain situations to allow an end user to obtain prescription drugs directly from the manufacturer without first obtaining a pedigree paper; authorized a cancer drug donation program. It is the purpose of this rule to clarify what is meant by specific terms used to address the changes, address other definitions, including but not limited to defining terminology related to common carriers.

SUMMARY: The proposed amendments will provide a definition for statutory and rule terms and define the terms "directly from the manufacturer", "intracompany transfer", "pedigree", "point of origin" "specific unit of a prescription drug", "usual course of business as carriers" and "affiliated group". The changes will make the definitions set forth in this rule section applicable to both Chapter 64F-12, Florida Administrative Code and to Chapter 499, Florida Statutes.

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

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

SPECIFIC AUTHORITY: 499.05, 499.024, 499.025(5), 499.003(31), 499.01(6), 499.03(4), 499.0121(6), 499.0122(2), 499.014(5), 499.013(3), 499.012(12) FS.

LAW IMPLEMENTED: 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75, 499.081 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy-Drugs Devices and Cosmetics, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.001 General Regulations; Definitions.

(1) A word or phrase defined in 21 U.S.C. ss. 301 et seq. or federal regulations promulgated thereunder in Title 21 Code of Federal Regulations (C.F.R.), (as of 10/1/03) which are incorporated by reference <u>herein</u>, shall have the same meaning as in those provisions unless specifically defined otherwise in Chapter 499, F.S. or Rule Chapter 64F-12, F.A.C.

(2) In addition to definitions contained in Sections 499.003, 499.012(1), 499.0121(6), 499.0122(1), 499.028(1), <u>499.029(3)</u>, and 499.61, F.S., the following definitions apply, <u>to Chapter 499, F.S.</u>, and to Rule Chapter 64F-12, F.A.C.:

(a) "Administer" \pm means the obtaining and giving of a single dose of drugs by a legally authorized person to a patient for his consumption.

(b) "Affiliated group" – means the definition set forth in Section 1504 of the Internal Revenue Code, (as of April 24, 2003) which is incorporated by reference <u>herein</u>, which is <u>composed of chain drug entities</u>, <u>including at least 50 retail</u> <u>pharmacies</u>, warehouses, or repackagers, which are members of the same affiliated group, if the affiliated group:

i. Discloses to the department the names of all its members; and

ii. Agrees in writing to provide records on prescription drug purchases by members of the affiliated group not later than 48 hours after the department requests such records, regardless of the location where the records are stored.

For an affiliated group to qualify under Section 499.0121(6)(f)1., F.S., such affiliated group must also meet all the conditions specified by Section 499.0121(6)(f)., F.S.

(c) "Authorized absence", <u>means</u>, for purposes of Section 499.012(11)(d), F.S., means the management or owner of a permitted wholesale establishment has approved in writing in a document that is available for inspection under Section 499.051, F.S., at the time of the inspection, the absence of the designated representative for a period not to exceed 60 calendar days for situations such as: the birth of the employee's child and to care for the newborn child; the placement of a child with the employee for adoption or foster care; the employee is needed to care for a family member (child, spouse or parent) with a serious health condition; or the employee's own serious health condition makes the employee unable to perform the functions of the designated representative.

(d) "Authorized recipient" - means a person permitted by or otherwise authorized by Chapter 499, F.S., to purchase, receive or possess prescription drugs; a pharmacy licensed by Chapter 465, F.S., except a Class I linstitutional Ppharmacy since it is only authorized to possess dispensed prescription drugs and medical oxygen for administration to its patients; a practitioner licensed by Florida law to purchase and receive prescription drugs; or a person who is authorized by the law where the delivery occurs to purchase, receive or possess prescription drugs. A licensed ship captain or first officer for a vessel engaged in international trade or in trade between ports of the United States and any merchant vessel belonging to the U.S. Government is an authorized recipient for prescription drugs intended solely for emergency medical purposes, provided the prescription drugs are delivered by the wholesaler directly to the ship.

(e) "Broker" – means a person participating in the wholesale distribution of a prescription drug that buys and sells the drug but does not take physical possession such that the drug is "sold to" the broker and "shipped to" a third party.

(f) "Change in Ownership" – means a majority (<u>more than</u> 50% or more) of the ownership or controlling interest changes. A change in ownership occurs when there has been any change in a partnership amounting to <u>more than</u> 50% or more of the ownership or controlling interest. For a publicly traded

corporation, the changing of officers or directors is not a change in ownership nor is the change in ownership of a parent company provided that such change does not result in <u>more than</u> a 50% change in the ownership or controlling interest of any permitted establishment.

(g) "Chief Executive Officer" – means the owner or the highest ranking official of a corporation, company, or business.

(h)(g) "Directly from the manufacturer" – means:-

1. For the purposes of pedigree as defined by Section 499.003(31)(b), F.S., the manufacturer of the specific unit of the prescription drug invoiced and sent that specific unit of the prescription drug directly to the purchasing wholesale distributor, or

2. For the purposes of Section 499.0121(6)(d)5., F.S. the manufacturer of the prescription drug ships the specific unit of the prescription drug directly to the person authorized by Section 499.0121(6)(d)5., F.S. to receive the specific unit of the prescription drug. for purposes of Sections 499.0121(6)(d) and (e), F.S., the manufacturer sold the prescription drug to the establishment, or member of the establishment's affiliated group if applicable, as reflected on a true and accurate invoice of sale from the manufacturer to the establishment or affiliated group member. The prescription drug may be shipped directly to another establishment.

(h) "Chief Executive Officer" means the owner or the highest ranking official of a corporation, company, or business.

(i) "Electronic signature" – means a method of signing an electronic message that identifies a particular person as the source of the message and indicates the person's approval of the information contained in the message.

(j) "Established safe and effective indication" – means any indication that has been approved as safe and effective by the FDA, which is generally recognized as safe and effective under conditions established by the FDA, or which is otherwise in compliance with FDA's regulations.

(k) "FDA" – means the United States Food and Drug Administration.

(1) "Intracompany transfer" – means, pursuant to Section 499.003(31)(b), F.S., a distribution of a specific unit of a prescription drug between two establishments wholly owned and operated by the same business entity.

(m)(1) "Legend Device or Restricted Device" – means is any device which can be dispensed only by the prescription or order of a licensed practitioner and which device on its label bears either the words: "Caution: Federal Law restricts this device to sale by or on the order of a ______," the blank to be filled with the word "physician," "dentist," "veterinarian," or with the descriptive designation of any practitioner licensed by law to use or prescribe the device; "Caution: Federal Law prohibits dispensing without prescription; "Rx Only;" or "Caution: Florida Law prohibits dispensing without prescription." (n) "Pedigree" – means a document that satisfies the requirements of Section 499.003(31)(a) or (b), F.S. as applicable, and the applicable rule requirements of subsection 64F-12.012(3), F.A.C., and any forms adopted therein.

(o) "Point of origin" – means the location from which the manufacturer transfers title, and the location from which the manufacturer transfers possession, if different, of the specific unit of the prescription drug being transferred or sold.

(m) "Propagation" of a drug, as used under the definition of "manufacture" at Section 499.003(27), F.S., includes for purposes of permitting under Section 499.013, F.S., the holder or holders of a New Drug Application (NDA), an Abbreviated New Drug Application (ANDA), a Biologies License Application (BLA) or a New Animal Drug Application (NADA), provided that such application has become effective or is otherwise approved consistent with Section 499.023, F.S.; a private label distributor for whom the private label distributor's prescription drugs are originally manufactured and labeled for the distributor and have not been repackaged; or the distribution point for the manufacturer, contract manufacturer or private label distributor whether the establishment is a member of the manufacturer's affiliated group or is a contract distribution site.

(n) "Ongoing relationship" means: For a prescription drug other than a specified drug:

1. An association that exists when a manufacturer and a distributor enter into a written agreement under which the distributor is authorized to distribute the manufacturer's product(s) for a period of time or for a number of shipments and at least one sale is made under that agreement; or

2. The name of the authorized distributor of record is entered on the manufacturer's list of authorized distributors of record or equivalent list; or

3. At least three purchases of a manufacturer's product(s) are made directly from that manufacturer within a six month period from the date for which the authorized distributor of record relationship is claimed.

(p)(o) "Practitioner" means a person who is duly licensed and authorized by laws of the state to administer, prescribe, or dispense, as appropriate, a drug or device for medical purposes.

(q) "Product" – anything produced or made either naturally or artificially.

(r) "Propagation" of a drug – means, as used under the definition of "manufacture" at Section 499.003(27), F.S., for purposes of permitting under Section 499.013, F.S., the holder or holders of a New Drug Application (NDA), an Abbreviated New Drug Application (ANDA), a Biologics License Application (BLA) or a New Animal Drug Application (NADA), provided that such application has become effective or is otherwise approved consistent with Section 499.023, F.S.; a private label distributor for whom the private label distributor's prescription drugs are originally manufactured and labeled for the distributor and have not been repackaged; or the distribution point for the manufacturer, contract manufacturer or private label distributor whether the establishment is a member of the manufacturer's affiliated group or is a contract distribution site.

 $(\underline{s})(\underline{p})$ "Provides prescription services to the public" – means, for the purposes of the retail pharmacy wholesaler permit, holding the pharmacy out to the public through prominently displayed pharmacy signs on the exterior of the building and adequate inventory on hand to fill a variety of prescriptions for a variety of medical conditions that would be required by the public generally.

(q) "Product" anything produced or made either naturally or artifically.

 $(\underline{t})(\underline{r})$ "Readily available" and "readily retrievable" – mean that records, either hard copy or computerized, are organized in such a manner that they can be quickly and easily retrieved during an inspection; individual records can be produced within minutes of the request (unless the permitted address is not within the state in which case a 48 hour timeframe is available for producing records). Required records that are kept by automatic data processing systems or other electronic or mechanized recordkeeping systems are kept in such a manner so that they can be separated out from all other records in a reasonable time.

(u)(s) "Repackaging or otherwise changing the container, wrapper, or labeling to further the distribution" means:

1. Altering a packaging component that is or may be in direct contact with the drug, device, or cosmetic. For example, repackaging from bottles of 1000 to bottles of 100.

2. Altering a manufacturer's package for sale under a label different from the manufacturer. For example, a kit that contains an injectable vaccine from manufacturer A; a syringe from manufacturer B; alcohol from manufacturer C; and sterile gauze from manufacturer D packaged together and marketed as an immunization kit under a label of manufacturer Z.

3. Altering a package of multiple-units, which the manufacturer intended to be distributed as one unit, for sale or transfer to a person engaged in the further distribution of the product. This does not include:

a. Selling or transferring an individual unit which is a fully labeled self-contained package that is shipped by the manufacturer in multiple units, or

b. Selling or transferring a fully labeled individual unit, by adding the package insert, by a person authorized to distribute prescription drugs to an institutional pharmacy permit, health care practitioner or emergency medical service provider for the purpose of administration and not for dispensing or further distribution.

 $(\underline{v})(\underline{t})$ "Rx" – means prescription.

 $(\underline{w})(\underline{u})$ "Sale" – includes any transfer whether by barter, exchange or gift.

 $(\underline{x})(\underline{v})$ "Separate and distinct cosmetic product" – means a cosmetic product for that establishment which is, or will be sold, distributed, or given away. The adding of color, flavor, or scents does not make a separate and distinct cosmetic product for each variation.

<u>(y)(w)</u> "Separate and distinct device product" – means a device product in its finished form for that manufacturer which is, or will be sold, distributed, or given away. The function or use of the device determines whether a device is separate and distinct.

 $(\underline{z})(\underline{x})$ "Separate and distinct drug product" – <u>means</u> a drug product in the finished form and strength for that manufacturer which is, or will be sold, distributed or given away.

(aa) "Specific unit of a prescription drug" – means the individual saleable unit of a specific prescription drug being transferred or sold, which is capable of being serialized to contain its own serial number, which drug is identified by name, strength, dosage form, container size, and lot number.

 $(\underline{bb})(\underline{y})$ "Specified drug" <u>–</u> means all dosage forms, strengths and container sizes of the following prescription drugs:

1. Bextra (valdecoxib);

2. Celebrex (celecoxib);

- 3. Combivir (lamivudine/zidovudine);
- 4. Crixivan (indinavir sulfate);
- 5. Diflucan (fluconazole);
- 6. Epivir (lamivudine);
- 7. Epogen (epoetin alfa);
- 8. Gamimune (globulin, immune);
- 9. Gammagard (globulin, immune);
- 10. Immune globulin;
- 11. Lamisil (terbinafine);
- 12. Lipitor (atorvastatin calcium);
- 13. Lupron (leuprolide acetate);
- 14. Neupogen (filgrastim);
- 15. Nutropin AQ (somatropin, e-coli derived);
- 16. Panglobulin (globulin, immune);
- 17. Procrit (epoetin alfa);
- 18. Retrovir (zidovudine);
- 19. Risperdal (risperidone);
- 20. Rocephin (ceftriaxone sodium);
- 21. Serostim (somatropin, mannalian derived);
- 22. Sustiva (efavirenz);
- 23. Trizivir (abacavir sulfate/lamivudine/zidovudine);
- 24. Venoglobulin (globulin, immune);
- 25. Viagra (sildenafil citrate);
- 26. Videx (didanosine);
- 27. Viracept (nelfinavir mesylate);
- 28. Viramune (nevirapine);
- 29. Zerit (stavudine);
- 30. Ziagen (abacavir sulfate);

31. Zocor (simvastatin);

32. Zofran (ondansetron);

33. Zoladex (goserelin acetate); and

34. Zyprexa (olanzapine).

 $(\underline{cc})(\underline{z})$ "State Current Good Manufacturing Practices" means current good manufacturing practices and quality system regulations as prescribed as of 1/1/01 in Title 21 Code of Federal Regulations, Parts 210, 211, 600-610, and 820, and the federal guidelines which are incorporated by reference herein and made a part of this rule, and the requirements of this chapter. Current good manufacturing practices for cosmetics means the guidelines for manufacturing cosmetics as set forth in Rule 64F-12.010, F.A.C.

(dd)(aa) "Unapproved new drug" – means any drug which has not been approved or otherwise authorized for use under the federal act, 21 U.S.C. ss. 301 et seq., and the regulations promulgated thereunder or which does not have a Notice of Claimed Investigational Exemption on file with the United States Food and Drug Administration.

(ee) "Usual course of business as carriers" – means for purposes of commercial airlines, the purchase, receipt, distribution and storage of prescription drugs for emergency medical reasons, which includes:

<u>1. The transportation of a prescription drug aboard a commercial aircraft where the drug is required by 14 CFR s.</u> <u>121.803 (and appendix A to 14 CFR part 121), to be on board the aircraft as part of an approved emergency medical kit; and,</u>

2. The purchase of the prescription drug by the commercial airline, and receipt of the prescription drug by the commercial airline at an establishment operated by the airline, provided that, the prescription drug is sold and provided to the commercial airline by a person and establishment that is licensed to engage in wholesale distribution of prescription drugs. The recordkeeping requirements of subsections 64F-12.012(1), (2), F.A.C. apply to all distributions of prescription drugs under this sub-sub paragraph. In all such distributions to commercial airlines, the recipient's license number shall be the registration number assigned to the carrier by the-Federal Aviation Administration.

(ff)(bb) "Valid client-veterinarian relationship" – means one in which (1) a veterinarian has assumed the responsibility for making medical judgments regarding the health of an animal and the need for medical treatment, and the client (the owner or other caretaker of the animal or animals) has agreed to follow the instructions of the veterinarian; (2) there is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s); and (3) the veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. Such a relationship can exist only when the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept.

(gg)(ee) "Verifiable account" <u>–</u> means a number issued by the manufacturer to a wholesaler when the wholesaler sets up an account with the manufacturer for the purchase of a prescription drug from that manufacturer that uniquely identifies the wholesaler and that is to be used on a recurring basis.

<u>(hh)(dd)</u> "Wholesale distribution" \pm means distribution of prescription drugs to persons other than a consumer or patient as set forth in Section 499.012(1)(a), F.S.

(ii)(ee) "Wholesaler" – means a person who engages in the wholesale distribution of a prescription drug.

(jj)(ff) "Written agreement" means any type of written correspondence or documentation to establish an account for ongoing sales of prescription drugs by the manufacturer to that wholesaler.

Specific Authority 499.05, 499.024, 499.025(5), 499.003(31), 499.01(6), 499.03(4), 499.0121(6), 499.0122(2), 499.014(5), 499.013(3), 499.012(12) FS. Law Implemented 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS. History–New 1-1-77, Amended 12-12-82, 1-30-85, Formerly 10D-45.31, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.031, Amended 1-26-99, 4-17-01, 6-30-03, 10-7-03, 1-1-04, 1-29-04, 5-29-05, 1-19-06, 2-14-06, 8-6-06,______.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rebecca Poston, R.Ph.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rebecca Poston, R.Ph.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF HEALTH

Division of Family Health Services

| RULE NO.: | RULE TITLE: |
|------------|---------------------------------|
| 64F-12.012 | Records of Drugs, Cosmetics and |
| | Devices |

PURPOSE AND EFFECT: The Department intends to enact rules that implement the pedigree provisions of Florida Session Law 2006-310 concerning implementing the direct purchase statement pedigree related provisions of that session law. The Department intends to provide clarification as to when wholesale distributions of prescription drugs are eligible for the direct purchase pedigree, as well as conditions on content of the direct purchase pedigree. The Department intends to revise the rule chapter to delete outdated pedigree language for pedigree requirements that were deleted from Chapter 499, Florida Statutes, effective July 1, 2006. The Department intends to make changes regarding when the operating systems of businesses licensed under Chapter 499, Florida Statutes, are required to be maintained separately for each type of business. The Department also intends to make changes to the emergency distributions paragraph within this rule, changing the documentation requirements for use of this provision. The Department intends to make changes to the requirements for permitting for contract distributors of prescription drugs on behalf of manufacturers, who do not have to pass pedigrees. The Department proposes to provide additional language regarding the requirements for returns of prescription drugs to wholesalers.

SUMMARY: The rule implements the direct purchase pedigree provisions of Florida Session Law 2006-310; the rule provides for clarification on use of the pedigree and the content thereof, including but not limited to, the number of intracompany transfers allowed by use of the direct purchase pedigree. The rule deletes language related to deleted statutory pedigree requirements, found in subsection 16 of the rule. The rule allows Restricted Drug Distributor-Health Care Entity permitted prescription drug distributors to commingle drugs used for in house administration and for wholesale distribution. The rule adds restrictions to the documentation required for use of the "Emergency Distributions" distribution of prescription drugs without the passing of a pedigree. The rule clarifies the permitting requirements for third party logistics providers and the manufacturers they are contract distributors for, in order for the third party contract distributors to be exempt from licensure as wholesale distributors who would be required to pass pedigrees. The rule will require the contract distributor to be permitted at the distribution point as well as the manufacturer. In addition, the manufacturer will be required to be permitted at the location from which it is passing title to the prescription drugs. The rule provides the conditions under which a specified prescription drug can be can be returned and re-distributed.

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

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

SPECIFIC AUTHORITY: 499.003, 499.05, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS.

LAW IMPLEMENTED: 499.01, 499.003, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.051, 499.052, 499.06, 499.063, 499.064, 499.066, 499.067 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, R.Ph., C.Ph., Executive Director, Board of Pharmacy-Drugs Devices and Cosmetics, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.012 Records of Drugs, Cosmetics and Devices.

(1)(a) Records to document the movement of drugs, devices or cosmetics must provide a complete audit trail from a person's receipt or acquisition to sale or other disposition of the product or component. A complete audit trail includes records, which document each transaction or step in the receipt, manufacture, shipping, transfer, or other steps in the channel of trade of that person, whether or not physical possession or handling of the product or component occurs. At a minimum, records shall consist of invoices from the supplier or source, which documents acquisition of each product by the person, and invoices of sale or other transfer by the person to the recipient. Retail sales transactions to the consumer of over-the-counter drugs, non-restricted devices, or cosmetics are exempt from the requirements of this rule. Additional recordkeeping is required for persons permitted by the department as further stated in this rule.

(b) A person engaged in the distribution of drugs, devices, or cosmetics is not required to maintain documentation from a common carrier that the designated recipient received the product shipped; however, the person must obtain such documentation from the common carrier and make it available to the department upon specific request of the department.

(2) Any person engaged in the manufacture of prescription drugs, the wholesale distribution of prescription drugs, or otherwise receiving or distributing prescription drugs must maintain records as follows:

(a) For each step in the channel of trade, records containing the information required by Section 499.0121(6)(a), F.S., and the Florida permit or license number, which authorizes the source to possess and transfer prescription drugs in or into Florida, must appear on one document. If delivery of prescription drugs is made to a person other than the purchaser, the name, address or location where the prescription drugs are delivered, and the state license, permit or registration number for that location must be included also.

(b) The state permit or registration number of the purchaser may be omitted if the prescription drugs are exported; but a validated airway bill, bill of lading or other appropriate documentation must be maintained to evidence the exportation of the product.

(c) Invoices must reflect the amount billed per prescription drug product.

(d) Records to document the distribution of prescription drugs required by Section 499.0121(6), F.S., and this rule are to be created during the transaction (i.e., at the time of order,

receipt, processing, picking or shipping) and not retroactively created. A pharmacy or other person authorized to possess prescription drugs that transfers prescription drugs to an establishment performing reverse distribution services or destruction activities must prepare or have prepared an inventory or other record of the prescription drugs so transferred prior to the prescription drugs leaving the premises. In addition to the name, address, and license number of the sender and the name, address, and license number of the receiving establishment, the record must include the elements set forth in paragraph 64F-12.023(3)(a), F.A.C.

(e) Inventory. A complete and accurate record of all stock of prescription drugs on hand must be made annually by establishments permitted under Chapter 499, F.S. A physical inventory must be conducted at least annually unless perpetual inventory records are maintained, in which case the physical inventory may be conducted on a biennial basis. Significant inventory discrepancies must be investigated and handled in accordance with written policies and procedures of the establishment. In addition, no later than July 17, 2006, each wholesale distributor shall submit to the department an inventory of drugs it has on hand as of June 30, 2006.

(f) Inventory existing as of June 30, 2006. A wholesale distributor permitted under Section 499.012, F.S., that has purchased a prescription drug on or before close of business June 30, 2006, without the pedigree required by Section 499.0121(6)(d)(f), F.S., may distribute such drug provided the wholesale distributor submits to the department an inventory of such drugs no later than July 17, 2006, conforming to paragraph (2)(e) above and provided further that such drugs are otherwise in compliance with the provisions of Sections 499.001 through 499.081, F.S. Inventories shall be submitted to the department in written form, email, facsimile, or electronic media excluding a web page. The department will consider the submittal to be a trade secret as defined by Section 812.081(1)(c), F.S., provided that the sending wholesale distributor complies with the requirements of subsections 64F-12.021(1) and (2), F.A.C.

(3) Pedigree<u>s; Direct Purchase Pedigree; Alternative</u> <u>Pedigree</u> <u>Papers</u>.

In order to satisfy the pedigree requirements in Section 499.0121(6)(d)1., F.S., one of the two pedigree documents defined in Section 499.003(31), F.S., must be used. They are the "Direct Purchase Pedigree" document, which is defined at Section 499.003(31)(b), F.S., and the "Alternative Pedigree" document, which is defined at Section 499.003(31)(a), F.S., and contains the elements in the forms approved by the department in this rule section.

(a) Direct Purchase Pedigree.

1. The direct purchase pedigree is the pedigree document defined in Section 499.003(31)(b), F.S. It is a signed statement, under oath, in written or electronic form, accurately confirming that the wholesale distributor who purchased and received the

specific unit of the prescription drug being distributed, purchased and received the specific unit of the prescription drug directly from the manufacturer of the drug. The direct purchase pedigree document can be used to satisfy the requirements of Section 499.0121(6)(d), F.S., only if the wholesale distributor distributes that specific unit of the prescription drug that it purchased and received directly from the manufacturer, to a chain pharmacy warehouse as described at Section 499.003(31)(b), F.S., or to a person authorized to purchase a prescription drug for the purpose of administering or dispensing such drug ("purchaser") in one of two ways:

a. The subject wholesale distributor distributes the prescription drug directly to the purchaser; or,

b. The subject wholesale distributor distributes the prescription drug indirectly to the purchaser through the use of one intracompany transfer between two establishments wholly owned and operated by the same business entity.

2. In order to qualify for use of the direct purchase pedigree the wholesale distributor who purchases and receives the specific unit of prescription drug directly from the manufacturer must: accurately provide the statement and information required by Section 499.003(31)(b)1., F.S., on the pedigree document and maintain and make available the documentation required by Section 499.003(31)(b)1., F.S., as well as the documentation required by Section 499.0121(6), F.S., and this rule chapter.

3. The direct purchase pedigree shall be provided to every recipient of the prescription drug, except for a patient or consumer, who receives the specific unit of the prescription drug directly or indirectly, from the wholesale distributor who purchases and receives the specific unit of the prescription drug directly from the manufacturer. In a wholesale distribution, of a prescription drug, the direct purchase pedigree document shall not contain any reference to a prescription drug that is not eligible for use of the direct purchase pedigree to satisfy the requirements of Section 499.0121(6)(d)1., F.S., unless the prescription drug not qualifying for the direct purchase pedigree is clearly identified on the pedigree document as not having been purchased and received directly from the manufacturer of the drug. For any distribution of prescription drugs in or into this state, the direct purchase pedigree shall not be used unless all distributions, including transfer of title and transfer of possession of a prescription drug, from the manufacturer to the end user, are eligible for use of the direct purchase pedigree to satisfy the requirements of Section 499.0121(6)(d)1., F.S.

(b) Alternative Pedigree.

The alternative pedigree is the pedigree defined in Section 499.003(31)(b), F.S. For all wholesale distributions that require a pedigree pursuant to Section 499.0121(6)(d), F.S., the alternative pedigree must be used for all distributions of

prescription drugs that are not eligible for use of the direct purchase pedigree. The forms approved by the department for this pedigree are:

<u>1. Beginning July 1, 2006, "Pedigree Paper (Distribution History of Prescription Drugs)," Form DH 2135, effective July 2006, which is incorporated by reference herein, or an electronic record that contains all of the elements of Form DH 2129, for the wholesale distribution of a prescription drug; or the wholesale distribution of a prescription drug; or</u>

2. Beginning July 1, 2006, "Pedigree Paper (Distribution History of Prescription Drugs)," Form DH 2135, effective July 2006, which is incorporated by reference herein, or an electronic record that contains all of the elements of Form DH 2135.

3. A repackager must use either Form DH 2135 or an electronic record that contains all of the elements of Form DH 2135. A wholesaler that further distributes a repackaged prescription drug must include in the pedigree the information related to the repackaged drug contained in Form DH 2135 or the electronic record that contains all of the elements of Form DH 2135.

4. The alternative pedigree must include either the proprietary name or the generic name with the name of the manufacturer, repackager, or distributor as reflected on the label of the product; dosage form; strength; container size; quantity by lot number; the name and address of each owner of the prescription drug that is required to be identified on the pedigree; the name and address of each location from which it was shipped if different from the owner's; and the transaction dates. The pedigree must clearly identify the invoice to which it relates; however, if an invoice number has not been generated at the time the pedigree is prepared then an alternate reference number that is easily traceable to the invoice number may be used.

(c) A copy of the pedigree must be maintained by each wholesaler required to prepare or furnish a pedigree and by each recipient. This copy may be maintained in an electronic medium that is readily available and easily accessible to the wholesaler required to prepare or furnish the pedigree; each recipient; and authorized federal, state, and local regulators or law enforcement. If a wholesaler serves as the repository of its customer's pedigree, the wholesaler must specify on the customer's invoice or other distribution document the method for immediately accessing all pedigrees associated with each prescription drug distributed and must enable access by the persons listed above for the duration of the applicable records retention period.

(d) Each alternative pedigree must contain a signature that meets the requirements of Form DH 2129 or DH 2135 as applicable. Each direct purchase pedigree must contain the signature, under oath, attesting to the accuracy of the direct purchase statement provided on the pedigree as required by Section 499.003(31)(b)1.a., F.S. An electronic signature may be used on a pedigree. (e) An electronic record must be easily readable or easily rendered in a readable format, and capable of being produced in a paper medium. Data on an electronic pedigree may be transmitted via the internet, data communications, a portable medium such as a CD-Rom or smart card or similar devices. Additional information to the information required by these rules and Section 499.003(31)(a) or (b), F.S., as applicable, may be provided on a pedigree so long as the additional information does not detract or confuse the history of the distribution of the drug.

(f) A copy of the pedigree paper must be maintained by each recipient. A copy of the pedigree paper provided to the wholesale distributor must be maintained by the wholesaler providing the pedigree paper.

(g) Returns.

1. When a distribution of a prescription drug by a wholesaler to an authorized recipient is the result of a mistake in ordering or shipment, the return of that shipment by the authorized recipient to the wholesaler need no be reflected in the pedigree paper. For purposes of this subparagraph, a mistake in ordering or shipment shall be deemed to have occurred if, within seven calendar days after the date of receipt of the original shipment:

a. The authorized recipient ships the specific unit of the prescription drug back to the wholesaler from which that specific unit was purchased; or

b. The authorized recipient transmits a documented communication to the wholesaler from which the prescription drug was purchased stating the authorized recipient's intent to return the shipment in accordance with the wholesaler's prescribed written policies and procedures and the wholesaler communicates authorization for return of the product.

2. Any returns to the wholesaler by an authorized recipient that are not within the scope of subparagraph 1. shall be reflected in the pedigree paper trail for any further distributions of the returned drug product to the extent required by Section 499.0121(6)(d), F.S.

3. An authorized recipient that returns a shipment to the wholesaler in accordance with subparagraph 1. or 2. shall verify by written declaration as set forth in Section 92.525(2), F.S., a written document submitted with the returned product.

a. That specific unit (exact unit) being returned was purchased from the receiving wholesaler (including the corresponding sales invoice number and the date of the sale from that wholesaler to the authorized recipient); and

b. That the product was or was not stored and shipped in accordance with the requirements of Section 499.0121, F.S., and the rules adopted hereunder while in the purchaser's custody and control.

c. The written declaration shall be printed or typed at the end of or immediately below the statements in sub-subparagraphs 3.a. and 3.b. and shall state "Under penalties of perjury. I declare that I have read the foregoing and that the facts stated in it are true," followed by the signature of the person making the declaration.

4. The redistribution of a prescription drug that is not a specified prescription drug as defined in subsection 64F-12.001(2), F.A.C., which was purchased before July 1, 2006 and returned by the purchaser after July 1, 2006, may be distributed under the following conditions:

<u>a. The redistribution occurs prior to the effective date of</u> this rule or December 21, 2007, whichever is later, and

b. The wholesale distributor discloses in writing to the purchaser and to the recipient, if different from the purchaser, all prior sales and returns of the prescription drug, including the name of the returning person and the date that the prescription drug was returned.

(h) For purposes of Section 499.003(31)(a), F.S., a manufacturer or repackager will have uniquely serialized an individual legend drug unit when the unit contains an electronic product code that meets industry standards for that type of legend drug unit. The department will adopt the industry standards for each type of legend drug unit when they are established. One pedigree record may be prepared for a group of serialized legend drugs, provided the only unique characteristic for the pedigree is the serialization codes.

(i) If a manufacturer initiates an electronic pedigree and transmits this information to a wholesaler consistent with the standards in sub-subparagraph 64F-12.013(5)(d)1.f., F.A.C., (and that wholesaler provides a pedigree to its customer consistent with the standards in sub-subparagraph 64F-12.013(5)(d)1.f., F.A.C., the wholesaler must transmit the pedigree information initiated by the manufacturer in the pedigree the wholesaler provides to its customer.

(j) A wholesaler that purchases multiple units of a prescription drug from a manufacturer in one transaction, but receives these units from multiple distribution sites of the manufacturer or on multiple dates from the manufacturer, may reference the first occurrence of receipt in pedigree papers the wholesaler prepares for subsequent wholesale distributions unless all applicable information is received from the manufacturer as set forth in paragraph (j) above.

(k) A contract distributor for the manufacturer is deemed an agent of the manufacturer and therefore is not required under Section 499.0121(6)(d), F.S., to provide a pedigree paper upon distribution of the manufacturer's prescription drug provided the manufacturer retains title to the prescription drug and the contract distributor meets the requirements to be permitted and is permitted under Chapter 499, F.S., as a prescription drug manufacturer or non-resident prescription drug manufacturer, as applicable based on its relationship with the manufacturer, and further provided that: the manufacturer or non-resident manufacturer, as applicable, is permitted by the department at the establishment from which the prescription drugs are shipped by the contract distributor and the manufacturer establishment from which the manufacturer's billing for change of title of the prescription drug originates, is permitted as a prescription drug manufacturer or non-resident prescription drug manufacturer, as applicable, by the department.

(1) Emergency Distributions. Notwithstanding Sections 499.0121(6)(d)1. and 499.005(29), F.S., a wholesale distributor may distribute and a purchasing pharmacy or health care practitioner authorized by law to purchase prescription drugs, may accept a prescription drug when the prescription drug is required to treat a specific patient with an emergency medical condition as defined by Section 395.002(9)(a), F.S. The prescribing physician or a health care practitioner otherwise licensed to prescribe the drug shall supply a statement to the supplying wholesale distributor(s) stating that the emergency meets this rule paragraph's requirements. The supplying wholesale distributor(s) must maintain such statement in compliance with the timeframes in Section 499.0121(6)(b), F.S. The supplying wholesale distributor must otherwise comply fully with all other applicable provisions of Sections 499.001 through 499.081, F.S., with respect to such drug. In addition, the supplying wholesale distributor must submit to the recipient within 14 calendar days of the emergency distribution a written statement, invoices, or other documentation identifying all prior sales or distributions of the specific unit of the prescription drug that is subject to this distribution.

(a)1. The pedigree papers required by Sections 499.0121(6)(d), (e) and (f), F.S., must include either the proprietary name or the generic name with the name of the manufacturer, repackager, or distributor as reflected on the label of the product; dosage form; strength; container size; quantity by lot number; the name and address of each owner of the prescription drug that is required to be identified on the pedigree paper; the name and address of each location from which it was shipped if different from the owner's; and the transaction dates. The pedigree paper must clearly identify the invoice to which it relates; however, if an invoice number has not been generated at the time the pedigree is prepared then an alternate reference number that is easily traceable to the invoice number may be used.

2. A copy of the pedigree paper must be maintained by each wholesaler preparing a pedigree paper and by each recipient. This copy may be maintained in an electronic medium that is readily available and easily accessible to the wholesaler preparing the pedigree paper; each recipient; and authorized federal, state, and local regulators or law enforcement. If a wholesaler serves as the repository of its customer's pedigree, the wholesaler must specify on the customer's invoice or other distribution document the method for immediately accessing all pedigrees associated with each prescription drug distributed and must enable access by the persons listed above for the duration of the applicable records retention period.

(b) If a wholesale distributor uses the statement contained in Section 499.0121(6)(c)1.a.(II), F.S., "This establishment or a member of my affiliated group purchased the specific unit of the specified drug directly from the manufacturer" the wholesale distributor must provide to the department the names of all members of the affiliated group of which the wholesale distributor is a member and the affiliated group must provide records on prescription drug purchases by the members of the affiliated group not later than 48 hours after the department requests access to such records, regardless of the location where the records are stored.

(c) Beginning July 1, 2006, "Pedigree Paper (Distribution History of Prescription Drugs)," either Form DH 2129 effective July 2006, which is incorporated by reference herein, or an electronic record that contains all the elements of Form DH 2129 must be used to comply with the requirement in Section 499.0121(6)(f), F.S., for the distribution of a prescription drug. Beginning July 1, 2006, a repackager must use either "Prescription (legend) Drug Pedigree Repackager" Form DH 2135 effective July 2006, which is incorporated by reference herein, or an electronic record that contains all the elements of Form DH 2135. A wholesaler that further distributes a repackaged prescription drug must include in the pedigree the information related to the repacked drug contained in Form DH 2135 or the electronic record that contains all the elements of Form DH 2135. These forms may be used prior to July 1, 2006, to comply with the pedigree paper requirements of Section 499.0121(6)(d) or (e), F.S., at the discretion of the wholesaler. An electronic signature may be used on a pedigree paper. An electronic record must be easily readable or easily rendered in a readable format, and capable of being reproduced in a paper medium. Data on an electronic pedigree may be transmitted via the internet, data communications, a portable medium such as a CD-Rom or smart card or similar devices. Additional information to that required by forms DH 2129 and DH 2135 may be included on a pedigree provided it does not detract from or confuse the history of the distribution of the drug.

(d) A copy of the pedigree paper must be maintained by each recipient. A copy of the pedigree paper provided to a wholesale distributor must be maintained by the wholesaler providing the pedigree paper.

(e) Effective March 1, 2004, a pedigree paper under Section 499.0121(6)(d), F.S., must trace a prescription drug back to the last authorized distributor of record. The department will maintain a database of authorized distributors of record on its web site at www.doh.state.fl.us/ pharmacy/drugs. A prescription drug wholesaler that receives or prepares a pedigree paper under Section 499.0121(6)(d), F.S., and this chapter that traces the previous distributions of a prescription drug back to a prescription drug wholesaler that is not listed on the department's web site as an authorized distributor of record for the drug's manufacturer for the date in which the transaction occurred must maintain and have available for inspection documentation that supports the fact the prescription drug wholesaler is an authorized distributor of record in accordance with the criteria of Section 499.0121(6)(d)5.a., b., or c., F.S.

(f) Returns.

1. When a distribution of a prescription drug by a wholesaler to an authorized recipient is the result of a mistake in ordering or shipment, the return of that shipment by the authorized recipient to the wholesaler need not be reflected in the pedigree paper. For purposes of this subparagraph, a mistake in ordering or shipment shall be deemed to have occurred if, within seven calendar days after the date of receipt of the original shipment:

a. The authorized recipient ships the specific unit of the prescription drug back to the wholesaler from which that specific unit was purchased; or

b. The authorized recipient transmits a documented communication to the wholesaler from which the prescription drug was purchased stating the authorized recipient's intent to return the shipment in accordance with the wholesaler's prescribed written policies and procedures and the wholesaler communicates authorization for return of the product.

2. Any returns to a wholesaler by an authorized recipient that are not within the scope of subparagraph 1. shall be reflected in the pedigree paper trail for any further distributions of the returned drug product to the extent required by Section 499.0121(6)(d), (e) or (f), F.S.

3. An authorized recipient that returns a shipment to the wholesaler in accordance with subparagraph 1. or 2. shall verify by written declaration as set forth in Section 92.525(2), F.S., a written document submitted with the returned product,

a. That the specific unit (exact unit) being returned was purchased from the receiving wholesaler (including the corresponding sales invoice number and the date of the sale from that wholesaler to the authorized recipient); and

b. That the product was or was not stored and shipped in accordance with the requirements of Section 499.0121, F.S., and the rules adopted thereunder while in the purchaser's eustody and control.

c. The written declaration shall be printed or typed at the end of or immediately below the statements in sub-subparagraphs 3.a. and 3.b. and shall state: "Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true," followed by the signature of the person making the declaration.

(g) For purposes of Section 499.003(31)(b), F.S., a manufacturer or repackager will have uniquely serialized an individual legend drug unit when the unit contains an electronic product code that meets industry standards for that

type of legend drug unit. The department will adopt the industry standards for each type of legend drug unit when they are established. One pedigree record may be prepared for a group of serialized legend drugs, provided the only unique characteristic for the pedigree is the serialization codes.

(h) If a manufacturer initiates an electronic pedigree and transmits this information to a wholesaler consistent with the standards in sub-subparagraph 64F 12.013(5)(d)1.f., F.A.C., (and that wholesaler provides a pedigree to its customer eonsistent with the standards in sub-subparagraph 64F 12.013(5)(d)1.f., F.A.C., the wholesaler must transmit the pedigree information initiated by the manufacturer in the pedigree the wholesaler provides to its customer.

(i) A wholesaler that purchases multiple units of a prescription drug from a manufacturer in one transaction, but receives these units from multiple distribution sites of the manufacturer or on multiple dates from the manufacturer, may reference the first occurrence of receipt in pedigree papers the wholesaler prepares for subsequent wholesale distributions unless all applicable information is received from the manufacturer as set forth in paragraph (h) above.

(j) A contract distributor for the manufacturer is deemed an agent of the manufacturer and therefore is not required under Section 499.0121(6)(f), F.S., to provide a pedigree paper upon distribution of the manufacturer's prescription drug provided the manufacturer retains title to the prescription drug and the contract distributor meets the requirements to be permitted under Chapter 499, F.S., as a non resident prescription drug manufacturer based on its relationship with the manufacturer.

(k) Emergency Distributions. A wholesale distributor may distribute and a purchasing pharmacy or health care practitioner authorized by law to purchase prescription drugs may accept a prescription drug for which a pedigree that complies with Section 499.0121(6)(f), F.S., is not available, when the prescription drug is required immediately to treat a specific patient with a life-threatening medical condition or a medical condition that will result in serious bodily harm. A pharmacist for the purchasing pharmacy, or the health care practitioner, shall supply a statement to the supplying wholesale distributor(s) that the emergency meets this rule paragraph's requirements and the supplying wholesale distributor(s) must maintain such statement in compliance with the timeframes in Section 499.0121(6)(b), F.S. The supplying wholesale distributor must otherwise comply fully with all other applicable provisions of Sections 499.001 through 499.081, F.S., with respect to such drug.

(4) Retailers of veterinary legend drugs or medical oxygen must also maintain a prescription or other order of an authorized practitioner evidencing the authority of the purchaser or recipient to receive the veterinary legend drug or medical oxygen. A veterinary legend drug retailer must have the prescription prior to delivery of the drug to the customer. In the case of a medical oxygen retailer, the prescription or order for medical oxygen must be in writing and in the possession of the retailer within 30 days of delivery of the drug to the patient. An order or prescription for veterinary legend drugs or medical oxygen does not constitute authority for the retailer to sell to the purchaser beyond 12 months from the date of the original sale.

(5) A copy of the Florida Drug and Cosmetic Act, Chapter 499, F.S., and Chapter 64F-12, F.A.C., Regulations for Drugs, Devices and Cosmetics, must be at the permitted establishment.

(6)(a) Records for permittees not physically located within the state may be maintained at a central location outside of the state but must be made available for inspection at a permitted establishment or at the department's address within 2 working days after a request for inspection.

(b) Records for permittees located in the state or persons located in Florida and required to be permitted under Chapter 499, F.S., may be stored by computer or other electronic means at a central location inside or outside of the state, but must be readily available and immediately retrievable, i.e., subject to inspection at the permitted establishment during the inspection.

1. Records that are maintained at a central location within this state must be maintained at an establishment that is permitted pursuant to Sections 499.001-.081, F.S., in that person's name.

2. If not maintained at a central location, records must be maintained at the permitted location or, if not otherwise permitted, at the address reflected on the product registration.

3. A permitted establishment in Florida that maintains records at a location outside of the state must have a method, such as computerized access, to make records readily available and immediately retrievable. These records must also be made available at the permitted establishment for copying or reproducing within two working days after a request.

4. An establishment permitted at an address outside of the state must make records available for inspection within two working days after a request.

(c) Records for permittees may be copied or reproduced by the department or the Florida Department of Law Enforcement.

(d) If hard copies (originals or true copies) of required records are not maintained at the permitted establishment in Florida, the department or Florida Department of Law Enforcement must be able to review automated records for any and all records required to be maintained under Chapter 499, F.S., without requesting a specific source, recipient, product, date, etc.

(7) Except as provided in Section 499.012(2)(e), F.S., and paragraph (3)(b) of this rule, records of other persons not required to be permitted but subject to regulation under Chapter 499, F.S., must be made available to the department or

the Florida Department of Law Enforcement within five business days of the request for inspection, copying, or reproduction.

(8) Records involving drugs, devices, or cosmetics may be maintained by electronic methods, such as computers or imaging devices. Originals or true copies of required records documentation must be maintained by the person involved in the transaction, including brokers and agents. If electronic methods are used to maintain records related to prescription drugs and these methods do not maintain a true copy of the original record, such as the actual image of the original document, then the security system of the permittee must provide protection against tampering with computers or electronic records.

(9) Documentation provided to the department pursuant to an inspection may not be altered or defaced in any manner to obstruct or conceal any required or other information recorded on the document.

(10) All required records must be retained for a period of two years following disposition of the drug, device or cosmetic, or three years after the creation of the records, whichever period is longer; and must be available to the department for such period or as long as records are retained if longer. Records must be retained beyond the retention period if the person has been notified that an investigation or inspection has been initiated by the department and the investigation has not been completed when the mandatory retention period expires.

(11) Manufacturers shall maintain formulas of drugs and cosmetics, including all ingredients, and shall make these available to the department upon request, either during an inspection or by certified mail.

(12) An establishment permitted under Chapter 499, F.S., that shares a facility with another person or business shall keep all of its operational systems subject to Chapter 499, F.S., separate and distinct from the other person or business. A person permitted under Chapter 499, F.S., that also conducts other business activities not permitted under Chapter 499, F.S., shall keep all of its operational systems subject to Chapter 499, F.S., separate and distinct from the other business activities. For the purpose of this rule, those operational systems required to be kept separate and distinct shall mean all records, inventory, storage areas, repackaging operations, quarantine areas, and manufacturing operations, but this rule shall not require separate entrances to the establishment nor partitioning. A Retail Pharmacy Wholesaler or a Restricted Prescription Drug Distributor - Health Care Entity however, is not required to maintain its stock of prescription drugs which may be distributed through a wholesale transaction separate from the stock of prescription drugs which may be dispensed by a retail pharmacy.

(13) An establishment permitted to purchase or possess prescription drugs that has no records or has not done any business under the permit that would require such records, shall upon request, provide to the department a written statement to that effect.

(14) The recordkeeping requirements of this subsection do not apply to the prescription dispensing records of a pharmacy or to the patient medical records of a licensed practitioner; however, such records may be required to be produced pursuant to a subpoena issued by the department under Section 499.0053, F.S.

(15) Charitable Donations of Prescription Drug. A physician or other authorized recipient donating prescription drugs, including prescription drug samples, pursuant to Section 499.012(1)(a)2.e., F.S., must prepare and maintain a donation record that includes at a minimum:

(a) The donor's name, address, telephone number, the practitioner's state license number, and D.E.A. number if a controlled substance is donated;

(b) The manufacturer, brand name, strength, and dosage form of the product; the quantity donated by lot number; and the expiration date of the product;

(c) The date of the donation;

(d) The name, address, and state license number that authorizes the possession of prescription drugs by the charitable organization, if applicable; and

(e) Within 48 hours of receipt, excluding holidays and weekends, the recipient charitable institution must provide a written receipt to the donor acknowledging receipt of the donated prescription drugs.

(16) Establishing an ongoing relationship pursuant to Sections 499.0121(6)(d)5.b. and c., F.S. A wholesale distributor that is not listed as an authorized distributor of record on the list submitted to the department by a prescription drug manufacturer may request the department add the wholesale distributor to the department's web site of authorized distributors of record for a drug manufacturer for purposes of the pedigree paper requirements of Section 499.0121(6)(d), F.S., that become effective March 1, 2004, provided that such wholesale distributor satisfies the requirements of paragraph (a) or (b) below.

(a) A wholesale distributor or its affiliated group must submit the information in subparagraphs 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.b., F.S. If the information submitted in subparagraphs 1. and 2. is based on the cumulative activity of an affiliated group, a wholesale distributor or its affiliated group must submit the information in subparagraph 3. below to document the eligibility of the individual wholesaler establishment that is a member of the affiliated group to be an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.b., F.S. 1. To document total annual prescription drug sales of \$100 million or more, submit either:

a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities), OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

c. A computerized listing of prescription drug sales transactions during the period 10/1/02 – 9/30/03, or a 12 month period ending on the last day of the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns.

and

2. For each manufacturer for whom the wholesaler claims authorized distributor of record status, submit both subparagraphs a. and b. to document that the wholesaler annually purchases not less than 90%, based on dollar volume, of all of its purchases of a manufacturer's prescription drug products directly from that manufacturer.

a. A computerized listing of all of a manufacturer's preseription drugs purchased by the wholesaler during the period 10/1/02 9/30/03, or a 12 month period ending on the last day of the most recent calendar quarter, regardless of the source of those prescription drugs. This report must be totaled. AND

b.i. A computerized listing of all purchases of a manufacturer's prescription drugs directly from the manufacturer during the same time period. This report must be totaled. The detail should include the invoice number, invoice date, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least 90% of the wholesaler's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer. OR

ii. Copies of the manufacturer's sales invoices of prescription drugs to the wholesaler. An adding machine tape, or equivalent, must be included that lists each invoice, in order, and provides a total of all invoices submitted. A statement must be provided that the invoices document at least 90% of the wholesaler's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer. 3. Each wholesaler establishment that applies to the department to be listed as an authorized distributor of record of a drug manufacturer based upon its affiliated group's ongoing relationship with the manufacturer, or the affiliated group on behalf of each wholesaler establishment, must submit the names and address of all member wholesaler establishments of the affiliated group. In addition, each wholesaler establishment must either:

a. Conduct its prescription drug wholesale activities under an establishment name that incorporates the same business name as the affiliated group upon which the eligibility criteria for the affiliated group was met, or

b. Hold a valid prescription drug wholesaler permit or out of state prescription drug wholesaler permit issued under Chapter 499, F.S.

(b) A wholesale distributor or its affiliated group must submit the information in subparagraphs 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.c., F.S.

1. To document total annual prescription drug sales of \$100 million or more, submit either:

a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities), OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

e. A computerized listing of prescription drug sales transactions during the period 10/1/02 – 9/30/03, or a 12 month period based on the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns.

2. For each manufacturer for whom the wholesaler claims authorized distributor of record status, submit a., b., or c. to document that the wholesaler has a verifiable account number issued by the manufacturer and has made at least 12 purchases of prescription drugs directly from that manufacturer using the verifiable account number.

a. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information is submitted, which invoices document purchases of prescription drugs, at least one unit of which on each invoice was not returned, under that central account number but shipped to the wholesaler's address for whom the authorized distributor of record status is claimed. A statement must be provided that the invoices document purchases of prescription drugs for the wholesaler for whom the authorized distributor of record status is claimed and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

b. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location and received at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number which is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that central location and that the central location or wholesaler for which the drugs were obtained did not return to the manufacturer at least one unit of the prescription drugs on each invoice, and that the central location shipped at least 12 times to the individual wholesaler for whom the authorized distributor of record status is claimed during the 12 months based on the fiscal year or designated timeframe.

e. For all other wholesale distributors, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number that is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that wholesaler and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

Specific Authority 499.003, 499.05, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS. Law Implemented 499.01, 499.003, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.051, 499.052, 499.06, 499.063, 499.064, 499.066, 499.067 FS. History–New 1-1-77, Amended 12-12-82, 7-8-84, 1-30-85, Formerly 10D-45.53, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.053, Amended 1-26-99, 4-17-01, 10-7-03, 1-1-04, 6-15-04, 8-2-04, 1-19-06, 8-6-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rebecca Poston, R.Ph., C.Ph., Executive Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rebecca Poston, R.Ph., C.Ph., Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

DEPARTMENT OF HEALTHDivision of Family Health ServicesRULE NO.:RULE TITLE:64F-12.013Prescription Drugs; Receipt, Storage
and Security

PURPOSE AND EFFECT: The 2006 Florida legislature enacted session law 2006-310, amending Chapter 499, Part I, F.S., which changed requirements for prescription drug pedigrees in some instances. It is the purpose of this rule to clarify authentication of pedigree requirements, clarify who is required to verify that a prescription drug, as of the time of receipt, matches the description on the corresponding pedigree provided with the drug, as well clarifying the information that should be found on the pedigree. The Department proposes to make changes in the authentication requirements for pedigrees, as well as delete out dated language no longer relevant because of statutory changes that became effective July 1, 2007 concerning prescription drug pedigrees.

SUMMARY: The proposed rule changes will clarify that establishment and adherence to policies and procedures for random authentication of copies of pedigrees according to statistically valid standards is required in some situations. The proposed rule changes will also require establishment and adherence to policies and procedures that provide for the random verification of the authenticity of pedigrees for the purposes of establishing a wholesaler purchased prescription drugs directly from the manufacturer according to statistically valid standards, in some situations. The proposed rule adds the requirement that a repackager notify the Department of discovery of a significant loss of prescription drugs. The proposed rule requires that a chain pharmacy warehouse or person authorized to administer or dispense a prescription drug that receives a prescription drug, is required to verify that the information on the corresponding pedigree matches up with the drug received.

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

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

SPECIFIC AUTHORITY: 499.0121(1), 499.05 FS.

LAW IMPLEMENTED: 499.004, 499.006, 499.007, 499.0121, 499.028(6), 499.052 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, R.Ph., Executive Director, Board of Pharmacy-Drugs Devices and Cosmetics, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.013 Prescription Drugs; Receipt, Storage and Security.

(1) Establishments in which prescription drugs are stored, manufactured, repackaged, kept, held, used, sold, stored, offered for sale, or exposed for sale, shall be secured against unauthorized entry or unauthorized access to prescription drugs when establishment personnel are not present.

(a) Establishments permitted under Chapter 499, F.S., that <u>are authorized to</u> take possession of prescription drugs, other than medical oxygen, must be secured by an alarm system which functionally and practically provides a deterrent to unauthorized entry to the establishment or the area where the prescription drugs are held or stored.

(b) Prescription medical oxygen may be stored outside in an area surrounded by a fenced enclosure with a lock which must be secure when authorized persons are not present. Other compressed medical gases must be stored in accordance with paragraph (a).

(2)(a) While not being used to make deliveries, a vehicle of a permittee containing prescription medical oxygen must be parked at the permitted establishment and either locked inside a fenced compound or secured by a vehicle alarm system. A vehicle containing prescription medical oxygen may only be parked at a residence temporarily while the vehicle is making deliveries or while "on call" for emergency deliveries.

(b) When a vehicle used for prescription drug wholesale distributions or for distributions subject to a restricted prescription drug distributor's permit contains prescription drugs and is not being used to make deliveries, it must be parked inside a building secured by an alarm system.

(c) A residence cannot be used to store any prescription drug which has not been dispensed, unless a natural person residing at that residence is licensed or otherwise authorized to possess prescription drugs.

(3)(a) The storage temperature definitions in the U.S.P. are incorporated by reference herein. If no storage and temperature requirements are set forth by the manufacturer in the labeling or in the U.S.P., prescription drugs other than compressed medical gases must be stored at controlled room temperature. Compressed medical gases, unless otherwise indicated, may be stored in a manner so that they are protected from freezing and are not stored at or near excessive heat or open flame.

(b) All establishments permitted under Chapter 499, F.S., that handle prescription drugs other than medical gases, must, in the absence of electronic monitoring devices, mount two thermometers in the immediate area of the stored prescription drugs. For purposes of this provision, immediate area of the stored prescription drugs is within six (6) feet of the prescription drugs in storage. One thermometer will be mounted in the warmest area of the stored prescription drugs and the other thermometer will be mounted in the coolest immediate area of the stored prescription drugs.

(c) A record must be maintained recording the date; time; thermometer one temperature; thermometer two temperature; and the initials of the person recording the data or reviewing the data if electronically monitored. This record and temperature reading must be recorded at least five (5) days each week with the temperature readings taken between 2:00 p.m. and 4:00 p.m. E.S.T. Alternate times may be approved by the department in writing. This record must be kept on file by the facility for at least two years.

(d) Facility requirements for the storage and handling of prescription drugs.

1. An applicant for an initial prescription drug wholesaler permit must have a facility that is large enough to store the estimated quantity of prescription drugs the applicant intends to possess under its initial application to comply with the requirements of Section 499.0121(1), F.S. An applicant for renewal of a prescription drug wholesaler permit must have a facility that is large enough for the ongoing operations of the wholesale establishment based on the prior year's volume of activity with prescription drugs, which may be modified for reasonable fluctuations in inventory management for the current year. These determinations will be based on the type of prescription drugs the applicant possesses, or intends to possess, considering the size of the containers as well as any other products the applicant possesses or intends to possess. Notwithstanding the contention that an applicant will distribute all prescription drugs the same day received, the facility must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

2. An applicant for an initial prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity large enough to store the estimated quantity of prescription drugs that might require refrigeration or freezing that the applicant intends to possess under its initial application to comply with the requirements of Sections 499.0121(1) and (3), F.S., and this rule. An applicant for renewal of a prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity that is large enough for the ongoing operations of the wholesale establishment based on the prior year's volume of activity with prescription drugs that required refrigeration or freezing, which may be modified for reasonable fluctuations in inventory management for the current year, to comply with the requirements of Sections 499.0121(1) and (3), F.S., and this rule. These determinations will be based on the type of prescription drugs the applicant possesses, or intends to possess, considering the size of the containers as well as any other products the applicant possesses or intends to possess that might require refrigeration or freezing. Notwithstanding the contention that an applicant will distribute all prescription drugs the same day received, the refrigeration and freezer capacity must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

(4) Quarantine.

(a) A quarantine section shall be clearly marked and designated separate and apart from any other place where drugs are stored so that products therein shall not be confused with usable products being held for sale. Any prescription drug stored outside the quarantine area is a product held for sale or other distribution.

(b) The requirement of Section 499.0121(5)(b), F.S., that prescription drugs must be quarantined if damage has occurred to the immediate or sealed outer or sealed secondary containers means: a prescription drug must be quarantined if obvious damage, determined by a visual inspection of the exterior of the product's packaging, has occurred to any part of the packaging that is or may be in direct contact with the dosage form of the drug or any additional part of the packaging which is provided to prevent adulteration of the drug in addition to "containing" the product.

(c) A person who handles both prescription drugs and over-the-counter drugs or medical devices may have one quarantine section; however, the storage requirements for prescription drugs must be followed.

(5) Examination of Prescription Drugs; Physical Product and Records.

(a)1. Every person receiving prescription drugs other than the consumer receiving dispensed prescription drugs pursuant to Chapter 465, F.S., has a duty to examine the product to prevent acceptance of prescription drugs that are unfit for distribution or use. The extent of the examination should be predicated on the conditions surrounding the transaction, including but not limited to any previous sales of the product, i.e., purchase and delivery is not direct from the manufacturer; the conditions of transport; and environmental conditions to which the product may have been subjected.

2. A wholesaler, chain pharmacy warehouse, or person authorized to administer or dispense a prescription drug that physically receives a prescription drug must verify that the prescription drug received matches the prescription drug identified by lot number or unique serial number, when available, on the corresponding pedigree if a prescription drug is received from a person other than the manufacturer. The corresponding pedigree document shall contain all of the required information described in Sections 499.003(31)(a) or (b), F.S., as applicable, including the information required in the forms described in subsection 64F-12.012(3), F.A.C., for those distributions that are not eligible for the use of the direct purchase pedigree.

(b) Upon receipt, each outside shipping container must be visually examined for identity and to prevent the acceptance of misbranded drugs, adulterated drugs or prescription drugs that are otherwise unfit for distribution. If visual examination of the shipping container or other conditions surrounding the transaction suggest possible misbranding or adulteration, the person has a duty to examine further the contents or conditions of sale.

(c) Prescription Drug Wholesalers must employ personnel who can perform product examinations. Once the Prescription Drug Wholesaler has inspected the shipped drugs and elected to accept them, the wholesaler is responsible for the condition of the drugs. Until that time, the shipper or manufacturer remains responsible for delivering a prescription drug product in acceptable condition, unless responsibilities are modified by contract.

(d) Authentication.

1. A prescription drug wholesaler may use any, all, or any combination of the following methods to authenticate each transaction on a pedigree paper and must maintain the corresponding documentation regarding the authentication for the method used:

a. Receipt of an invoice (or shipping document) from the seller to the purchaser, which may have the prices redacted. Documentation requirements include at a minimum a copy of the invoice or shipping document. If this method is used to authenticate a pedigree, the wholesaler must review the document received for signs of tampering, incompleteness, or inconsistency with other invoices or shipping documents from that manufacturer or wholesaler, and must randomly verify the authenticity of the invoice or shipping document with the seller or shipping point reflected on that document using one of the methods in sub-subparagraph b., c., or d. below. Each wholesaler shall should establish and adhere to policies and procedures for the random verification of the authenticity of the invoices or shipping documents according to statistically valid standards. However, more emphasis should be focused on those wholesalers in the chain with which the wholesaler performing the authentication does not have an established prescription drug vendor relationship.

b. Telephone call to the seller. Documentation requirements include a signed statement by the person placing the telephone call identifying the person's name and position title representing the seller who provides the information, the date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction.

c. E-mail communication with the seller. Documentation requirements include a copy of the e-mail that identifies the person's name and position title representing the seller who provides the information, the date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction. d. Verification of the transaction per a web-based system established by the seller or an independent person that is secure from intentional or unintentional tampering or manipulation to conceal an accurate and complete history of the prescription drug transaction(s). Documentation requirements include a written representation from the seller or independent person that the seller or independent person, as applicable, is responsible for the information included on the web site and has adequate security on the information posted to prevent unauthorized tampering, manipulation, or modification of the information and a copy of the (dated) web site page that confirms the sales transaction between the parties, including the date of the transaction and the quantity of prescription drugs involved in the transaction.

e. Receipt of a legible and unaltered copy of a previous transaction's pedigree paper that had been signed under oath at the time of the previous transaction to support the transaction to which the pedigree paper relates. If this method is used to authenticate a pedigree, the wholesaler must review the document received for signs of tampering, incompleteness, or inconsistency, and must randomly verify the authenticity of pedigrees using one of the methods in sub-subparagraph b., c., or d. above. Each wholesaler <u>shall should</u> establish <u>and adhere to</u> policies and procedures for the random verification of the authenticity of these copies of pedigrees according to statistically valid standards.

f. Receipt of a pedigree in an electronic form from an automated system that complies with this sub-subparagraph that was successfully opened and decrypted by an automated system that complies with this sub-subparagraph. In order to rely on receipt of an electronic pedigree without employing additional authentication methods as set forth in sub-subparagraphs a.-e.,

(I) The system used to digitally sign and electronically authenticate the electronic pedigree must at a minimum support the following digital signature standards or future revisions governed by the National Institute of Standard and Technology (NIST):

(A) FIPS 140-2 validated cryptographic module which is hereby adopted by reference,

(B) FIPS 186-2 validated digital signature system which is hereby adopted by reference,

(C) FIPS 180-2 validated hash function which is hereby adopted by reference,

(II) The system must employ controls to ensure the security and integrity of the private key so that it cannot be accessed by someone other than the certificate holder. At a minimum, the system must:

(A) Control the activation of the private key with an authentication mechanism,

(B) Employ a ten-minute inactivity time period after which the certificate holder must re-authenticate to access the private key, (C) When the signing module is deactivated, clear the plain text private key from the system memory to prevent the unauthorized access to, or use of, the private key,

(III) The system must communicate with the Certification Authority directory, either each time authentication and validation steps in sub-subparagraph (IX) below occur or at least on a daily basis to download information to perform the authentication and validation which will occur on that day.

(IV) The system must have a time system that is within five minutes of the official NIST time source and date and time stamp any and all digital signatures.

(V) The system must archive digitally signed files unaltered, including the original hashes and reference to the public keys, in a manner that facilitates retrieval of the record consistent with the recordkeeping requirements.

(VI) The system must prevent issuance of an outgoing pedigree paper if the total quantity of prescription drugs distributed in all pedigrees exceeds the quantity of prescription drugs received in the corresponding incoming electronic pedigree<u>s</u>.

(VII) The system must maintain a history file of any outgoing electronic pedigree that is subsequently voided or altered and notify the recipient that the pedigree sent to it was voided or altered.

(VIII) The system must maintain a history file of any incoming notification received pursuant to sub-sub-subparagraph (VII) above that a pedigree was voided or altered and prevent the issuance of an outgoing pedigree using a pedigree that was voided or altered.

(IX) The system must verify or perform the following:

(A) Each transaction on the electronic pedigree must be digitally signed using certificates issued through a public key infrastructure system authorized by the department.

(B) The electronic pedigree must contain each prior transaction digitally signed and unaltered, including the original hash and reference to the public key, with the new transaction information appended to the new document and the entire resulting pedigree digitally signed, including the resulting hash and reference to the public key.

(C) The system must check the certificate expiration date of each signed transaction and compare it against the date and time that the transaction was signed to determine that the certificate has not or had not expired at the time the record was signed.

(D) The system must check the digital signature for each signed transaction against the Certificate Authority's directory and the Certificate Revocation List and verify whether the certificate holder is or was authorized to sign electronic pedigrees at the time the transaction was signed. (E) The system must decrypt each digital signature for each signed transaction in the pedigree using each sender's public key and compare it against the message digest to determine that the record has not been altered since it was originally signed.

(F) The system must require that all authentication and validation steps in the preceding paragraphs are carried out prior to allowing the acceptance of the transaction. The system should not allow the further processing of any transaction that has failed to pass any authentication or validation step.

(X)(A) The manufacturer must initiate the pedigree; or, until such time as the manufacturer initiates a pedigree to the wholesaler, the wholesaler that purchased the prescription drug from the manufacturer must imbed a copy of the sales invoice or the manufacturer's EDI transmission or Advance Ship Notice (ASN) that contains all required data elements for a complete audit trail as set forth in Rule 64F-12.012, F.A.C., related to that wholesaler's acquisition of the prescription drug from the manufacturer. Price information related to the transaction may be redacted from the imbedded copy of the sales invoice, the EDI transmission, or the ASN.

(B) If a pedigree complies with all provisions within sub-subparagraph f. except for sub-sub-sub-subparagraph (X)(A) above, then a prescription drug wholesaler must use another method authorized by this rule to authenticate the distribution from the manufacturer to the first wholesaler. Subsequent distributions may be authenticated in accordance with sub-subparagraph f.

2.g. If a pedigree cannot be authenticated because of a clerical error, the pedigree must be corrected by the sender.

<u>3.h.</u> If a pedigree cannot be authenticated and the reason is other than a clerical error, or the reason cannot be satisfactorily ascertained based on preliminary investigation, the prescription drug for which the pedigree cannot be authenticated must be quarantined and the department notified within 3 business days.

2.a. Authentication of the purchase of a prescription drug directly from the manufacturer by an affiliated group member for a prescription drug that is subject to the statement in Section 499.0121(6)(e)1.a., F.S., may be documented by a written agreement between or among the affiliated group members that each affiliated group member will only transfer prescription drugs included on the specified list that were purchased directly from the manufacturer to an affiliated group member that is required to include the statement in Section 499.0121(6)(e)1.a., F.S., on its wholesale distributions to other wholesale distributors.

<u>4.2. b.</u> A purchasing wholesaler may use a written <u>contract</u> agreement between the purchasing wholesaler and its wholesale supplier, which is a primary wholesaler as defined in Section 499.012(1)(d), F.S., that requires that all prescription drugs distributed to the purchasing wholesaler by the wholesale supplier must be purchased by the wholesale supplier from the manufacturer. If this method is used to authenticate a pedigree, the purchasing wholesaler <u>shall</u> must establish <u>and adhere to</u> policies and procedures for the random verification of the authenticity of the pedigrees that disclose the supplier wholesaler purchased the prescription drug from the manufacturer according to statistically valid standards.

<u>5.3</u>. The following persons in Florida that are authorized to purchase or possess prescription drugs are not required to authenticate a pedigree paper received from a person authorized by law to distribute prescription drugs to that person:

a. A licensed pharmacy, unless it is also permitted as a retail pharmacy wholesaler and will engage in the wholesale distribution of that drug, or unless it is a member of an affiliated group and will distribute a prescription drug purchased or received directly from a prescription drug wholesaler that is not also a member of its affiliated group to another member of its affiliated group;

b. A medical practitioner; or

c. A restricted prescription drug distributor – health care entity.

<u>6.4.</u> In order to authenticate pedigrees, a manufacturer of a prescription drug that is sold or distributed in Florida must make available upon request information relevant to authenticating a pedigree for that drug regardless of whether the prescription drug was sold directly by the manufacturer to a person in Florida.

<u>7.5.</u> Any wholesaler or repackager required under Chapter 499, F.S., to receive a pedigree paper must authenticate the pedigree pursuant to Section 499.0121(4), F.S., notwithstanding the absence of a pedigree paper or authentication by persons in the distribution chain not subject to the requirements of Chapter 499, F.S.

(6) Any establishment that is permitted as a prescription drug wholesaler <u>or repackager</u> must notify the department in writing within three working days of discovery of a significant loss or theft of prescription drugs. Whether a loss or theft is significant is to be based on the prescription drug wholesaler's written policies and procedures that may take into account the actual quantity in relation to the type or size of the business; any pattern of losses or thefts; and local trends or other indicators of the diversion potential.

Notification to the <u>Drugs</u>, <u>Devices and Cosmetic Program</u> Bureau may be made by facsimile to (850)413-6982 (850)922-5367 and must include at a minimum, identification of the permitted establishment reporting the loss or theft; a complete identification of the prescription drug(s) involved, including but not limited to the name of the manufacturer or distributor reflected on the label of the products, the dosage form, strength, container size, the quantity of each, the lot numbers if known; a brief description of the circumstances surrounding the theft or loss; and a contact person's name and telephone number to provide additional information. (7) Due Diligence Inspection. With respect to the inspection required under Section 499.0121(12)(e), F.S., a prescription drug wholesaler may rely on a due diligence inspection performed by a person that is independent of both wholesalers for purposes of the requirement in Section 499.0121(12)(e), F.S.

Specific Authority 499.0121(1), 499.05 FS. Law Implemented 499.003,(31), 499.004, 499.006, 499.007, 499.0121, 499.028(6), 499.052 FS. History–New 7-8-84, Amended 1-30-85, Formerly 10D-45.535, Amended 11-26-86, 7-1-96, Formerly 10D-45.0535, Amended 1-26-99, 4-17-01, 1-1-04, 1-19-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rebecca Poston

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rebecca Poston

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2006

FLORIDA HOUSING FINANCE CORPORATION

| RULE NOS .: | RULE TITLES: |
|-------------|-----------------------------------|
| 67-38.002 | Definitions |
| 67-38.0026 | General Program Requirements and |
| | Restrictions |
| 67-38.003 | Application Submission Procedures |
| 67-38.004 | Incomplete Applications and |
| | Rejection Criteria |
| 67-38.005 | Application Evaluation and Award |
| | Guidelines |
| 67-38.007 | Terms of the PLP Loan |
| 67-38.008 | Eligible Uses for the Loan |
| 67-38.010 | Credit Underwriting Procedures |
| 67-38.011 | Fees |
| 67-38.014 | Disbursement Procedures |

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-38, Florida Administrative Code (F.A.C.) is to establish the procedures by which the Florida Housing Finance Corporation shall administer the Predevelopment Loan Program (PLP) which helps to fund the initial and up front costs associated with the building or rehabilitation of affordable housing. These funds may be requested by any unit of government, public housing authority established pursuant to Chapter 421, F.S., community-based or not-for-profit organization, for-profit entity wholly owned by one or more qualified not-for-profit organizations, or limited partnership with the community-based or not-for-profit organization that holds at least 51% of the ownership not owned by a for-profit entity and must materially participate in the development and operation of the Development. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness for program service delivery and will provide greater clarification of the program.

SUMMARY: The Corporation has reviewed the contents of this rule to ensure that the language contained herein is still in line with the Statute, current goals of the Corporation and reflects any material changes that have taken place within the structure or application process of the Predevelopment Loan Program.

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

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

SPECIFIC AUTHORITY: 420.528 FS.

LAW IMPLEMENTED: 420.507, 420.521-.529 FS.

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

DATE AND TIME: August 27, 2007, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, Seltzer Room, Sixth Floor, 227 North Bronough Street, Tallahassee, Florida 32301

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert Dearduff, Special Programs Administrator, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-38.002 Definitions.

(1) through (4) No change.

(5) "Application Package" means the forms and, instructions obtained from the Corporation at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 or from the Corporation's Website, which shall be completed and submitted to the Corporation in order to apply for a specific Corporation program. With respect to PLP, Form PLP 1115 (<u>Rev 10/07</u>) is hereby adopted and incorporated herein by reference. <u>Copies of such may be obtained by contacting the</u> <u>Special Programs Administrator at 227 North Bronough Street</u>, <u>Suite 5000, Tallahassee, Florida 32301-1329</u>.

(6) through (15) No change.

(16) "Development Plan" or "Form TAP 1215" (Rev 02/05) means the written description of the proposed Development submitted to the Corporation by the Technical Assistance Provider, with the concurrence of the Applicant, in the form created and approved by Corporation. Form TAP 1215 is hereby adopted and incorporated herein by reference. Copies of such may be obtained by contacting the Special Programs Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

(17) through (21) No change.

(22) "Maturity Date" means the established date the loan is due for payment.

(23)(22) "Mortgage" means Mortgage as defined in Section 420.503, F.S.

(24) "Outstanding Loan" means a PLP Loan approved by the Board which has not been repaid or de-obligated by the developer.

(25) "Public Housing Authority" means a public housing authority established pursuant to Chapter 421, F.S.

(26)(23) "PLP" or "Predevelopment Loan Program" means the Predevelopment Loan Program established by the Act and this rule chapter.

(27)(24) "PLP Loan" means a direct loan from the Predevelopment Loan Program.

(28)(25) "Principal" means an Applicant, any general partner of an Applicant, and any officer, director, or any shareholder of any Applicant or shareholder of any general partner of an Applicant.

(29)(26) "Rehabilitation" means to bring a Development back to its original state, or to bring back to its original state with added improvements with limitations as specified by the program or programs which provide construction or permanent financing to the Development.

(30)(27) "Servicing and Compliance Monitoring Fees" means fees associated with the review and processing of requests for disbursement of funds, inspections and the monitoring of Developments.

(31)(28) "Set-Aside" means the percentage of units within a Development that shall be reserved as affordable at or below the specified AMI to income qualified persons or households throughout the Compliance Period as outlined herein.

(32)(29) "Technical Assistance Provider" or "TAP" means an independent contractor retained by the Corporation to provide technical assistance services.

(33)(30) "Technical Assistance" means assistance to Applicants via telephone, through on-site visits and by responses to oral and written inquiries from Applicants throughout the entire Predevelopment process and to provide such other services as agreed to by the Technical Assistance Provider and the Corporation. (34)(31) "Threshold Requirements" means the requirements an Applicant shall meet as identified in the Application Package in order to receive an Invitation to Participate in the Predevelopment Loan Program.

(35)(32) "Website" means the Corporation's website, the Universal Resource Locator (URL) for which is www.floridahousing.org.

Specific Authority 420.528 FS. Law Implemented 420.507, 420.521-.529 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.002, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

67-38.0026 General Program Requirements and Restrictions.

(1) An Applicant may only apply for funding through the Predevelopment Loan Program if it is a legally formed entity that is:

(a) No change.

(b) A <u>Public</u> local <u>H</u>housing <u>A</u>authority, established pursuant to Chapter 421, F.S.,

(c) No change.

(d) A for-profit entity wholly owned by one or more qualified Not-For-Profit Oerganizations, or

(e) No change.

(2) PLP Loans shall be limited to eligible predevelopment and site acquisition costs approved for the Development by the TAP and the Corporation and are limited to:

(a) \$500,000 when no funds are being requested for site acquisition; or

(b) \$750,000 when funds are being requested for site acquisition of which funds for the site acquisition cost (including good faith deposits applied to the sales price) shall be limited to \$500,000;

(2) Loans shall be in an amount not to exceed \$500,000, or the predevelopment and acquisition costs outlined in Rule 67-38.008, F.A.C., that were incurred prior to the closing of permanent or construction loan financing for the Development, whichever is less.

(3) All funds from the PLP loan shall be expended on the eligible expenses outlined in Rule 67-38.008, F.A.C.

(4) Site acquisition cost shall be subject to approval of an assigned Credit Underwriter.

(5) The Corporation may limit the PLP Loan to an amount which can be secured through a mortgage on the Development Site, the pledging of capital fund finance program funds as approved by HUD or other collateral approved by the Corporation. Such determination shall require written recommendation by the TAP or Credit Underwriter and be based on the following: mortgages currently on the Development Site, or value of the Development Site as determined by appraisal dated within 12 months of receipt of the Application. (6)(3) For rental Developments:

(a) No change.

(b) Must set-aside the units for the duration of the Compliance Period. If the Development does not obtain construction or permanent financing from Corporation and no Corporation funds remain in the Development, the Compliance <u>Pperiod this</u> shall be fifteen (15) years from the date the PLP <u>L</u>-loan is paid off. If the Development obtains construction or permanent financing from other Corporation programs, then the most restrictive compliance requirements of the other Corporation programs shall be in effect and compliance monitoring shall be performed through those programs. the Compliance Period shall be in effect for a period equal to the compliance period committed to by the Applicant under the particular Corporation program providing the additional funding.

(7)(4) For home ownership Developments:

(a) The Applicant must commit to sell <u>a minimum of 50%</u> 100% of completed housing units to persons or households whose income does not exceed 80% of the area median income, as determined by HUD and adjusted by household size, for the metropolitan statistical area or county in which the individual homes are located, and <u>sell the remaining housing</u> <u>units to persons or households whose income does not exceed</u> 120% of the area median income, and

(b) If the Development obtains construction or permanent financing from other Corporation programs, the Set-Aside(s) committed to by the Applicant under the particular Corporation program providing the additional funding shall be in effect.

(8)(5) Applicants are required to work with a Technical Assistance Provider (TAP) as assigned by <u>the</u> Corporation. The Corporation shall pay all fees required by the TAP.

 $(\underline{9})(\underline{6})$ If the Applicant is utilizing PLP funds to purchase the Development Site, <u>including good faith deposits applied to</u> <u>the sales price of the land</u>, Credit Underwriting will be required by a Credit Underwriter assigned by Corporation. The Applicant is responsible for paying the Credit Underwriting fee, which is an eligible PLP expense.

(10)(7) If awarded a PLP Loan, the proceeds of such may only be used for PLP eligible expenses as outlined in Rule 67-38.008, F.A.C.

(11)(8) The Development must be consistent with the purposes of the Predevelopment Loan Program and conform to the requirements specified in the Act or this rule chapter.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.003, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05,_____.

67-38.003 Application Submission Procedures.

(1) At any time during the year, Applicants may submit an Application to the Corporation for PLP funding. An Applicant, Affiliate, limited partnership, or general partner thereof <u>shall</u> may not have more than two (2) <u>Outstanding</u> Loans

outstanding at any given time, without the prior written approval of the <u>Corporation Board</u>. In order for an Applicant to be approved to have more than two Outstanding Loans, the Applicant shall submit a written request to the Corporation detailing the experience of all Developers and co-developers involved in the proposed Development(s) in producing affordable housing and a proposed plan for permanent or construction financing on the Development(s). For the purposes of this rule chapter, outstanding shall mean any PLP Loan that has not been fully repaid to the Corporation.

(2) through (6) No change.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.003, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

67-38.004 Incomplete Applications and Rejection Criteria.

(1) Each Application shall be reviewed by the Corporation to determine if the Application meets Threshold Requirements. If the Application fails to meet Threshold Requirements, the Corporation shall notify the Applicant of any additional or revised information or material that is required. The Applicant may continue to submit requested material until the Application is complete and meets Threshold Requirements. The Application, however, shall not be placed in priority order or on a waiting list until such time that all information and documentation has been submitted and the Application is determined to have met Threshold Requirements.

(2) through (4) No change.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.004, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

67-38.005 Application Evaluation and Award Guidelines. (1) through (4) No change.

(5) The Invitation to Participate <u>letter</u> shall be signed <u>by</u> <u>the Applicant</u> and returned to the Corporation within <u>20</u> <u>calendar</u> 15 days from the date of the Invitation to Participate <u>letter</u>. of receipt by If the executed Invitation to Participate <u>letter</u> is not received by the Corporation within <u>20 calendar</u> 15 days, the Invitation to Participate <u>letter</u> shall be withdrawn and the Applicant shall be so notified. The executed Invitation to Participate <u>letter</u> must be accompanied by an initial commitment fee as specified therein.

(6) Upon receipt of the executed Invitation to Participate <u>letter</u> and the Applicant's initial commitment fee, the Corporation shall assign a Technical Assistance Provider. In the event that technical assistance has begun and it is determined that the initial commitment fee has not been paid or is returned for insufficient funds, Technical Assistance shall be discontinued until full payment is received and determined to be sufficient. If payment has not been received within seven days of notification to the Applicant, the Invitation to Participate <u>letter</u> shall be withdrawn and the Applicant shall be so notified.

(7) No change.

(8) The Applicant shall be given up to six months from the <u>Applicant's date of execution of the Corporation's receipt of</u> the executed signed Invitation to Participate <u>letter</u> to complete and submit the Development Plan unless prior written approval <u>of an extension</u> is received from the Corporation. The Invitation to Participate <u>letter</u> shall be canceled if the Development Plan is not submitted within the six-month period. All PLP Loan documents, if any, shall be cancelled. Any commitment fees paid shall be retained by the Corporation. With the prior approval of the TAP, the Applicant may request an extension for submitting the Development Plan in writing to the Corporation at least <u>30 calendar</u> thirty days prior to the end of the original six month period.

(9) No change.

(10) Following the TAP and Corporation staff's approval of the Development Plan, the PLP Loan request shall be submitted to the Board <u>for approval</u>. Amendments to the Development Plan shall be allowed upon a favorable recommendation of the Technical Assistance Provider. If an increase to the <u>PLP</u> Loan is requested, <u>or an Applicant name</u> <u>change is requested</u>, Board approval is required.

(11) Following approval of the PLP Loan, the Applicant will receive written notice of such approval <u>in the form of a commitment letter issued by the Corporation</u>. The Applicant shall submit the final commitment fee <u>and return the executed acceptance of commitment to the Corporation within 20 calendar fifteen days from the date of the commitment letter of receipt of such notice.</u>

(12) If the Board does not approve the PLP Loan request, no funds shall be disbursed other than for expenses incurred for services of the Technical Assistance Provider. Any commitment fees paid by the Applicant shall be retained by the Corporation.

(13) No change.

(14) Following receipt of the final commitment fee, <u>a</u> <u>mortgage</u>, <u>a</u> loan agreement, promissory note and any other customary loan documentation will be provided to the Applicant. Upon execution of all loan documents by both the applicant and the Corporation, funds will be available for disbursement for eligible predevelopment activities as specified in this rule chapter.

(15) A positive Credit Underwriting Report is required for closing on <u>any portion of the</u> a PLP Loan that has been approved <u>by the Board</u> for <u>site</u> the acquisition <u>costs including</u> good faith deposits applied to the sales price of the <u>Development Site</u>.

Specific Authority 420.528 FS. Law Implemented 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.005, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05,_____.

67-38.007 Terms of the PLP Loan.

(1) If In the event that the Applicant entity is comprised of a 100% ownership interest by a Not-For Profit <u>Organization, or</u> a for-profit entity wholly-owned by one or more Not-For Profit <u>Organizations</u>, or if the <u>Applicant is a Public Housing</u> <u>Authority</u>, the <u>PLP L</u>-to an shall bear an interest rate of 1%. <u>Otherwise</u>, In the event that the <u>Applicant entity has a</u> for profit partner with any ownership interest in the <u>Development</u> the PLP Loan shall bear an interest rate of 3%.

(2) No change.

(3) The PLP Loan shall be non-amortizing with principal and interest deferred until <u>the Mmaturity Date</u>. The Corporation is authorized to forgive such loan and thereby make a grant to the Applicant for any monies that are unable to be repaid due to the Applicant's inability to obtain construction or permanent financing for the Development. The Corporation shall not forgive the portion of the PLP Loan, if any, which is <u>collateralized</u> secured by a mortgage, <u>pledged capital funds or</u> <u>other collateral approved to the Corporation</u> to the extent such loan could be repaid from the sale of the mortgaged property <u>or</u> <u>from other collateral securing the loan</u>.

(4) In the event PLP funds are used to purchase the Development Site, <u>T</u>the mortgage securing the PLP Loan shall be in a first or second lien position and shall not share priority with any other liens unless approved by the Board.

(5) With respect to rental Developments, the PLP Loan's <u>Maturity Date</u> shall <u>be</u> mature on the earlier of:

(a) No change.

(b) Three years from the date of execution of the loan documents by the Corporation or other such extended loan \underline{Mm} aturity \underline{Dd} ate approved by the Board.

(6) With respect to home ownership Developments, the PLP Loan's <u>Maturity Date</u> shall <u>be</u> mature on the earlier of:

(a) On a prorated basis upon the sale of each home, upon the recommendation of the Credit Underwriter <u>or Technical</u> <u>Assistance Provider</u> and a partial release payment in an amount acceptable to the Credit Underwriter <u>or Technical Assistance</u> <u>Provider</u> and the Corporation; or

(b) No change.

(7) The Corporation shall extend the term of the PLP Loan for an additional period if extraordinary circumstances exist and if such extension would not jeopardize Corporation's security interest. Submission of a request for an extension of the term of a PLP Loan shall be subject to the following:

(a) For an extension up to one year, the Developer shall submit, along with the TAP a written request detailing the progress of the Development, barriers to the Development's progress and a revised timeline.

(b)(a) An additional extension of up to one year requested at the conclusion of the initial approved one year extension shall require tThe recommendation of the Credit Underwriter or the Technical Assistance Provider <u>as directed by the</u> <u>Corporation</u> that an extension of the PLP Loan is likely to result in the successful completion of the Development; and

(c)(b) No change.

(8) No change.

(9) The Corporation may renegotiate and extend the PLP Loan. Such renegotiations shall be based upon:

(a) Documentation and certification by the Applicant that funds are not available to repay the Note upon maturity;

(b) A plan for the repayment of the loan at the new Maturity Date:

(c) Assurance that the security interest of the Corporation will not be jeopardized by the new term(s); and

(d) Industry standard terms which may include amortizing loans requiring regularly scheduled payments of principal and interest.

All loan renegotiation requests, including requests for extension, must be submitted in writing to the Director of Special Assets and contain the specific details of the renegotiation.

(10)(9) Upon determination by the Board that other remedies are ineffectual or non-existent and that the best interest of the Corporation is served by acceleration of the PLP Loan. The PLP Loan shall be accelerated if any of the following occurs:

(a) Proceeds of the PLP Loan are used for any purpose not specified in the Development Plan, the documents evidencing or securing the PLP Loan, the Act or this rule chapter; or

(b)(c) Sale, transfer, or conveyance of the Development without the prior written approval of the Corporation, as set forth in Rule 67-38.012, F.A.C.

(11)(10) The Applicant shall submit <u>electronic</u> progress reports evidencing successful completion of the requisite tasks and activities set forth in the Development Plan to the Technical Assistance Provider on <u>not more than</u> a quarterly basis <u>as determined by the Corporation</u>. The Technical Assistance Provider shall submit the reports to the Corporation. Reports are due to the Corporation by the 10th day of April, July, October, and January for so long as funds are outstanding.

(12)(11) The Corporation reserves the right to require an audit of Applicant's accounts and records relating to the PLP Loan funds. If the Applicant is required to perform an audit of its accounts and records, a copy of the same shall be delivered to the Corporation within ten (10) days of receipt of thereof by the Applicant.

(13)(12) The Applicant shall maintain all documents related to the Development, including copies of all contracts and performance bonds, during the term of the Loan and for three years following the maturity of the PLP Loan as the same may be extended pursuant to this rule chapter.

(14)(13) With respect to home ownership Developments, in order to assure that such Developments serve the target population, the Credit Underwriter or the Corporation shall, prior to release of an individual lot within the Development <u>S</u>site, review appropriate documentation as necessary to determine the unit is being sold to an eligible purchaser.

(15)(14) With respect to rental Developments, in order to assure that such Developments serve the target population and maintain the minimum Set-Aside requirements, in addition to the execution and recordation of the Land Use Restriction Agreement (LURA), all deeds conveying title to real estate that is improved with rental units shall contain restrictive covenants that encompass all of the units in the Development and that provide for the continued rental of the units to persons within the target population for the Compliance Period. For those Developments which have occupied units, or will have occupied units, prior to closing of the construction or permanent financing, the Servicer or the Corporation shall conduct a review and physical inspection prior to closing of the construction or permanent financing to assure that the Development meets the minimum Set-Aside requirements and provides the intended benefit to the target population pursuant to the Act. The Corporation reserves the right to monitor each Development funded under the Predevelopment Loan Program at any time after completion of the Development to assure continued compliance with the applicable provisions of this rule chapter.

(16)(15) The loan shall not be assumable upon the sale, transfer or refinancing of the Development without the prior approval from the Board, which approval shall be conditioned upon a positive recommendation by the Technical Assistance Provider or Credit Underwriter.

Specific Authority 420.528 FS. Law Implemented 420.526, 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.007, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05_____.

67-38.008 Eligible Uses for the Loan.

(1) No change.

(2) The Corporation shall monitor all predevelopment activity expenditures through the designated Technical Assistance Provider and shall deny disbursements which have not been approved by the Technical Assistance Provider prior to submission to Corporation. <u>Draw requests shall not be processed without the Technical Assistance Provider's written approval.</u>

(3) Eligible predevelopment expenses shall include the following expenses if such expenses or services were required to be incurred or rendered prior to closing of construction or permanent financing:

(a) through (f) No change.

(g) <u>Development</u> Third party consultant fees. <u>Consultant</u> fees incurred in connection with the submission or preparation of the PLP Application or for any other activities which can be

provided by the Technical Assistance Provider shall not be eligible predevelopment expenses. The consultant shall demonstrate appropriate experience in <u>affordable</u> housing Development projects and shall be <u>approved by</u> acceptable to the TAP. No person, corporation, partnership, or entity having an identity of interest in the Development, or the Applicant, may act as a third party consultant;

(h) No change.

(i) <u>Customary, gGood</u> faith or earnest money deposit <u>for</u> the <u>acquisition of the</u> related to Development Site:

(j) through (u) No change.

(4) If any of the requisite predevelopment activities to be completed are pending or have not been satisfactorily completed, <u>T</u>the Applicant shall be required to work with the Technical Assistance Provider to complete the predevelopment activities in a timely and satisfactory manner.

(5) No change.

Specific Authority 420.528 FS. Law Implemented 420.526, 420.527, 420.528 FS. History–New 3-23-93, Amended 1-16-96, 5-21-96. Formerly 9I-38.008, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05_____.

67-38.010 Credit Underwriting Procedures.

(1) If an Applicant requests funds for site acquisition or requests an extension of the term of the PLP Loan, \underline{t} the Corporation will assign a Credit Underwriter to perform the Credit Underwriting Report.

(2) through (5) No change.

(6) The Credit Underwriter shall complete and submit make a written draft Credit Underwriting Report and recommendation to the Corporation within 80 calendar days from the date of assignment by the Corporation. The Technical Assistance Provider and the Applicant shall review the draft Report and provide written comments to the Corporation and Credit Underwriter within 72 hours of receipt. After the 72-hour review period, the Corporation shall provide comments on the draft Credit Underwriting Report and, as applicable, on the Applicant's and Technical Assistance Provider's comments, to the Credit Underwriter. The Credit Underwriter shall then review and consider the comments thereto and release the revised Report to the Corporation, the Technical Assistance Provider, and the Applicant. Any additional comments from the Applicant and Technical Assistance Provider shall be received by the Corporation and the Credit Underwriter within 72 hours of receipt of the revised Report. The Credit Underwriter shall provide to the Corporation a final Credit Underwriting Report which will address all comments made by the Applicant and the Technical Assistance Provider.

(7) No change.

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.010, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

67-38.011 Fees.

(1) The following fees and charges pertaining to each Application shall be paid by the Applicant:

(a) through (b) No change.

(c) A<u>n</u> initial commitment fee as identified in the Application Package shall be paid to the Corporation;

(d) Following approval an additional commitment fee shall be paid within 20 calendar 15 days of written notice to the Applicant that the Development Plan has been approved. In the event the Development Plan does not receive approval, the commitment fee paid at the time of acceptance of the Invitation to Participate letter shall be retained by the Corporation. In the Applicant successfully completes event the the Predevelopment Loan Program activities and obtains permanent or construction financing, the Applicant's PLP Loan repayment amount will be reduced by the full commitment fees paid:

(e) Servicing and Compliance Monitoring Fees shall be paid for those multifamily rental Developments that obtain construction or permanent financing from sources other than Corporation programs. The total Servicing and Monitoring fee to be paid by the Applicant shall be submitted to the Corporation at the time of closing on the construction or permanent financing. The total Servicing and Monitoring fee is listed in the Application Package. For those Developments which obtain their construction or permanent financing from Corporation Programs, the Compliance Monitoring Fees shall be determined by the requirements of the particular program providing the financing in accordance with the rule chapter governing that particular program; and

 $(\underline{f})(\underline{g})$ All Credit Underwriting, Technical Assistance, Servicing and Compliance Monitoring Fees, extraordinary services and late fees shall be determined by contracts between the Corporation and the provider.

(2) through (3) No change.

Specific Authority 420.507(4) FS. Law Implemented 420.528 FS. History–New 3-23-93, Amended 1-16-96, Formerly 9I-38.011, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

67-38.014 Disbursement Procedures.

After the PLP Loan has successfully closed, the PLP Loan shall be disbursed in partial payments by the Corporation to the Applicant, title company or third party contractors subsequent to compliance with the following conditions for either home ownership or rental Developments:

(1) through (2) No change.

(3) Disbursements for eligible activities, conducted prior to being awarded predevelopment financing, qualify for reimbursement from PLP funds provided that the eligible Predevelopment activities were performed or completed no earlier than twelve months prior to the submission of the Application. <u>Consideration of expenditures that pre-date more</u> than twelve months prior to the Application submission date will be reviewed by Corporation staff on a case by case basis and will require approval by the TAP and the Corporation. Reimbursement for site acquisition which was completed prior to closing on the PLP loan shall not be allowed as a PLP expense <u>unless otherwise recommended by the TAP and</u> <u>approved by Corporation staff and the Board</u>.

(4) through (5) No change.

Specific Authority 420.528 FS. Law Implemented 420.528 FS. History–New 3-23-93, Amended 1-16-96, 5-21-96 Formerly 9I-38.014, Amended 3-26-98, 7-17-00, 7-21-03, 2-3-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert Dearduff, Special Programs Administrator and Amanda Franklin, Special Programs Manager

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Nancy Muller, Policy Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-149.002 Scope and Applicability

PURPOSE AND EFFECT: Rule 690-149.002, F.A.C., is being amended to adopt the recent National Association of Insurance Commissioners (NAIC) interstate compact standard for defining incidental for accelerated death benefits.

SUMMARY: If the cost of an accelerated death benefit is incidental, less than 10% of the cost of the contract as a whole, the accelerated rider would not be subject to the health standards. These include such riders as accelerated long-term care and accelerated death benefits due to heart or other critical conditions. The standard provides for the formula to be used to meet the test

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

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

SPECIFIC AUTHORITY: 624.308(1), 627.410(6)(b) FS.

LAW IMPLEMENTED: 624.307(1), 627.402, 627.410(1), (2), (6), (7), 627.411(1)(e), (2), 627.6515(2)(a), 627.6699 FS.

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

DATE AND TIME: August 29, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-149.002 Scope and Applicability.

(1) through (5) No change.

(6) Pursuant to the provisions of Section 627.410(6)(b), F.S., rate filings required by Rule 69O-149.003, F.A.C. and ARC filings required by Rule 69O-149.007, F.A.C., are not required to be made for the following; however, the rating standards contained in this Part I and applicable statutes shall continue to apply as if the rate schedules were required to be filed for approval:

(a)1. Annually rated group health insurance policies as defined by Section 627.652(1), F.S., including blanket insurance as defined by Section 627.659, F.S., issued in this state that provide availability of coverage only to groups with 51 or more employees/members.

(b)2. This filing exemption does not apply to franchise policies issued pursuant to Section 627.663, F.S.

(c)3. This filing exemption does not apply to stop-loss policy forms, unless the policy is issued only to employers with 51 or more employees.

(7)(a)(b)1. Forms that provide for the acceleration of the benefits of a life insurance policy that <u>are is</u> incidental to the total life insurance coverage <u>are not subject to the annual rate</u> or ARC filing requirements of Section 627.410, F.S., or these rules. The insurer is required to submit an actuarial demonstration with the initial filing for approval demonstrating such incidental compliance.

(b)2. The acceleration is considered incidental if the value of the accelerated benefit is less than 10 percent of the total value of the benefits provided by the life insurance coverage. These values shall be measured as: a. <u>t</u>The present values of the benefits determined as of the date of issue. <u>determined according to the formula (NSP2-NSP1)/NSP1</u>, applied over a range of underwriting classes and plans at which the benefit is being made available, is not in any case greater than 10%, where: or

<u>1. NSP1 and NSP2 are determined using an effective annual interest rate of 6%.</u>

2. NSP1 is the net single premium for the base policy benefits assuming there is no accelerated death benefit.

3. NSP2 is the net single premium for the base policy benefits assuming that the full death benefit is paid at time of death or the occurrence of the non-death accelerated death benefit trigger.

b. The relationship between the premiums if the premiums are separable and fixed at issue.

(c) If a separate premium or cost of insurance (COI) charge is the only charge being charged for the accelerated benefit provided, the ratio of the present value of the accelerated benefit premiums or COI charges over the life of the policy to the present value of the policy premiums or COI charges exclusive of any riders, does not exceed 10%, the present values shall be determined using an effective annual interest rate of 6%.

(d) Upon request of the Office, the insurer shall provide an actuarial demonstration that the accelerated death benefit continues to meet these standards. If it is determined that the accelerated death benefit fails to comply with these standards, the provisions of these rules shall apply.

Specific Authority 624.308(1), 627.410(6)(b) FS. Law Implemented 624.307(1), 627.402, 627.410(1), (2), (6), (7), 627.411(1)(e), (2), 627.6515(2)(a), 627.6699 FS. History–New 7-1-85, Formerly 4-58.02, 4-58.002, Amended 4-18-94, 4-9-95, 10-27-02, Formerly 4-149.002, Amended 5-18-04.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monica Rutkowski, Director, Life and Health Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 12, 2007

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

| RULE TITLES: |
|---------------------------------|
| Standards Adopted |
| Bureau of Fair Rides Inspection |
| Forms |
| Qualified Inspectors |
| |

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. 33, No. 31, August 3, 2007 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-8.0011 Standards Adopted.

The following standards are adopted for the inspection of amusement rides in this state.

(1) American Society for Testing and Materials F-24 (ASTM F-24) Standards on Amusement Rides and Devices, <u>Seventh</u> Fifth Edition, <u>2004</u> 1995. A copy of the adopted ASTM standards can be obtained by writing the American Society for Testing and Materials at 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428; Phone (610)832-9500.

(2) Article 525, Carnivals, Circuses, Fairs and Similar Events, of the National Electrical Code (NEC) Handbook, <u>2005</u> 1996 Edition. Notwithstanding the provisions of Article 525 13(a), all flexible cords or cables used shall meet the requirements for extra hard usage, damp location, as listed in Table 400 4 of the NEC. A copy of the adopted NEC standards can be obtained by writing the National Fire Protection Association at 1 Batterymarch Park, Quincy, Mass. 02269-0901; Phone 1 (800) 344-3555.

(3) National Fire Protection Association 101, Life Safety Code, (NFPA 101), Chapter <u>3.3.28.10, 12.4.7 and 13.4.7</u> 8.4.6 and <u>9.4.6</u>, Special Provisions for Amusement Buildings, <u>2006</u> 1991 Edition. A copy of the adopted NFPA standards can be obtained by writing the National Fire Protection Association at 1 Batterymarch Park, Quincy, Mass. 02269-0901; Phone 1 (800) 344-3555.

(4) American Society for Testing and Materials (ASTM) Standards E 543<u>-06</u>, Standard <u>Specification</u> Practice for Agencies Performing Nondestructive Testing, <u>2006</u> 1996 Edition. A copy of the adopted ASTM standards can be obtained by writing the American Society for Testing and Materials at 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428; Phone (610)832-9500.

(5) American Society For Nondestructive Testing (ASNT) Document SNT-TC-1A, Personnel Qualification and Certification in Nondestructive Testing, <u>2001</u> 1996 Edition. A copy of the adopted ASNT standard can be obtained by writing the American Society For Nondestructive Testing, 1711 Arlingate Lane, Post Office Box 28518, Columbus, Ohio 43228-0518; Phone 1 (800)222-2768.

Specific Authority 616.165, 616.242(4) FS. Law Implemented 616.001, 616.242 FS. History–New 2-14-99, <u>Amended</u>.

5F-8.0012 Bureau of Fair Rides Inspection Forms.

(1) The following forms are adopted by this reference for use by the Bureau of Fair Rides Inspection in the amusement ride inspection program.

| Form Number DACS 03419 DACS 03420 DACS 03421 DACS 03422 DACS 03423 DACS 03424 DACS 03425 DACS 03426 DACS 03426 DACS 03427 DACS 03427 DACS 03428 DACS 03429 DACS 03429 DACS 03430 DACS 03431 DACS 03431 DACS 03433 DACS 03434 | $\frac{\text{Revised}}{07/07} \\ \hline 07/07 \\ \hline 07/07 \\ \hline 10/04 \\ \hline 07/07 \\ \hline 10/04 \\ \hline 01/07 \\ \hline 10/04 \\ \hline 01/07 \\ \hline 10/04 \\ \hline$ | TitleAmusement Ride Inspection ReportWater Park Amusement Ride Inspection ReportGo Kart Amusement Ride Inspection Report (Track)Go Kart Amusement Ride Inspection Report (Vehicle)Bungy Jump Inspection ReportOwner's Daily Inspection Report (Carnival Type)Owner's Daily Inspection Report (Water Park)Owner's Daily Inspection Report (Go Kart Track/Vehicle)Owner's Daily Inspection Report (Go Kart Track/Vehicle)Owner's Daily Inspection Report (Bungy)Written Accident ReportRequest for Inspection or ReinspectionMechanical, Structural or Electrical Defect ReportEmployee Training RecordAmusement Ride Annual Permit ApplicationAffidavit of Compliance and Nondestructive TestingAffidavit of Annual Inspection for Exempt Facilities |
|---|--|---|
| Form Number | Revised | Title |
| DACS 03419 | 11/04 | Amusement Ride Inspection Report |
| DACS 03428 | 11/04 | Written Accident Report |
| DACS 03420 | 11/04 | Water Park Amusement Ride Inspection Report |
| DACS 03421 | 11/04 | Go Kart Amusement Ride Inspection Report (Track) |
| DACS 03422 | 11/05 | Go Kart Amusement Ride Inspection Report (Vehicle) |
| DACS 03423 | 11/04 | Bungy Jump Inspection Report |
| DACS 03424 | 11/04 | Owner's Daily Inspection Report (Carnival Type) |
| DACS 03425 | 11/04 | Owner's Daily Inspection Report (Water Park) |
| DACS 03426 | 11/04 | Owner's Daily Inspection Report (Go Kart Track/ Vehicle) |
| DACS 03427 | 11/04 | Owner's Daily Inspection Report (Bungy) |
| DACS 03430 | 11/04 | Mechanical, Structural or Electrical Defect Report |
| DACS 03429 | 11/04 | Request for Inspection or Reinspection |
| DACS 03432 | 11/04 | Amusement Ride Annual Permit Application |
| DACS 03431 | 11/04 | Employee Training Record |
| DACS 03433 | 11/04 | Affidavit of Compliance and Nondestructive Testing |
| DACS 03434 | 11/04 | Affidavit of Annual Inspection for Exempt Facilities |

(2) Copies of all Bureau forms may be obtained by contacting the Department of Agriculture and Consumer Services, Bureau of Fair Rides Inspection at 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650; or by Phone at (850)488-9790, or by Fax at (850)488-9023.

Specific Authority 616.165, 616.242(4), (5), (6), (7), (10), (11), (14), (15), (16) FS. Law Implemented 616.242 FS. History–New 2-14-99, Amended 5-30-05,_____.

5F-8.003 Qualified Inspectors.

(1) Each person seeking to perform amusement ride inspections as a Qualified Inspector (QI) for an insurance underwriter and execute the Affidavit of Compliance and Nondestructive Testing required for the annual permit shall provide the department the following documents and information: (a) Written certification from an insurance company, which certification must be renewed by the insurance company every 3 years, verifying that the applicant is an employee or agent of the company and is authorized to act as a qualified inspector for that insurance company, which is insuring the amusement ride; and

(b) Information which will verify employment dates together with names and addresses of employers for such period of time as will demonstrate the required experience in the amusement ride field; at least two years of which were involved in actual ride inspection with an amusement ride manufacturer, government agency, park, carnival or insurance company; and

(c) A written statement or certificate from a school or seminar which demonstrates at least eighty hours of formal education from a school or seminar for amusement ride inspection or ride safety, which is approved by rule of the department, during the past five years. Nondestructive testing training that meets the requirements of American Society of Nondestructive Testing (ASNT) may be substituted for up to half of the required hours of formal education; and

(d) A written statement or certificate from a school or sponsor of a seminar showing thirty-two hours per year of continuing education annually at a school or schools, or a seminar, approved by the department. These continuing education hours may include in-service industry or manufacturer updates and seminars. Curriculum subjects considered for credits are those subjects included in schools or seminars conducted or sponsored by: National Association of Amusement Ride Safety Officials (NAARSO), Amusement Industry Manufacturers and Suppliers International (AIMS), Council for Amusement and Recreational Equipment Safety (CARES), Glenn Barclay and Associates or any nationally recognized amusement ride organization, ride inspector or ride safety training programs conducted or sanctioned by state or local government amusement ride regulatory agencies in any jurisdiction, exempt permanent facilities in the state of Florida, and vocational training programs that reasonably relate to amusement ride safety or inspection, or other nationally recognized programs relating to amusement ride inspection or ride safety. Nondestructive testing training that meets the requirements of ASNT may be substituted for up to half of the required hours of continuing education.

(e) When a Qualified Inspector possesses the requisite qualifications the department will provide the applicant a qualified inspector number designating that person as a qualified inspector for the purpose of executing the Affidavit of Compliance and Nondestructive Testing required for the annual permit. The qualified inspector number shall be used when executing the required affidavits. The qualified inspector number issued by the department to a qualified inspector shall be valid for one year, so long as the applicant possesses the qualifications required by Section 616.242(1), F.S.

(f) The department acknowledges the amusement ride education programs of NAARSO, AIMS, CNA Insurance, and Glynn Barelay and Associates, and the Pennsylvania Amusement Ride Safety Seminar, as educational programs meeting the department's requirements to certify a qualified inspector.

(g) A sponsor or an attendee of any school or seminar that concerns, or is reasonably related to, amusement ride inspection or ride safety may request consideration as an educational program which meets the requirements of this rule by contacting the Bureau Chief, Bureau of Fair Ride Inspections, Suite N, Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; Phone: (850)488-9790; Fax: (850)488-9023.

(2) through (3) No change.

Specific Authority 616.165, 616.242(3)(q), (5) FS. Law Implemented 616.242 FS. History–New 9-15-92, Amended 2-23-94, 2-14-99, 10-10-01, 5-30-05_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

| RULE NO .: | RULE TITLE: |
|------------|--------------------------|
| 20-3.002 | Processed Product Report |
| | 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. 33, No. 23, June 8, 2007 issue of the Florida Administrative Weekly.

The purpose of this rule is to outline information that is to be included on reports regarding processed citrus fruit and processed citrus products within the state of Florida

(1) Except as otherwise provided in subsections (3) and (7)(Θ), all licensed citrus fruit dealers engaged in the processing and bulk storage, toll pack processing, or bulk storage of processed citrus products shall provide to the Department of Citrus or its designated agent the following information:

(a) through (g) No change.

(h) The amount and type of citrus by-products manufactured by licensed citrus fruit dealers in accordance with paragraph (3).

(2) Except for by-products information, all All information shall be reported by noon Thursday of each week. Information shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C., and shall be delivered by electronic transfer to the location designated on the aforementioned forms. The burden of proof of delivery of the requisite information rests with the licensed citrus fruit dealer.

(a) The Department will review and compile submitted information weekly and publish the Processor's Statistical Report electronically.

(b) Four times during the citrus season, on or about January, March, May, and July, the Department shall compile and publish any Fruit Pricing Report for which statistics collection has occurred under this Rule.

(3) Licensed citrus fruit dealers who operate registered citrus processing facilities and who engage in the manufacture of the citrus by-products listed below, shall file a monthly by-product report. The by-product report shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C, and shall be delivered by electronic transfer to the location designated on the aforementioned forms. The following by-products require monthly reporting:

(a) Pulp and pellets, both bags and bulk;

(b) Pellets made from dried pulp, meal, fines, or combination thereof;

(c) Molasses; and

(d) D-Limonene.

(4) The Department will review and compile submitted information weekly (or monthly, in the case of by-product information) and publish the Processor's Statistical Report electronically. Commencing October 1, 2007, Department shall compile and publish Post October Estimate Fruit Price Reports for which statistics collection has occurred under this rule, four times during the citrus season, on or about January, March, May and July. Weekly statistical reports published prior to October 1, 2007 shall be maintained by the Department and published in their original weekly format.

(5)(3) In addition to the weekly reports, and except as otherwise provided in subsection (7)(6), licensed citrus fruit dealers engaged in the processing and bulk storage, toll pack processing, or bulk storage of processed citrus products shall file, twice a year, an inventory verification report with one such report being filed in April and the other report being filed in October. Inventory verification reports shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C., and shall be delivered by mail to the location designated on the aforementioned forms.

 $(\underline{6})(\underline{4})$ In addition to the weekly reports, licensed citrus fruit dealers engaged in the processing and bulk storage of processed citrus products, or delivery of fruit for toll pack processing, shall file a fruit pricing verification report. Such report shall be filed in September. Fruit pricing verification reports shall be submitted on forms provided by the Department of Citrus and incorporated by reference into Rule 20-100.004, F.A.C., and shall be delivered by mail to the location designated on the aforementioned forms.

(7)(5) The following licensed citrus fruit dealers are exempt from the reporting requirements of this section:

(a) All gift fruit shippers

(b) Retail processors and dairies

(c) Processors engaged exclusively in the production of fresh squeezed unpasteurized juice.

(8)(6) For the purposes of this section, terms shall have the meanings prescribed by Section 601.03, F.S., and the term:

(a) through (d) No change.

(9)(7) Individual plant information reported pursuant to this rule shall be held confidential and shall constitute trade secrets as defined in Section 812.081, F.S., and are exempt from the provisions of Section 119.07(1), F.S.

(10)(8) Reports as required under this rule are subject to the inspection of records provision of Section 601.70, F.S.

Specific Authority 601.10(1),601.15(4),(10) FS. Law Implemented 601.10(8), 601.15(4), 601.69 FS. History-New 6-19-00, Amended

DEPARTMENT OF CITRUS

RULE NO.: 20-100.004

Official Forms Used by Agency 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. 33, No. 23, June 8, 2007 issue of the Florida Administrative Weekly.

RULE TITLE:

20-100.004 Official Forms Used by Agency.

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

(1) Application for License as Citrus Fruit Dealer – CIT/LIC/01REV. 7-10-07 4-30-07.

(2) Supplement to Application for License as Citrus Fruit Dealer for Bond Exempt Status – CIT/LIC/02 REV. 6-22-04.

(3) Affidavit to Request For Increase in Bond Exemption – CIT/LIC/03 REV. 7-10-07 3-23-00.

(4) Application for Special Transportation Permits – CIT/LIC/04 REV. <u>7-9-07</u> 8 29 06.

(5) Special Transportation Permit – CIT/LIC/05 REV. 9-19-06.

(6) Application for Permits for Shipment by Gift Fruit Shippers of Fresh Citrus Fruit Not for Resale – CIT/LIC/06 REV. 11-15-06.

(7) Permit for Gift Package Shipment – CIT/LIC/07 REV. 8-10-05.

(8) Application for Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/08 REV. <u>7-09-07</u> 12 4 06.

(9) Permit for Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/09 REV. 12-4-06.

(10) <u>Statement</u> Affidavit Relating to Shipment of Fresh Citrus Fruit or Products for Charitable or Unemployment Relief Purposes – CIT/LIC/10 REV. <u>7-09-07</u> 11-9-00.

(11) Application for Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit – CIT/LIC/11 REV. 3-5-04.

(12) Application for Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit with Lab Test – CIT/LIC/12 REV. 3-5-04.

(13) Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit – CIT/LIC/13 REV. 5-1-0711-9-00. (14) Application for Use of Florida's Seal of Approval – CIT/LEG/06 REV. 12-9-99.

(15) Application for Use of Florida's Seal of Approval Supplement A – CIT/LEG/07 REV. 8-1-95.

(16) Florida's Seal of Approval Supplier Statement Form – CIT/LEG/08 REV. 7-7-98.

(17) License Certificate for "Florida's Seal of Approval" Registered Certification Mark License Certificate – CIT/LEG/09 REV. 8-1-95.

(18) Florida with Sunburst "O" License Application Form – CIT/LEG/10 REV. 8-1-95.

(19) Florida with Sunburst "O" Supplier Statement Form – CIT/LEG/11 REV. 8-1-95.

(20) License Certificate for Florida with Sunburst "O" Registered Mark – CIT/LEG/12 REV. 8-1-95.

(21) Application for Use of Florida Citrus Growers' Symbol – CIT/LEG/15 EFF. 4-5-00.

(22) Application for Use of Florida Citrus Growers' Symbol Supplement A – CIT/LEG/16 EFF. 1-1-98.

(23) Florida Citrus Growers' Symbol Supplier Statement Form – CIT/LEG/17 REV. 1-1-98.

(24) Florida Citrus Growers' Symbol License Certificate – CIT/LEG/18 EFF. 1-15-98.

(25) Application for Use of Made With Florida Citrus Symbol Mark – CIT/LEG/19 EFF. 5-1-98.

(26) Made With Florida Citrus Supplier Statement Form – CIT/LEG/20 EFF. 5-1-98.

(27) Made With Florida Citrus Florida Processor's Agreement – CIT/LEG/21 REV. 7-10-07 1-1-98.

(28) Made With Florida Citrus Symbol License Certificate – CIT/LEG/22 EFF. 5-1-98.

(29) <u>Application for Use of</u> Fresh From Florida Citrus Growers' Symbol Application – CIT/LEG/23 EFF. 12-6-98.

(30) <u>"Fresh From Florida Citrus Growers" Registered</u> <u>Certification Mark</u> Symbol License Certificate – CIT/LEG/24 Rev. 12-6-98.

(31) Fresh Fruit Florida Advertising Tax Return (Packinghouse & Gift Fruit Packers) – CIT/REV/01R REV. <u>7-11-07</u> 8-1-06.

(32) Bond of Citrus Fruit Dealer to Guarantee Payment of Citrus Excise Taxes – CIT/REV/02 Rev. 8-1-99.

(33) Processed Citrus Products Florida Advertising Tax Return – CIT/REV/03R REV. <u>7-11-07</u> 8-1-06.

(34) Equalization Advertising Tax Return – CIT/REV/04R REV. <u>7-11-07</u> 8-1-06.

(35) Fresh Equalization Advertising Tax Return – CIT/REV/04R FRESH REV. <u>7-11-07</u> 8-1-06.

(36) Cash Bond of Citrus Fruit Dealer to Guarantee Payment of Citrus Excise Taxes – CIT/REV/05 REV. 2-1-85.

(37)Fresh Fruit & Fresh Squeezed Florida Advertising Tax Return (Gift Fruit Shippers or Roadside Stand Operators) – CIT/REV/06R REV. <u>7-11-07</u> 10-16 06. (38) Certificate of Deposit Assignment – CIT/REV/07 REV 7-11-07 8 1-06.

(39) Florida Department of Citrus Tax Surety Calculation – CIT/REV/100 REV. <u>7-1-07</u> 7-19-06.

(40) Florida Citrus Solids Strategy Program – CIT/REV/09R EFF. <u>7-11-07</u> 12-1-99.

(41) Import Tax Election (Opt-out form) – CIT/REV/10 REV. 7-1-07 7-1-06.

(42) Request for Periodic Citrus Advertising Tax Payments (Gift Fruit Shippers and Roadside Stand Operators) CIT/REV/11 REV. 8/1/06.

(43) <u>International</u> Value-Added <u>Promotion</u> Program Agreement/<u>Invoice</u> – CIT/MKTG/VAP1 REV. 10-4-04.

(44) Orange Field Boxes and Frozen Concentrated Orange Juice – INPUT CIT/FB/FCOJ/1 Electronic Form Rev. 6-07.

(45) Grapefruit Field Boxes, Frozen Concentrated Grapefruit Juice & Frozen Concentrated Tangerine Juice – INPUT CIT/FB/FCGJ & FCTJ/2 Electronic Form Rev. 6-07.

(46) Single Strength Juices – INPUT CIT/SSJ/3 Electronic Form Rev. 6-07.

(47) Monthly By-Products Report – INPUT CIT/BP/4 Electronic Form Rev. 6-07.

(48) Post October Estimate Fruit Price Report Fruit Paid For/Processed – INPUT CIT/FPP/5 Electronic Form Rev. 6-07.

(49) Semi-Annual Inventory Verification CIT/IV/6 Electronic Form Rev. 6-07.

(50) Annual Verification of Fruit Pricing for Citrus Fruit CIT/AFPV/9 Rev. 6-07 INPUT AFPV.

(51) Processor Statistics Reporting Training Manual and Support Documents CIT/PSR/7 Electronic Form Rev. 6-07.

(52) Dealer's Statement and Affidavit For Importing <u>Citrus Products</u> CIT/DSA/8 Rev. 6-07.

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

DEPARTMENT OF CORRECTIONS

| RULE NO .: | RULE TITLE: |
|------------|--------------------------------------|
| 33-601.731 | Revocation or Suspension of Visiting |
| | Privileges |

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. 33, No. 19, May 11, 2007, first Notice of Change published in Vol. 33, No. 22, June 1, 2007 issue of the Florida Administrative Weekly.

33-601.731 Revocation or Suspension of Visiting Privileges.

(1) No change.

(2) Indefinite suspension of an inmate's visiting privileges shall be considered by the <u>Institutional Classification Team</u> (ICT) as a management tool when an inmate is found guilty of the following offenses:

(a) through (b) No change.

(3) <u>An inmate shall be subject to s</u>Suspension of an inmate's visiting privileges for up to two-years shall be considered by the ICT as a management tool when <u>the</u> inmate is found guilty of the following disciplinary offenses in paragraphs (a) through (d) below.¹ In determining the length of suspension, the ICT shall consider the extent of the sexual misconduct, the amount and type of drugs, the amount of money, the type of article or instrument, the inmate's prior disciplinary history, and the inmate's prior visiting record.

(a) through (d) No change.

(4) <u>An inmate shall be subject to s</u>Suspension of an inmate's visiting privileges for three months for a first offense, six months for a second offense and two years for a third or subsequent offense, shall be considered by the ICT as a management tool when an inmate is found guilty of possessing any of the following contraband or illegal items:

(a) through (c) No change.

(5) <u>An inmate shall be subject to s</u>Suspension of an inmate's visiting privileges for three months shall be considered by the ICT as a management tool when an inmate is rated "unsatisfactory" for the work or program performance rating, including part-time assignment or security assessment. Such three month suspension shall begin with the month the rating was entered and run consecutively for each unsatisfactory rating.

(6) through (10) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.:RULE TITLE:61G4-15.006Financial Responsibility, Definition,
Grounds for Denial

NOTICE OF PUBLIC HEARING

The Construction Industry Licensing Board announces a hearing regarding the above rule, as noticed in Vol. 33, No. 30, July 27, 2007, Florida Administrative Weekly.

DATE AND TIME: Wednesday, September 12, 2007, 2:00 p.m., or as soon thereafter as can be heard.

PLACE: Sawgrass Marriott Resort and Spa, 1000 PGA Tour Blvd., Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed text of the rule.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: G.W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE: 69O-149.002 Scope and Applicability NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 11, March 16, 2007 issue of the Florida Administrative Weekly has been withdrawn.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on July 16, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of subsection 11B-27.002(4), F.A.C., from Cheryl Donno. The Petitioner wishes to waive the provision of rule requiring an officer to become employed within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, (850)410-7676. Comments on this petition should be filed at the above address.

NOTICE IS HEREBY GIVEN THAT on July 18, 2002, the Criminal Justice Standards and Training Commission, received a petition for variance from subsection 11B-27.002(4), F.A.C., from Karen Christine Seay. Petitioner wishes to receive a variance from the provisions of the rule requiring an officer to become certified within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel Grace A. Jaye, Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, or by telephoning (850)410-7676. Comments on the petition should be transmitted the agency at the above address or telephone number.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on July 18, 2007, the Florida Department of Transportation has issued an order.

The Department issued a Final Order granting the Petition of Banco de Sabadell, S.A., seeking a variance from the provisions of Rule 14-116.002, F.A.C. The Petition was received by the Department on April 18, 2007. The Department published its notice of receipt of the petition in the May 4, 2007, edition of the F.A.W. Rule 14-116.002, F.A.C., establishes requirements of the Department of Transportation Comptroller for approval of letters of credit issued for the benefit of the Department. The Department's Final Order, issued in DOT Case No. 07-043, granted the petition because the petitioner has demonstrated that the purpose of the statute underlying the rule will be met, that the petitioner would suffer a hardship from the rule, and that in the petitioner's particular case, the rule violates principles of fairness.

A copy of the Order may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact James C. Myers at (850)414-5393.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on July 2, 2007, South Florida Water Management District received a Request for Waiver from the City of Lauderdale Lakes, Office of Engineering and Construction Management Services, Application Number 07-0227-1M, for Modification of a Right of Way Occupancy Permit for utilization of Works of Lands of the District known as the C-13 Canal, Broward County, for proposed fence improvements to a previously authorized linear park permitted to the City of Lauderdale Lakes under Right of Way Occupancy Permit Number 12550; Section 19, Township 49 South, Range 42 East. The Request seeks relief from Rule 40E-6.601, Florida Administrative Code, which governs the payment of Application Processing Fees associated with the review of applications for issuance of Right of Way Occupancy Permits for utilization of Works or Lands of the District.

A copy of the Request may be obtained from Kathie Ruff at (561)682-6320 or email at kuff@sfwmd.gov. The District will accept comments concerning the request for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1413, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 20, 2007, the South Florida Water Management District, received a petition for waiver from Gary Clough-Village of Wellington, Application No. 07-0613-2 for utilization of Works or Lands of the District known as the C-51 Canal, Palm Beach County for installation of 4-48" culvert connections through the south right of way of C-51 located immediately west of the Flying Cow Road Bridge in conjunction with the Village of Wellington's Pump Station No. 7, Section 36, Township 43, Range 40 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Application within the South Florida Water Management District incorporated by reference in subsection 40E-6.091(1), Fla. Administrative Code which governs the maximum invert elevation of culvert connections within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or e-mail at jtriola@ 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 Triola, Office of Counsel. NOTICE IS HEREBY GIVEN THAT on July 10, 2007, South Florida Water Management District received a Petition for Wavier from Collier County Board of County Commissioners, Application Number 07-0319-3, for utilization of Works of Lands of the District known the Henderson Creek Canal, Collier County, for the proposed placement of light poles and master arms, traffic signals, turn lanes and guardrails; Multiple Sections, Township 48 & 49 South, Range 26 East. The petition seeks relief from subsections 40E-6.011(4), (6), Florida Administrative Code, which governs placement of above-ground permanent and semi-permanent encroachments (light poles and master arms, traffic signals, turn lanes and guardrails) within the Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or email at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1413, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 10, 2007, South Florida Water Management District received a Petition for Wavier from Collier County Board of County Commissioners, Application Number 07-0615-9, for utilization of Works of Lands of the District known the Airport Road Canal, Collier County, for the installation of new poles and the removal of existing concrete poles that support the traffic signals to be replaced by master arms; Sections 1, 2, 35 & 36, Township 48 & 49 South, Range 25 East. The petition seeks relief from subsections 40E-6.011(4), (6), Florida Administrative Code, which governs placement of above-ground permanent and semi-permanent encroachments (light poles and master arms) within the Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or email at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1413, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on July 2, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Donivan's Reef located in Largo. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-five (25).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN THAT on July 9, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from J&J Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved July 18, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 10, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Cold Stone Creamery #1634 located in Altamonte Springs. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of eighteen (18).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN THAT on July 17, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Bread and Butter located in Jacksonville. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have bathroom facilities in their facility, but use centrally located bathroom facilities.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on June 22, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Tequila Mexican Restaurant located in Tampa. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on four Mobile Food Dispensing Vehicles.

These variance requests of the four MFDVs were approved July 18, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating

properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variances and operating procedures are to be present on the MFDVs at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 30, 2007, the Board of Acupuncture has issued an order.

The Petition for Waiver filed by Cathy Lyn Goldstein. The Notice of Petition for Waiver was published in Vol. 33, No. 15, of the March 30, 2007, F.A.W. The Board of Acupuncture considered the petition at its meeting held on April 23, 2007, via teleconference. The Board's order, filed on May 9, 2007, grants the petition for waiver of subsection 64B1-4.001(1), F.A.C., pertaining to educational course hours required for licensure. The Petitioner has demonstrated knowledge and experience sufficient to compensate for the additional hours

required by the rule. The board finds that this will impose both a financial hardship and a substantial professional hardship on the Petitioner.

A copy of the Order may be obtained by contacting Pam King, Executive Director, Board of Acupuncture, at the above address or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on November 3, 2006, the Board of Acupuncture has issued an order.

On the Petition for Waiver or Variance filed by Paul John Reinhardt.

The Notice of Petition for Waiver or Variance was published in Vol. 32, No. 44, of the November 3, 2006, F.A.W. The Board of Acupuncture considered the petition at its meeting held on April 23, 2007, via teleconference. The Board's order, filed on May 9, 2007, denies the Variance or Waiver request of subsections 64B1-3.010(1), (4), and 64B1-4.0011(1), Florida Administrative Code. A waiver is granted in part to subsection 64B1-3.010(3), Florida Administrative Code, only as to the requirement the Petitioner demonstrate completion of the CCAOM clean needle course as Petitioner has passed a sufficiently similar course, but a waiver is denied as to the remainder of subsection 64B1-3.010(3), F.A.C. The Board finds that subsections 64B1-3.010(1), (3), and (4), F.A.C., related to endorsement licensing requirements and subsection 64B1-4.0011(1), F.A.C., listing documentation necessary for license application are statutory requirements of Sections 457.105(2)(b), (c), Florida Statutes, which cannot be waived by the Board. Further, the Board finds that waiver of the rules would undermine the application process.

A copy of the Order may be obtained by contacting Pam King, Executive Director, Board of Acupuncture, at the above address or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN that on July 10, 2007, the Board of Dentistry, received a petition for seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., by Edwin A. Bayo, Esq., on behalf of Andres Carbunaru, with respect to the following licensure requirements: that each applicant for a Florida dental license successfully completes remediation to the level of a graduation senior.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on July 16, 2007, the Board of Dentistry, received a petition for seeking a waiver or variance of subsections 64B5-2.0146(2) and 64B5-7.003(4), F.A.C., by Edwin A. Bayo, Esq., on behalf of Laura Hernandez, D. D. S., with respect to the following licensure requirements: (1) that experience obtained by an individual pursuant to a permit issued under Rule 64B5-7.003, F.A.C. and Section 466.025, F.S. is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.; (2) that each applicant for a Florida dental license successfully completes remediation to the level of a graduation senior, and; (3) provide transcripts from the sponsoring institution so indicating.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on October 31, 2006, the Department of Health, received a petition for waiver of subsection 64E-3.004(2), F.A.C., from Jessica Hernandez, Jose W. Lorenzo and Adelaida P. Perez who desired a temporary Basic X-Ray Machine Operator certification: The rule prohibits an applicant who has failed the certification examination from receiving Basic X-Ray Machine Operator. A copy of the Petition for Variance or Waiver may be obtained by contacting Betsy Hines. Comments on these Petitions

should be filed with Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN THAT on September 28, 2006, the Department of Health, received a petition for waiver of subsection 64E-3.004(2), F.A.C., from Elizabeth L. Miles who desired a temporary Basic X-Ray Machine Operator certification. The rule prohibits an applicant who has failed the certification examination from receiving Basic X-Ray Machine Operator.

A copy of the Petition for Variance or Waiver may be obtained by contacting Elizabeth Hines. Comments on these Petitions should be filed with Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN that on October 19, 2006, the Department of Health, received a petition for waiver of subsection 64E-3.004(2), F.A.C., from Aaron Reddish who desired a temporary Basic X-Ray Machine Operator certification.

The rule prohibits an applicant who has failed the certification examination from receiving Basic X-Ray Machine Operator.

A copy of the Petition for Variance or Waiver may be obtained by contacting Elizabeth B. Hines. Comments on these Petitions should be filed with: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN THAT on July 20, 2007, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on April 24, 2007, by Martha Harrell Chumbler, representing Infiltrator Systems, Inc., regarding the "ISI Multiport Header Distribution System". Petitioner sought a variance from subparagraph 64E-6.009(7)(a)4., Florida Administrative Code, which requires requests for approval of system components and designs to be made after innovative system testing is completed and to include empirical data showing results of innovative system testing in Florida. Notice of the petition was published in the May 11, 2007, edition of the F.A.W.

The Department found that the Petitioner failed to demonstrate that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department DENIED Petitioner's request for a variance.

A copy of the petition and final order may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on May 25, 2007, the Department of Children and Family Services, received a petition for Rule 65C-15.017, F.A.C., received by 4 Kids of South Florida and Joan Englert, assigned Case No. 07-009W. Rule 65C-15.017, F.A.C., governs the educational and work experience requirements of persons operating or employed by a licenses child-placing agency.

A copy of the Petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on July 16, 2007, the The Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(2), F.A.C. The Petition was received by Family Support Services of North Florida, Inc. and Juanita Jones, assigned Case No. 07-011W. Subsection 65C-15.017(2), F.A.C. states an Agency staff responsible for supervision shall have a master's or bachelor's degree in social work or a related area of study from an accredited college or university and at least two years of experience in human services or child welfare programs. A doctorate in social work or a related area of study may be substituted for one year of the required experience.

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

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on June 22, 2007, the Florida Housing Finance Corporation has issued an order.

Granting a Petition for Waiver or Variance

NAME OF THE PETITIONER: Cutler Manor, LLC

DATE PETITION WAS FILED: May 3, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: 67-48.004(18)(j), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., May 18, 2007, Vol. 33, No. 20.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 22, 2007.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

Requests for copies or inspections should be made to: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on June 22, 2007, the Florida Housing Finance Corporation has issued an order.

Granting a Petition for Waiver or Variance

NAME OF THE PETITIONER: Englewood Senior Limited Partnership

DATE PETITION WAS FILED: May 4, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., May 18, 2007, Vol. 33, No. 20.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 22, 2007. THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on June 22, 2007, the Florida Housing Finance Corporation has issued an order.

Granting a Petition for Waiver or Variance

NAME OF THE PETITIONER: Maple Crest Limited Partnership

DATE PETITION WAS FILED: May 4, 2007

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraphs 67-48.004(1)(a) and 67-48.004(14)(b) and subsection (15), Florida Administrative Code.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., May 18, 2007, Vol. 33, No. 20.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: June 22, 2007.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329.

Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources** announces a public notice Historic Marker Conference Call to which all interested persons are invited. DATE AND TIME: Wednesday, August 22, 2007, 10:00 (EDT)

PLACE: Room 409, R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Review Historical Marker applications.

A copy of the agenda may be obtained by writing to: Florida State Historical Marker Program, Bureau of Historic Preservation, Division of Historical Resources, 500 S. Bronough St., Tallahassee, FL 32399-0250.

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited. DATE AND TIME: August 8, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on

participation participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: August 9, 2007, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Budget Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

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.

Pursuant to the provisions of 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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131. If you are

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

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.**, Board of Directors will meet for its annual retreat.

BOARD MEETING

DATE AND TIME: August 29, 2007, 1:00 p.m. – 5:00 p.m. PLACE: Resort & Club at Little Harbor, Ruskin, FL RETREAT MEETING

DATE AND TIME: August 30, 2007, 9:00 a.m. – 11:00 a.m. PLACE: The Resort & Club at Little Harbor, 611 Destiny Drive, Ruskin, FL 33570

DEPARTMENT OF EDUCATION

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

DATE AND TIME: August 13, 2007, 9:30 a.m. – Completion PLACE: 1(888)808-6959, Conference Code 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be discussing budget and legislative issues.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

Pursuant to the provisions of 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: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

The State **Board of Education** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 14, 2007, 8:30 a.m., Overview of Florida's Assessment and Accountability System; 10:45 a.m., State Board of Education Meeting

PLACE: Florida Department of Education, 325 West Gaines Street, Suite 1721/25, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meeting held June 19, 2007, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Members of the Proact Search Firm will provide recommendations and updates on the search for the Commissioner of Education for the Board's consideration. Additional action items include: Approval of Amendment to Rule 6A-1.09401, Student Performance Standards, Approval of Action Plan for Professional Practices, Approval of Amendment to Rule 6A-6.014, General Requirements for Adult General Education Program, and Approval of Additional Courses for Inclusion on the Dual Enrollment Course - High School Subject Area Equivalency List. In addition, an update will be provided on pending legislative issues relating to Florida's community colleges.

A copy of the agenda may be obtained by contacting www.fldoe.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 the Office of Equity and Access at (850)245-0511. If you are 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 Sonya Morris at (850)245-9614.

The **Florida Schools of Excellence Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2007, 11:00 a.m. – Completion PLACE: Nova Southeastern University, 4850 Millenia Blvd., Orlando, Florida 32839

GENERAL SUBJECT MATTER TO BE CONSIDERED: Per Section 1002.335(3)(c), Florida Statutes the Florida Schools of Excellence Commission shall meet each month at the call of the chair.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

Pursuant to the provisions of 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: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861. If you are 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 Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: August 13, 2007, 1:00 p.m.

PLACE: Turnpike Enterprise, Turkey Lake Service Plaza, MP 263, Room 1054, Ocoee Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of Employee Survey to make recommendations for improvement to the Executive Board.

A copy of the agenda may be obtained by contacting: Larry Ferguson, III, CPM, Florida Department of Transportation, Performance Management Office, 605 Suwannee Street, MS 41, Tallahassee, Florida, (850)414-4382 or e-mail at: lawrence. ferguson@dot.state.fl.us.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting.

DATE AND TIME: Tuesday, July 17, 2007, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Board of Administration (SBA) of Florida held a meeting at 9:00 a.m. on Tuesday, July 17, 2007, to take action on the Florida Hurricane Catastrophe Fund's (FHCF) request to expand its liquidity program with pre-event financing by the Florida Hurricane Catastrophe Fund Finance Corporation.

With Governor Crist presiding, CFO Sink, and Attorney General McCollum present, the State Board of Administration was convened in LL-03, The Capitol. Mr. Coleman Stipanovich, Executive Director of the SBA, Mr. Ben Watkins, Director, Division of Bond Finance, Dr. Jack Nicholson, Senior FHCF Officer, and Mr. John Forney, FHCF Financial Advisor, Raymond James and Associates were also present. The expansion of the Florida Hurricane Catastrophe Fund's (FHCF) pre-event liquidity program was approved following a brief presentation by John Forney. Attorney General McCollum also presented a Resolution for a National Catastrophe Insurance Program to maximize the risk-bearing capacity of the private markets; and provide quantifiable risk management through and for the federal government. The Resolution was approved by the SBA.

The agenda was posted on the SBA website (www.sbafla.com) prior to the meeting date as well as on the Governor and Cabinet website (www.myflorida.com/myflorida/cabinet/).

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, August 15, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: Monday, August 20, 2007, 1:00 p.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss certain policy issues in regard to eligible telecommunications carriers. Undocketed. A copy of the agenda may be obtained by contacting: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council**, "Family-Friendly" Task Force will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss "Family Friendly" Task Force issues of the Advisory Council that have arisen since the 2007 2nd quarter FFEAC meeting.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

The **Office of Film and Entertainment and the Florida Film and Entertainment Advisory Council** Green Plan Task Force will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 13, 2007, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Green Plan Task Force issues of the Advisory Council that have arisen since the 2007 2nd quarter FFEAC meeting.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: August 20, 2007, 4:00 p.m.

PLACE: Niceville City Hall, 208 Partin Drive, Niceville, FL GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by calling (850)332-7976.

For more information, you may contact: www.wfrpc.org.

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited. DATE AND TIME: August 17, 2007, 10:30 a.m.

PLACE: Bradford County Emergency Management Office, 945-B North Temple Avenue, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

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

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.

Pursuant to the provisions of 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 calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited. DATE AND TIME: August 17, 2007, 1:00 p.m.

PLACE: Bradford County Emergency Management Office, 945-B North Temple Avenue, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council Regional Hazardous Materials Response Team Policy Board. A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

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.

Pursuant to the provisions of 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 calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited. DATE AND TIME: Monday, August 6, 2007, 8:30 a.m.

PLACE: East Central Florida Regional Planning Council Offices, 631 N. Wymore Road, Maitland, Florida 32751 (call (407)623-1075 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the ECFRPC Executive Committee to discuss the August 15, 2007 Council Meeting agenda.

A copy of the agenda may be obtained by writing to: Ruth Little, Administrative Assistant, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751 or emailing her at rlittle@ecfrpc.org.

The ECFRPC desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Section 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the Council that the physically handicapped person desires to attend the meeting.

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

DATE AND TIME: August 8, 2007, 9:30 a.m.

PLACE: Highlands County Health Department Conference Room, 7205 South George Boulevard

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or it's Executive Committee.

A copy of the agenda may be obtained by contacting Patricia M. Steed, Executive Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact: Patricia M. Steed, CFRPC Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited. DATE AND TIME: Thursday, August 16, 2007, 9:00 a.m.

PLACE: Riverside Community Center, 3061 E. Riverside Drive, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Southwest Florida Regional Planning Council will be holding its regular monthly board meeting in the morning to discuss and take any necessary action on various issues affecting Southwest Florida and then after business has been completed the meeting will be closed and the opening of the Council's 2007 Retreat will begin for the remainder of the afternoon.

A copy of the agenda may be obtained by contacting: Mrs. Nichole Gwinnett, Executive Assistant at (239)338-2550, ext. 232 or email ngwinnett@swfrpc.org or on the Council's website at www.swfrpc.org.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Mrs. Nichole Gwinnett, Executive Assistant at (239)338-2550, ext. 232 or email ngwinnett@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Mrs. Nichole Gwinnett, Executive Assistant at (239)338-2550, ext. 232 or email ngwinnett@swfrpc.org or on the Council's website at www.swfrpc.org.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited. DATE AND TIME: Wednesday, August 22, 2007, 9:30 a.m. PLACE: Board Room of SFRTA's Administrative Offices, located at 800 NW 33rd Street, Pompano Beach, FL 33064 GENERAL SUBJECT MATTER TO BE CONSIDERED: Property Task Force (formerly known as the Property Committee).

A copy of the agenda may be obtained by contacting SFRTA Planning Office at (954)788-7916.

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.

Pursuant to the provisions of 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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 If you are 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 **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited. DATE AND TIME: Friday, August 24, 2007, 9:30 a.m.

PLACE: South Florida Regional Transportation, Administration Building, Board Room, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting.

A copy of the agenda may be obtained by contacting the Executive Office at (954)788-7915.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 13, 2007, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business for the Citrus County Task Force of The Citrus/Hernando Waterways Restoration Council. Advertisement Order Form #56370. A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

Pursuant to the provisions of 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 calling 1(800)423-1476 (Florida), or (352)796-7211, extension 4226; Fax (352)797-5806; TDD ONLY 1(800)231-6103 (Florida). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2007, 9:00 a.m.

PLACE: Sarasota Service Office, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MANASOTA BASIN BOARD MEETING: CANCELLED Ad Order 43048.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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.

Pursuant to the provisions of 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 General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

NOTICE OF CANCELLATION – The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited. DATE AND TIME: August 16, 2007, 9:00 a.m. PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: WITHLACOOCHEE RIVER BASIN BOARD MEETING: CANCELLED Ad Order 43048.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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.

Pursuant to the provisions of 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 General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive

Department at the address above.

NOTICE OF CANCELLATION – The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2007, 1:00 p.m.

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: COASTAL RIVERS BASIN BOARD MEETING: CANCELLED Ad Order 43048.

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.

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

NOTICE OF CANCELLATION – The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited. DATE AND TIME: August 17, 2007, 9:00 a.m. PLACE: Tampa Service Office, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: HILLSBOROUGH RIVER BASIN BOARD MEETING: CANCELLED Ad Order 43048.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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.

Pursuant to the provisions of 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 calling the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

The **Water Resources Advisory Commission** (WRAC), Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 13, 2007, 5:00 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District (SFWMD), 3301 Gun Club Road, Building B-1, Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: http://my.sfwmd. gov/wrac.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a public meeting to which all persons are invited. Business 2 Business Forum DATE AND TIME: August 22, 2007, 5:30 p.m. - 8:00 p.m.

PLACE: Nova Southeastern University, Carl DeSantis Bldg., H. Wayne Huizenga School of Business

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Business 2 Business Forum provides the small business community with the opportunity to meet and network with prime contractors, to promote the increase of small business enterprise participation with the South Florida Water Management District.

A copy of the agenda may be obtained by contacting: (1) SFWMD Website http://ww.sfwmd.gov/agenda.html, or (2) by writing to the South Florida Water Management District, Broward Service Center, 8211 West Broward Boulevard, PH 3, Plantation, FL 33324.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the District Clerk's Office at (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 20, 2007, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

A copy of the agenda may be obtained by contacting Tampa Bay Water at (727)796-2355 or can be accessed on the Web at www.tampabaywater.org.

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

Pursuant to the provisions of 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 Holly Wells at (727)796-2355. If you are hearing or

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

For more information, you may contact the Records Department at (727)796-2355.

NOTICE OF CANCELLATION – The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2007, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority at P. O. Drawer 190, Tallahassee, FL 32302 or at www.WRWSA.org under "minutes and notices," "current agenda."

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 Jackson Sullivan at (850)513-3604.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 15, 2007, 1:30 p.m.

PLACE: Building 19, James A. Haley VA Medical Center, 13000 Bruce B. Downs Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Nancy Schiellerd, Florida Department of Veterans' Affairs, 4040 Esplanade Way, Suite 152, Tallahassee, Florida 32399-0950, (850)487-1533, at least 48 hours prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The **Area Agency on Aging of Pasco-Pinellas, Inc.** (AAAPP) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 20, 2007, 9:30 a.m.

PLACE: Area Agency on Aging of Pasco-Pinellas, Inc., 9887 4th Street North, Suite 100, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Area Agency on Aging of Pasco-Pinellas, Inc. Board Meetings.

Please note that if a person decides to appeal any decision made by AAAPP Board with respect to any matter considered at the above cited meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 23, 2007, 10:00 a.m.

PLACE: 110 Senate Office Building, 404 South Monroe, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Privacy and Security Project Legal Working Group to which all interested parties are invited. The purpose of the meeting is to study the current status of legal guidelines related to the privacy and security of health records and make recommendations for legislation to establish clear and concise standards that would facilitate health information exchange.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at http://ahca.my florida.com/dhit/index.shtml seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Carolyn H. Turner at (850)922-5861. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: Wednesday, August 22, 2007, 9:00 a.m. PLACE: 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301. The phone number to contact is 1(888)808-6959, when prompted enter the VCS Conference Code 1021548, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination. A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

The **Florida Black Business Investment Board, Inc.** (FBBIB) announces meetings of its Development Committee to which all interested persons are invited.

DATES AND TIMES: Friday, August 24, 2007, 2:00 p.m.; Friday, September 21, 2007, 3:00 p.m., respectively

PLACE: Via Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss the implementation of the Black Contractors Bond Program, discussion/review/approval of related issues and other business as needed, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: Florida Black Business Investment Board, 2019 Centre Pointe Boulevard, Suite 101, Tallahassee, FL 32308, (850)878-0275.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting (if applicable), please notify the FBBIB office, (850)878-0275, at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces a meeting of the Hotels and Restaurants Advisory Council to which all persons are invited:

DATE AND TIME: September 7, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: The Orange County Convention Center, Room 303B, 9800 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Marlita Peters, Division of Hotels and Restaurants, Hospitality Education Program, 1940 North Monroe Street, Tallahassee, Florida 32399-1014, (850)644-9349.

THE PERSON TO BE CONTACTED REGARDING THE PUBLIC MEETING IS: Marlita Peters, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Hospitality Education Program, 1940 North Monroe Street, Tallahassee, FL 32399-1014, (850)644-9349. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the meeting by contacting Marlita Peters, at (850)644-9349. If you are hearing or speech impaired, please contact the agency by calling 1 (800)955-8771 (TDD).

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited. DATE AND TIME: August 21, 2007, 9:00 a.m. PLACE: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Blvd., Tallahassee, Florida 32308 GENERAL SUBJECT MATTER TO BE CONSIDERED: John Abney, Case No. 2006-010045 Aldon C. Adams, Case No. 2007-030848 Angela Neel Interiors, Inc., Case No. 2007-030101 Anne Cooper Interiors, LLC, Case No. 2007-026850 Kimberlee Bates, Case No. 2007-025316 Camilo Boshell, Case No. 2007-018560 Yoli Cavalletti, Case No. 2007-006005 Charles H. Cox. Case No. 2007-025321 Shelly David, Case No. 2007-024203 Shirley Davis, Case No. 2007-013304 Jeff Dotson, Case No. 2007-026926 Eunice J. Borden Interior Design, Inc., Case No. 2007-020990 Robert Halula, Case No. 2007-023820 Frank Holas, Case No. 2007-030870 Interior Designs by Farlyn, Inc., Case No. 2007-025339 Into the Mist, Case No. 2007-026245 Jennifer Irizarry, Case No. 2007-027189 Louis Jackson, Case No. 2007-027843 Julian Marcus Interiors and Florist. Case No. 2007-030386 Ghousia Kahn, Case No. 2007-025344 John Koontz, Case No. 2007-030004 LBS Design, Inc., Case No. 2007-023514 Joseph Leal, Case No. 2007-026929 Vicky Lilavois, Case No. 2007-022119 MCG Design, Inc., Case No.2007-026288 Angela Neel, Case No. 2007-030060 Office Environments & Services, Inc., Case No. 2006-045371 Panache Interior Designs, Inc., Case No. 2007-025613 Peach Tree Designs, Inc., Case No. 2007-026885 Roz Shuster Designs, Inc., Case No. 2007-026205 Thomas Scholten, Case No. 2007-023223 William Streitz, Case No. 2006-044961 Roxana Tillit, Case No. 2007-018568 Cynthia Wingate, Case No. 2007-025330 Jennifer Zieful, Case No. 2007-030076

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

Pursuant to the provisions of 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. If you are 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

The **Building Code Administrators and Inspectors Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 11, 2007, 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code 4148135

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel, portions of which may be closed to the public.

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.

Pursuant to the provisions of 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: Building Code Administrators and Inspectors Board. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited. DATE AND TIME: Wednesday, August 15, 2007, 1:30 p.m. PLACE: Northeast District Office, Conference Room A, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256 GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Lower St. Johns River (LSJR) TMDL Technical Working Group, which is working on development of a draft Basin Management Action Plan (BMAP) for presentation to the LSJR TMDL Executive Committee. Topics to be discussed at the meeting include the status of the BMAP project collection process for nonpoint sources and MS4s, review of the BMAP document organization and content to date, and a status report on the development of the BMAP Monitoring Plan.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8449.

Pursuant to the provisions of 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. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited. DATE AND TIME: Thursday, August 16, 2007, 9:00 a.m.

PLACE: Northeast District Office, Conference Rooms A & B, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Lower St. Johns River (LSJR) TMDL Executive Committee and Stakeholders Group. Topics for this meeting include an update on the status of the BMAP project collection process for nonpoint sources and MS4s, review of the BMAP document content to date, and a status report on the development of the BMAP Monitoring Plan.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8449.

Pursuant to the provisions of 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. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida Department of Environmental Protection announces a workshop on Rules 62-701.100, Intent; 62-701.200, Definitions; 62-701.210, Documents Incorporated by Reference; 62-701.220, General Applicability; 62-701.300, Prohibitions; 62-701.310, Approval of Alternate Procedures and Requirements; 62-701.315, Permit Fees for Solid Waste Management Facilities; 62-701.320, Solid Waste Management Facility Permit Requirements, General; 62-701.330, Landfill Permit Requirements, 62-701.340, General Criteria for Landfills; 62-701.400, Landfill Construction Requirements; 62-701.410, Hydrogeological and Geotechnical Investigation Requirements; 62-701.430, Vertical Expansion of Landfills; 62-701.500, Landfill Operation Requirements; 62-701.510, Water Quality and Leachate Monitoring Requirements; 62-701.520, Special Waste Handling; 62-701.530, Gas Management Systems; 62-701.600, Landfill Final Closure; 62-701.610, Closure Procedures; 62-701.620, Long-Term Care; 62-701.630, Financial Assurance; 62-701.710, Waste Processing Facilities; 62-701.730, Construction and Demolition Debris Disposal and Recycling; 62-701.803, General Permit for Off-site Disposal of Land Clearing Debris; 62-701.900, Forms, F.A.C., to which all persons are invited.

DATE AND TIME: August 22, 2007, 9:00 a.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rulemaking workshop to discuss proposed amendments to Chapter 62-701, the Solid Waste Management Facilities rule. A draft of proposed rule amendments and a workshop agenda are available on the Department's solid waste website at www.dep.state.fl.us/waste/categories/solid _waste/pages/IWDR.htm.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Bureau of Personnel Services at (850)245-2511. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Caloosahatchee Basin Stakeholders Group announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 29, 2007, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Ave., Fort Myers, FL 33901 GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Caloosahatchee Basin Stakeholder Group Meeting is to inform the public of the Department's intent to develop Total Maximum Daily Loads (TMDL's) in the Caloosahatchee Basin and solicit public participation in this process.

A copy of the agenda may be obtained by contacting: Mr. Pat Fricano, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling him at (850)245-8559.

Pursuant to the provisions of 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: Mr. Pat Fricano, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling him at (850)245-8559. If you are 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 **Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, September 4, 2007, 7:00 p.m. (EDT)

PLACE: The Lakeland Center, Lake Hollingsworth Room, 701 West Lime Street, Lakeland, Florida 33815

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Colt Creek State Park with the public.

A copy of the agenda may be obtained by contacting: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809, (863)815-6758.

Pursuant to the provisions of 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: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809, (863) 815-6758. If you are 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: Scott G. Spaulding, Park Manager at (863)815-6758 or email Scott.Spaulding@ dep.state.fl.us. A copy of the management prospectus may be obtained by contacting: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809, (863)815-6758. A copy of the Colt Creek State Park management plan will be available at the park for review. An electronic version of the plan is available upon request by emailing Ms. BryAnne White at BryAnne.White@dep.state.fl.us.

The **Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2007, 9:00 a.m. (EDT)

PLACE: The Lakeland Center, Lake Parker Room C, 701 West Lime Street, Lakeland, Florida 33815

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed land management plan for Colt Creek State Park with the park Advisory Group members.

A copy of the agenda may be obtained by contacting: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809, (863)815-6758.

Pursuant to the provisions of 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: Colt Creek State Park, 16000 State Road 471, Lakeland, Florida 33809, (863)815-6758. If you are 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 Scott G. Spaulding, Park Manager at (863)815-6758 or email Scott.Spaulding@ dep.state.fl.us.

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 16, 2007, 10:00 a.m. – 11:30 a.m.

PLACE: 4030 Esplanade Way, Building 4030, 2nd Floor, Room 258, Tallahassee, FL 32399-1732, 1(888)808-6959 (Toll Free), Conference Code: 2454583

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by contacting: Correctional Medical Authority, Executive Director, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Suzanne Wieczorek at (850)245-4557. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Suzanne Wieczorek at (850)245-4557.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2007, 8:00 a.m. or soon thereafter

PLACE: 1(888)808-6959. After dialing the meet me number, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credentials Committee Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way Bin C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373 ext 3467.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Lifeguard and Swimming Instructor Program Advisory Group announces a Conference Call meeting to which all interested persons are invited.

DATE AND TIME: August 21, 2007, 9:00 a.m. – 12:00 Noon PLACE: If you wish to participate in the conference call, you must call Mr. Pryor to obtain the telephone number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for evaluating Lifeguarding and Swimming Instructor training programs proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the programs to the department.

The person to contact regarding this conference call meeting, agenda and pertinent information is: Mr. Robert S. Pryor, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN C-22, Tallahassee, FL 32399-1742, (850)245-4444, ext. 2369.

The **Department of Health**, Alliance for Diabetes Prevention and Care and the Diabetes Advisory Council announces a meeting to which all interested persons are invited.

DATE AND TIME: August 10, 2007, 3:00 p.m.

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on diabetes issues and how the two groups can work together.

For further information or if you would like to attend this meeting please contact M.R. Street at (850)245-4330.

The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 21, 2007, 11:00 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code 2454292

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions; overview of Government in the Sunshine, travel procedures, and other administrative functions. This will prepare Council members on the Governor's Council on Physical Fitness for their first council meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Catherine Howard at (850)245-4444, x 3803 or catherine_howard@doh.state.fl.us.

A copy of the agenda may be obtained by contacting Catherine Howard at (850)245-4444, ext. 3803.

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

DATE AND TIME: August 23, 2007, 4:00 p.m. - 6:00 p.m.

PLACE: Tampa Bay Buccaneers Training Facility, One Buccaneer Place, Tampa, FL 33607, (813)870-2700

DATE AND TIME: August 24, 2007, 9:00 a.m. – 1:00 p.m.

PLACE: Doubletree Tampa Westshore, 4500 West Cypress Street, Tampa, FL 33607, (813)879-4800

GENERAL SUBJECT MATTER TO BE CONSIDERED: First meeting of the Governor's Council on Physical Fitness. Meeting will begin with welcome/introductions followed by an overview of organizational protocol. Council will then deliberate on how to accomplish tasks listed in Executive Order 07-52.

Pursuant to the provisions of 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: Catherine Howard at (850)245-4444, x 3803 or catherine_howard@doh.state.fl.us.

A copy of the agenda may be obtained by contacting Catherine Howard at (850)245-4444, ext. 3803.

The **Diabetes Advisory Council** and **Florida Alliance for Diabetes Prevention and Care**, Leadership Council members announces their quarterly meetings to which all interested persons are invited.

DATES AND TIMES: August 29, 2007, 10:00 a.m. - 5:00 p.m.; August 30, 2007, 8:00 a.m. - 2:00 p.m.

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a Strategic Planning joint meeting bringing together two advisory bodies to discuss strategic planning for the state's diabetes health system. The groups will be using the systems thinking and system dynamics modeling concepts they learned from the July 10 and 11 Diabetes Assessment Congress. CDC staff will be present and participating.

If you would like to attend, have questions or require additional information, please contact M.R. Street at (850)245-4330.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The seventh meeting of the **Interagency Services Committee for Youth and Young Adults with Disabilities** established in law under SB 1278 announces a meeting to which all interested persons are invited.

DATE AND TIME: August 17, 2007, 8:30 a.m. - 3:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will focus on refining and agreeing upon the strategic plan around the resource mapping outcomes.

If you are a qualified individual with a disability as defined in the Americans with Disabilities Act, and need special accommodations to participate in this meeting, please, by no later than June 15, 2007, contact Tammy Ferrell at (850)414-6513 or via email: Tammy_Ferrell@apd.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refinance and rehabilitate the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Casa Santa Marta Apartments, a 78-unit multifamily residential rental development located at 1576 8th Street, Sarasota, Sarasota County, FL 34236. The prospective owner and operator of the proposed development is St. Martha's Housing, Inc., 1576 8th Avenue, Sarasota, FL 34236, or such successor in interest in which St. Martha's Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is SPM, Inc., 6220 Manatee Avenue West, Bradenton, FL 34209. The total tax-exempt bond amount is not to exceed \$4,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00pm (Tallahassee local time), August 20, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

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.

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

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Villas at Carver Park Apartments, a 64-unit multifamily residential rental development located on Gore Street and Jernigan Avenue, Orlando, Orange County, FL 32805. The prospective owner and operator of the proposed development is The Villas at Carver Park, LLLP, 390 North Bumby Avenue, Orlando, FL 32803, or such successor in interest in which Finlay Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is The Villas at Carver Park, LLLP, 4300 Marsh Landing Blvd., Suite 101, Jacksonville Beach, FL 32250. The total tax-exempt bond amount is not to exceed \$6,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), August 20, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation at (850)488-4197.

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.

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

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: August 21, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refinance and rehabilitate the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

DeSoto Towers Apartments, a 204-unit multifamily residential rental development located at 1523 6th Avenue West, Bradenton, Manatee County, FL 34205. The prospective owner and operator of the proposed development is DeSoto Towers, Inc., 1523 6th Avenue West, Bradenton, FL 34205, or such successor in interest in which DeSoto Towers, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is DeSoto Towers, Inc., 1523 6th Avenue West, Bradenton, FL 34205. The total tax-exempt bond amount is not to exceed \$3,050,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), August 20, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

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.

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

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: August 21, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refinance and rehabilitate the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lutheran Apartments, a 225-unit multifamily residential rental development located on 550 1st Avenue South, St. Petersburg, Pinellas County, FL 33701. The prospective owner and operator of the proposed development is Lutheran Residences, Inc., 550 1st Avenue South, St. Petersburg, FL 33701, or such successor in interest in which Lutheran Residences, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Lutheran Residences, Inc., 550 1st Avenue South, St. Petersburg, FL 33701. The total tax-exempt bond amount is not to exceed \$3,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), August 20, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: August 21, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Tallman Pines II Apartments, a 24-unit multifamily residential rental development located on N. E. 41st Street, north of the Intersection of N. E. 41st Street and N. E. 7th Avenue, Deerfield Beach, Broward County, FL 33064. The prospective owner and operator of the proposed development is Tallman Pines Associates II, Ltd., 2950 S. W. 27th Avenue, Suite 200, Miami, FL 33133, or such successor in interest in which Carlisle Development Group, LLC or McCan Communities, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Carlisle Property Management, Inc., 2950 S. W. 27th Avenue, Suite 200, Miami, FL 33133. The total tax-exempt bond amount is not to exceed \$4,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), August 20, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting Wayne Conner at (850)488-4197.

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.

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

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, September 10, 2007, 2:00 p.m. (Eastern Time); Tuesday, September 11, 2007, 1:30 p.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the response(s) submitted for Florida Housing Finance Corporation's Request for Proposals #2007-06 for State Housing Initiatives Partnership (SHIP) Program and Hurricane Housing Recovery Program (HHRP) Compliance Monitoring Services.

A copy of the agenda may be obtained by contacting Robin Grantham at (850)488-4197.

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.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 22, 2007, 5:30 p.m. - 7:00 p.m.

PLACE: Northeast Regional Office, 1239 S. W. 10th Street, Ocala, FL 34474, (352)732-1225. The public may also access this meeting via video conference at the following location: Florida Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, FL 32399, (850) 488-3831.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWC is holding a video conference workshop to review and discuss substantive issues associated with the Bald Eagle Management Plan.

A copy of the agenda may be obtained by contacting: Robin Boughton, Florida Fish and Wildlife Conservation Commission, 1239 S. W. 10th Street, Ocala, FL 34471-0323, (352)732-1225.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robin Boughton, Florida Fish and Wildlife Conservation Commission, 1239 S. W. 10th Street, Ocala, FL 34471-0323, (352)732-1225.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 14, 2007, 1:00 p.m.

PLACE: 401 Senate Office Building, Florida Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Metropolitan Casualty Company and Metropolitan Property and Casualty Insurance Company have requested a 33.5% overall increase for new homeowners' policies, effective October 1, 2007 and renewal homeowners' policies, effective November 1, 2007. The rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your email should read "Metropolitan."

A copy of the agenda may be obtained by contacting Sam Coskey at (850)413-2616 or email him at sam.coskey@fldfs.com at least 48 hours before the hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sam Coskey at (850)413-2616 or email him at sam.coskey@fldfs.com at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Stephen H. Thomas, Jr., Esquire at (850)413-4142 or Sam Coskey at (850)413-2616.

NOTICE OF CHANGE – The **Financial Services Commission** announces a hearing on Rule 69O-167.015, F.A.C., Uniform Home Grading Scale to Grade the Ability of a Home to Withstand Wind Loads from Tropical Storms or Hurricanes, to which all persons are invited.

Final Public Hearing

DATE AND TIME: Scheduled for August 14, 2007, has been changed to August 28, 2007, 9:00 a.m., at a regularly scheduled Cabinet meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the final public hearing on amendments to Rule 69O-167.015, F.S., adopting the Uniform Home Grading Scale.

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at http://www.myflorida.com /myflorida/cabinet/mart.html. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: please advise the contact person at least 5 calendar days before the program by contacting Chris Bailey at e-mail chris.bailey@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8771 (TDD) or 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Chris Bailey at e-mail chris.bailey@fldfs.com.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: August 28, 2007, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-137.013, Florida Administrative Code, published on June 30, 2006 in Vol. 32, No. 26, of the F.A.W. A notice of change was published on June 22, 2007 in Vol. 33, No. 25.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Karen Embry at e-mail karen.embry@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at http://www.myflorida.com /myflorida/cabinet/mart.html. The agenda should be available approximately one week before the cabinet meeting.

The **Financial Services Commission** announces a public hearing to which all persons are invited:

DATE AND TIME: August 28, 2007, 9:00 a.m., during a regular meeting of the Financial Services Commission.

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

SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-157.301, .302, .303, .304, Florida Administrative Code, published on June 8, 2007 in Vol. 33, No. 23, of the *Florida Administrative Weekly*. A notice of change was published on June 15, 2007 in Vol. 33, No. 24.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Tracie Lambright at E-mail Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at http://www.myflorida.com/ myflorida/cabinet/mart.html. The agenda should be available approximately one week before the cabinet meeting.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** (TBEP) announces scheduling of a Management Board Meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Actions will be taken on adoption of Initial FY 07/08 TBEP Program-Wide Budget and approval of Contractor for FY07-08 Technical Support Contract. There will be discussion on Tampa Bay Water's Long-Term Water Supply. Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Management Board to any matter considered at the above-cited meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Estuary Program** (TBEP) announces scheduling of a Policy Board Meeting to which all persons are invited.

DATE AND TIME: Friday, August 10, 2007, 1:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida GENERAL SUBJECT MATTER TO BE CONSIDERED: Actions will be taken on adoption of Initial FY 07/08 TBEP Program-Wide Budget and approval of Contractor for FY07-08 Technical Support Contract. There will be discussion on Tampa Bay Water's Long-Term Water Supply. Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Policy Board to any matter considered at the above-cited meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

FLORIDA TELECOMMUNICATIONS RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces the annual membership meeting to be followed by a regular meeting of the Board of Directors.

DATE AND TIME: Monday, August 13, 2007, 1:00 p.m.

PLACE: 1820 E. Park Avenue, Suite 101, Tallahassee, Florida GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual membership meeting followed by a regular meeting of the Board of Directors. Note that the Board of Directors meeting will convene immediately after conclusion of the membership meeting.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.** (FSIGA) announces a meeting of its Board of Directors to which is to be held at the venue of the 62nd Annual Workers' Compensation Educational Conference. All members of FSIGA and other interested parties are encouraged to attend.

DATE AND TIME: Tuesday, August 14, 2007, 3:00 p.m. PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida 32308, (850)222-1882.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose 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.

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

EXECUTIVE COMMITTEE MEETING

DATE AND TIME: Thursday, August 16, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: Live the Life Ministries, 252 Killearn Center Blvd., Suite 100, Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Business.

A copy of the agenda may be obtained by contacting Heidi Rodriguez at (850)488-4952, hrodriguez@ounce.org.

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

Pursuant to the provisions of 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 Heidi Rodriguez at (850)488-4952, hrodriguez @ounce.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 Heidi Rodriguez at (850)488-4952, hrodriguez@ounce.org.

FLORIDA ASSOCIATION OF COURT CLERKS

The Board of Trustees for the **Florida Local Government Investment Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2007, 10:30 a.m. – 12:00 Noon PLACE: Embassy Suites Hotel/International Drive, 8250 Jamaican Court, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting the Trust's Administrator, FACC Service Corporation at (850)577-4523.

For questions or further information, please contact the FACC Service Corp. administrator at (850)921-0808.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Finance Committee of the Florida Birth-Related Neurological Injury Compensation Association, Board of Directors announces a meeting to which all interested persons are invited.

DATE AND TIME: Monday, September 17, 2007, 1:00 p.m. – 5:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

For additional information, contact our office at (850)488-8191.

The Board of Directors of the **Florida Birth-Related Neurological Injury Compensation Association** announces a meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, September 18, 2007, 9:00 a.m. – 1:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

For additional information, contact our office at (850)488-8191.

FLORIDA PORTS FINANCING COMMISSION

The **Florida Ports Financing Commission** announces a telephone conference call to which all persons are invited. DATE AND TIME: August, 20, 2007, 2:00 p.m. – 3:30 p.m.

PLACE: 1(877)540-9892, Participant Code: 833035

GENERAL SUBJECT MATTER TO BE CONSIDERED: Professional Services Subcommittee to review responses to Request for Proposals for Underwritering Services for the Florida Ports Financining Commission, and to develop recommendations for the Florida Ports Financing Commission. 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting Toy Keller at (850)222-8028. If you are 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: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, FL 32301, (850)222-8028.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces the following meeting to which all persons are invited.

FAJUA Claim Review

DATES AND TIME: Wednesday-Friday, August 22-24, 2007, To Be Announced

PLACE: York Offices, Sanlando Center, 2170 State Road 434, Longwood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Servicing Carrier performance in claim handling and any other matters that may come before the committee.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

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

DATE AND TIME: August 28, 2007, 9:30 a.m.

PLACE: SEFPSA, 3800 Michigan Ave, Fort Myers, FL 33916 GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda: Pledge, Introduction to Guests, Minutes of previous meeting (12/13/06), Changes to Fiscal year 2007/2008 Trust Fund Allocations, SCTI – end of year Trust Fund Report, SWFPSA – end of year Trust Fund Report, Other items of interest, Date for next Region 10 meeting, Adjourn.

INDIAN RIVER COMMUNITY COLLEGE

Indian River Community College, Criminal Justice Training Institute announces a public meeting for the Region XI Council to which the public is invited.

DATE AND TIME: September 12, 2007, 10:00 a.m.

PLACE: Indian River Academy, Room 102, 5900 Tedder Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide update on training classes and any other issues involving the Region.

VISIT FLORIDA

The Florida Commission on Tourism announces a public meeting of the **VISIT FLORIDA**, Board of Directors and the Florida Commission on Tourism to which all interested persons are invited.

Visitor Services Committee

DATE AND TIME: Wednesday, September 19, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: The Club at Hammock Beach, 200 Ocean Crest Drive, Palm Coast, FL 32137, 1(888)246-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss VISIT FLORIDA Welcome Center business and other updates.

Finance Committee

DATE AND TIME: Wednesday, September 19, 2007, 10:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss financial statements and other business as necessary.

New Product Development Steering Committee

DATE AND TIME: Wednesday, September 19, 2007, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear regional updates and other business as necessary.

Partner Development Committee

DATE AND TIME: Wednesday, September 19, 2007, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss old business and strategies for recruiting new Partners.

Marketing Steering Committee

DATE AND TIME: Wednesday, September 19, 2007, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss and review marketing strategies and other business as necessary.

VISIT FLORIDA Board of Directors Meeting

DATE AND TIME: Thursday, September 20, 2007, 8:00 a.m. – Until adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going issues and other matters.

Florida Commission on Tourism

DATE AND TIME: Thursday, September 20, 2007, – Upon adjournment of the Board of Directors meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

CHILD CARE EXECUTIVE PARTNERSHIP

The **CCEP** announces a Conference Call to which all interested persons are invited.

DATE AND TIME: Thursday, September 27, 2007, 5:30 p.m. – 7:30 p.m. or until business is concluded

PLACE: Hilton in the Walt Disney World Resort, 1751 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830, (407)827-4000. Call In Number: 1(888)808-6959, Conference Code: 9213167 (then press #).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Business.

Materials will be available by September 20, 2007, on the CCEP website at www.ccep.bz.

EARLY LEARNING ADVISORY COUNCIL

The **Early Learning Advisory Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: September 28, 2007, 9:00 a.m. – 3:00 p.m. PLACE: Hilton in Walt Disney World Resort, 1751 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830, (407)827-4000. Please reference the group "Office of Early Learning" when making your reservations to receive the special group rate.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Don Blalock, on behalf of Quickbrick USA, LLC on February 22, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that the petitioner's product, a type of unfired interlocking brick that is designed to be glued together with construction adhesive instead of mortar, is a structural component and is within the scope of Rule 9B-72.005, F.A.C.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Joseph W. Broughton, P.E., on behalf of Burgess Engineering, Inc. on March 14, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that sections 13-415.1.ABC.1.1 and 13-415.ABC.1.2, Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06), do not require the installation of occupancy sensors to turn off the lighting within

30 minutes of the occupants leaving the various rooms and offices in a proposed series of bank buildings containing less than 5,000 square feet each.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Robert S. Fine, Esquire, on behalf of TRG-Block One, LTD. on April 9, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that balconies and parking decks in that are neither over habitable space nor the top surface of a building are not subject to the waterproofing requirements for roof coverings with slopes less than 2:12 contained in section 1519.16, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06). The project in question is subject to section 1926.5.5, Florida Building Code, Building Volume (2004 as amended 12/05 and 12/06).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Joseph E. Hetzel, P.E., on behalf of the Door and Access Systems Manufacturers Association (DASMA) on April 9, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that section R301.2.1.2, Florida Building Code, Residential Volume (2004, as amended 12/05 and 12/06), and section 1609.1.4, Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06), require wind-borne debris resistance for glazed openings, but not for non-glazed garage doors, in areas outside of the High Velocity Hurricane Zone.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs received a request for Declaratory Statement on June 28, 2007, from Jeffrey K. Hulsberg, P.E., regarding whether an Exposure Category of "D" as described in section R301.2.1.4 (4), Florida Building Code, Residential Volume (2004 as amended 12/05 and 12/06) is a valid Exposure Category in Florida. If so, whether Exposure D applies only to the first buildings on the shoreline of a lake that are directly exposed to wind coming over the surface of the water, or if it applies also to buildings that are shielded by other buildings and trees. If Exposure D also applies to buildings that are shielded, what is the transition zone length from Exposure D to the next applicable inland exposure category. It has been assigned the number DCA07-DEC-116.

A copy of the request may be obtained by writing: Paula P. Ford, Clerk, Department of Community Affairs, Florida Building Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Andrew Johnson, on behalf of Harbor Home Improvements on April 2, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that section 505.1, Florida Building Code, Existing Building Volume (2004, as amended 12/05 and 12/06), does not require replacement windows to meet the current code requirements for emergency escape and rescue opening. An emergency escape and rescue opening is only required to meet the requirements for emergency escape and rescue openings in effect when the building was built.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by John Leedy, P.E. on March 9, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined Section 471.003, Florida Statutes, requires a Professional Engineer to prepare the design plans for a commercial electrical project valued at \$65,000 which involves the addition of a 400 amp feeder circuit, not withstanding any contradictory or inconsistent language in the Florida Building Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by James M. Nicholas, on behalf of Townhomes of Suntree on January 29, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that no portion of Brevard County, Florida, falls within the "High Velocity Hurricane Zone," and therefore compliance with section 1521.4 of the Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06), is not required in Brevard County. The Commission noted that reproofing permits applied for in counties other than Miami-Dade and Broward after December 8, 2006, for Alteration Level 1 or greater, must meet the provisions of section 511.1.2, Florida Building Code, Existing Building Volume (2004, as amended 12/05 and 12/06).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Alfonso Oviedo-Reyes, on behalf of Hunker Down Systems.com on March 16, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that the petitioner's product, a roof deck anchoring system, is not a roofing product that comprises the building envelope and structural frame, as specified in Rule 9B-72.010, F.A.C., and is not within the scope of Rule 9B-72.005, F.A.C., and does not require product approval by the Commission.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Mike Pella, on behalf of Kamm Consulting, Inc. on April 18, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that: 1) the advantages of automatic sprinkler protection may be equally applicable to group R and group B occupancies under section 104.11, Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06); and 2) the omission of smoke dampers may be permissible as an acceptable alternative method of construction for group R occupancies, subject to the approval of the building official, under Section 104.11, Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06); and 3).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Ed Riley, on behalf of the Fire Code Official's Office, Collier County, Florida on February 5, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Building Official does not have the authority to issue phased permits for commercial occupancies without the approval of the fire inspector, pursuant to Section 553.79(2), Florida Statutes. The qualifications of the fire safety inspector are governed by Chapter 633, Florida Statutes, which the Commission does not have authority to interpret. It is the responsibility of the building owner to make sure work does not proceed beyond the firs required inspection prior to the issuance of a permit.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Don Ed Riley, on behalf of the Fire Code Official's Office, Collier County, Florida on February 27, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that question of whether the Building Official has the authority to overturn a stop work order issued by a fire safety inspector as referred to in Section 553.79(2), Florida Statutes, is within the jurisdiction of the State Fire Marshall, and not within the Commission's statutory authority to interpret. The question of whether the provision of the Interlocal agreement giving the Building Official temporary authority over the fire safety inspector violates the provisions of Sections 553.73(1)(c) and/or 633.121, Florida Statutes, is also not within the Commission's statutory authority to interpret, and is a matter best addressed by the applicable local governments.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Grant Tolbert, on behalf of Hernando County Development Services on January 2, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that where section 13-104.4.1, Florida Building Code, Building Volume (2004, as amended 12/05 and 12/06) states that the "builder" must sign the energy performance level (EPL) display card and certify it to be accurate, the person who signs the card must also be the applicant for the building permit. NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Siegfried W. Valentin, on behalf of the American Architect Manufacturing Association (AAMA) on April 9, 2007. The following is a summary of the agency's disposition of the petition:

The Commission determined that if a window's use meets the requirements for the High Velocity Hurricane Zone (HVHC), and the window has received statewide product approval under Chapter 9B-72, F.A.C., no additional tests are required for use of the windows in the HVHC.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Emerald Pointe At Bay Isles Condominium Association, Inc.; Docket Number: 2007040083. The petition seeks the agency's opinion as to the applicability of Sections 718.110(4) and 718.110(12)(a), Florida Statutes, as it applies to the petitioner. Whether all of the unit owners in Emerald Pointe North Condominium may approve a plan of reorganization of Emerald Pointe at Bay Isles Condominium Association, Inc., to secede from the multicondominium association and form their own condominium association, without a vote of the members of Emerald Pointe South Condominium under Section 718.110(4), Florida Statutes, or, if a majority vote of the members in each condominium is required under Section 718.110(12)(a), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT Board of Orthotists and Prosthetists has received the petition for declaratory statement from Diana Galuska. The petition seeks the agency's opinion as to the applicability of Section 468.80(4), F.S. as it applies to the petitioner.

The Board of Orthotists and Prosthetists hereby gives notice that it has received a Petition for Declaratory Statement filed on July 25, 2007 on behalf of Diana Galuska, an employee of BSN Medical Inc., a global medical device company. The Petitioner seeks the Board's interpretation of the application to the Petitioner's employment for BSN Medical Inc. as an orthotic fitter assistant of various related sections of Florida Statutes found in Chapter 468, F.S., Part XIV, Orthotics, Prosthetics, and Pedorthics. Specifically, the Petitioner requests that because BSN products do not fall under the statutory definition of what constitutes an "orthosis" under Section 468.80(4), F.S., the Board issue a Declaratory Statement determining that BSN products are not an "orthosis" as defined by Florida's Orthotics statutes. This Petition will be considered by the Board at its meeting on August 10, 2007.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

Please refer all comments to: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has filed a Denial of Petition for Declaratory Statement on July 23, 2007, in RE: Petition for Declaratory Statement, Alex P. Stuckey, Jr., Case #90065, thus closing this file.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340 or by e-mailing your request to Lesley.Mendelson @fldfs.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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

Notice of Bid/Request for Proposal

The Withlacoochee Regional Planning Council is accepting proposals from CPA firms to provide audit services for our agency for Fiscal Year 2007 until Thursday September 6, 2007 at 4:00 p.m., at the Council Office, located at 1241 S. W. 10th Street, Ocala, FL 34471.

Detailed specifications for proposals and schedules are available upon request at Council Office, or can be downloaded from the WRPC website at www.wrpc.cc.

Contact Denise Lines, Finance Director at (352)732-1315, ext. 214 or Glenda Howell, Office Manager at (352)732-1315, ext. 216.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Notice of Bid/Request for Proposal BID NO. BDC 03-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below: PROJECT NAME: Apalachicola National Estuarine Research

Reserve Headquarters

SCOPE OF WORK: The Work consists of the construction of new buildings, which will create a new National Estuarine Research Reserve Headquarters. The new headquarters for the Apalachicola National Estuarine Research Reserve ("NERR") including a visitors' center, offices for education, administration, stewardship and research laboratories and support space. The building consists of a screened ground floor (covered level) including 6,300sf, with 10,350sf of enclosed, conditioned space above. A 2,400sf covered exterior breezeway connects the four enclosed spaces above. The structure is 38 feet tall with the first floor 11'-8" above the ground level. The first floor can be accessed by two exterior stairs, an elevator and a sloped walk. A separate two-story building, which is an alternate bid of similar arrangement, includes 1,000sf of exterior storage on the ground level with 1,300sf of conditioned office space above. The scope of work includes, but is not limited to, site construction and site improvements, landscape, concrete piles, girders and floor slab, concrete foundations, termite treatment, CMU walls, structural steel, wood frame walls and roofs, wood trusses, millwork, fiber cement siding, building insulation, metal flashings, metal roof panels, membrane roofing, sealants, steel and wood doors and frames, glass, curtain wall, plastic glazing, gypsum board, ceramic tile, resilient tile floors and base, carpet, painting, toilet accessories, projection screens, roller

shades, fire protection, operable partitions, mechanical and electrical systems, life support systems for exhibits and coordination with separate contracts; and collateral amenities including gravel pedestrian paths and a total of 93 parking spaces, comprised of 3 handicap, 33 employee and 3 bus spaces. The project is designed to comply with a Certification Level according to the U.S. Green Building Council's Leadership in Energy & Environmental Design (LEED) Rating System, as specified in Division 1 Section "LEED Requirements." The project is not required, by the Florida Building Code, to meet the "wind-borne debris" provisions for building cladding, roof, etc., however, the Owner has requested, and the building has been designed to meet these requirements.

RESERVE LOCATION: 108 Island Drive, Eastpoint, FL 32328

PROJECT MANAGER: A. Henri Burton, Coastal and Aquatic Managed Areas, MS 235, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2105, Fax (850)245-2110.

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 price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on Friday, August 3, 2007, at: Marjorie Stoneman Douglas Building, 3900 Commonwealth Blvd., 4th Floor, Room 432, or Mail Station 235, Tallahassee, Florida 32399-3000, Attention: A. Henri Burton, (850)245-2105, Fax Number (850) 245-2110.

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 Mike Renard with the Bureau of Design and Construction, (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).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, September 18, 2007, to the below address: Michael Renard, Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

INVITATION TO BID BID NO. BDC 05-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below: PROJECT NAME: Park Channel Historic Bridge-Bridge

Repairs SCOPE OF WORK: The contractor shall provide the necessary

labor, supervision, equipment and materials required to successfully complete all work associated with the repairs to the bridges. Work to include but not limited to small repairs, delamination, cleaning and repairing joints, milling and resurfacing, crack repairs and striping.

PARK LOCATION: Florida Keys Overseas Heritage Trail (MM 60.5)

PROJECT MANAGER: J. Randy Smith, Office of Greenways and Trails, Telephone Number: (850)245-2052, Fax Number: (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 price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on August 3, 2007 at: the Office of Greenways and Trails, Florida Keys Overseas Heritage Trail, 3 Lacroix Court, Key Largo, Florida 33037, Attention: Debra Stucki or Shelly Welch, Telephone Number: (305)853-3571, Fax Number: (305)853-3574.

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 Mike 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).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, September 11, 2007, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction (850)488-5372.

DEPARTMENT OF HEALTH

Notice of Bid/Request for Proposal

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

| PROJECT NO .: | DOH # 70645100 |
|---------------|-----------------|
| SAMAS CODES: | 64-39-45-98-507 |
| DDOJECT NAME | AND LOCATION. |

PROJECT NAME AND LOCATION:

Nassau County Health Department Five Points Renovations 2290 & 2292 State Road 200 (South 8th Street) Fernandina Beach, Florida, 32034

FOR: State of Florida, Department of Health – Nassau County Health Department

PRE-QUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233 for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of rule requirements is included in the Instructions To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures."

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:

- 1. May not submit a bid on a contract to provide any goods or services to a public entity.
- 2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
- 3. May not submit bids on leases of real property to a public entity.

- 4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
- 5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: The project is to demolish the interior of building 2292 and renovate according to the Drawings and Specifications. The project will also renovate the existing restroom and other office space in the adjacent building 2290.

MANDATORY SITE VISIT: A mandatory site visit for all interested parties will be conducted on July 12, 2007, 2:00 p.m. Contact Jarzyna & Associates at (904)321-4242, to be placed on the list for the site visit.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor Material Payment Bond are not required. If the construction contract award amount is more than \$100,000, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: The Department of Health encourages minority businesses to participate in the bidding process including any bidder's conferences, pre-solicitation or pre-bid meetings that are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy & Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, July 31, 2007, 2:00 p.m. (Local Time)

PLACE: Nassau County Health Department, Administration Building, Conference Room, 30 South 4th St., Fernandina Beach, FL 32034

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following: Jarzyna & Associates, Architects PA, Attention Tony Jarzyna; e-mail: jazzman@bellsouth.net or purchase of documents. Address: Four Juniper Court, Amelia Island, FL 32034, (904)321-4242, Fax (904)321-2029. The above bidding documents are currently available.

ARCHITECT-ENGINEER: Jarzyna & Associates Architects PA, Four Juniper Court, Amelia Island, FL 32034

DEPOSITS: All contractors, sub-contractors, venders, manufacturers, etc. can obtain the required documents. There is no charge for the first set of Plans and Specifications; each additional set at \$10.00.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 P.M. local time, on Tuesday, July 31, 2007 at the Nassau County Health Department, Administration Building, Conference Room, 30 South 4th St., Fernandina Beach, FL. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures," the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner. The qualified, responsive low bidder will be required to be registered with MyFloridaMarketPlace before a contract can be executed.

DAYTONA BEACH COMMUNITY COLLEGE

Notice of Bid/Request for Proposal RFP #08-001

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona Beach Community College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring engineering/design services.

The project is the design of a Southwest Parking Lot on the Daytona Beach Campus. The scope of work will include demolition of existing 600 series buildings, site planning – including parking areas, storm-water drainage and contract administration. The estimated construction budget is \$1,250,000, inclusive of design fees.

Proposals are due by 12:00 Noon, August 8, 2007. Interested parties may obtain information by contacting the DBCC Facilities Planning Department at (386)506-4322 or by email to McReeD@dbcc.edu.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF: PROJECT NUMBER: 207030 ACCOUNTING CODE: 132G76.15 PROJECT NAME and LOCATION: Haines City FMS#4 Renovation, Haines City, Florida POTENTIAL RESPONDENTS TO THE SOLICITATION MUST VISIT THE MYFLORIDA.COM WEBSITE AT http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu TO VIEW THE ENTIRE SOLICITATION AND ACQUIRE A COMPLETE SET OF BID DOCUMENTS.

(To view all open solicitations issued by this department search advertisements by agency: Department of Military Affairs)

FOR (PROJECT DESCRIPTION): Provide Construction Services for the Renovation of an existing FMS Building for which is approx. 4,120 square feet, project will consist of renovation of interior finishes to include new floor coverings, acoustical ceiling tile/grid, painting, and providing additional restroom and shower facilities, their will also be additional office space and break area provided within building footprint. Replacement of Interior and Exterior Lighting with new energy efficient fixtures. At the building exterior the windows, and roof will also be replaced.

PROCUREMENT RULES AND INFORMATION:

Contract Person: Questions related to this procurement should be addressed to: Michele M. Dobbs, Contract Manager.

Department of Military Affairs – CFMO. 2305 State Road 207, St. Augustine, Florida 32092.

Telephone: (904)823-0255 or 0256, Fax: (904)823-0189. E-Mail Address: Michele.dobbs1@fl.ngb.army.mil

MANDATORY PRE-BID MEETING

DATE AND TIME: August 22, 2007, 11:00 a.m. (Local Time) PLACE: Haines City Armory Building, 1107 West Commerce Avenue, Haines City, Florida 33844.

To obtain the BID DOCUMENTS, please contact the Archive Department at:

Winter Park Blueprint & Color Graphics

300 North Orlando Avenue

Maitland, Florida 32751

Phone: (407)647-3034

FAX: (407)645-1462

Website: www.wpblue.com

Probable cost for BID DOCUMENTS: \$30.00 for full size set of 30 x 42 construction drawings, and \$50.00 for non technical and technical specifications plus taxes and shipping and handling.

ARCHITECT-ENGINEER: Hanson Professional Services Inc. – Mr. Brent Sauser. TELEPHONE: (407)622-2050

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: September 6, 2007, Until 10:00 a.m. (Local Time)

PLACE: Robert F. Ensslin Armory, Construction Facility Management Office, HHD Conference Room, 2305 State Road 207, St. Augustine, Florida 32086 MARK ENVELOPES: SEALED BID for Project Number 207030, Haines City FMS#4 Renovation Haines City, Florida, Attn: Michele M. Dobbs (904)823-0255/0256.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL / MECHANICAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 207053 ACCOUNTING CODE: 132G76.15 PROJECT NAME AND LOCATION: Building 2300 HVAC Replacement, Camp Blanding Joint Training Center, Florida POTENTIAL RESPONDENTS TO THE SOLICITATION MUST VISIT THE MYFLORIDA.COM WEBSITE AT http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu TO VIEW THE ENTIRE SOLICITATION AND ACQUIRE A COMPLETE SET OF BID DOCUMENTS.

(To view all open solicitations issued by this department search advertisements by agency: Department of Military Affairs)

FOR (PROJECT DESCRIPTION): Base Bid will consist of replacement of existing Chiller, Chilled water pump and Condenser water pump. There will be multiple Alternate Bid items for example, replacement of existing Air Handlers and associated Ductwork as identified in the bid documents.

PROCUREMENT RULES AND INFORMATION:

Contract Person: Questions related to this procurement should be addressed to: Michele M. Dobbs, Contract Manager,

Department of Military Affairs – CFMO, 2305 State Road 207, St. Augustine, Florida 32092.

Telephone: (904)823-0255 or 0256. Fax: (904)823-0189. E-Mail Address: Michele.dobbs1@fl.ngb.army.mil

MANDATORY PRE-BID MEETING: All Contractors interested in bidding on this project are required to attend this pre-bid meeting.

DATE AND TIME: August 23, 2007 at 10:00 a.m. (Local Time)

PLACE: Post Headquarters, Conference Room, Camp Blanding Joint Training Center, 5629 State Road 16 West, Building 2300, Starke, Florida 32091-9703.

ARCHITECT-ENGINEER: TLC Engineering – Mr. Benjamin J. Cole, PE TELEPHONE: (904)396-8340

Make all checks or money orders payable to: TLC Engineering. No Credit cards are accepted.

DEPOSIT: \$150.00 per set of Drawings and Specifications is required with a limit of two (2) sets per General Contractor or Prime Bidder and one set per mechanical subcontractor and/or electrical subcontractor. The deposit shall only be returned to those General Contractors, or Prime Bidders, mechanical subcontractors and/or electrical subcontractors, who, after having examined the Drawings and Specifications:

a. Submit a request for pre-qualification and fail to qualify, or

b. Submit a bid (in the case of mechanical and/or electrical subcontractor's submission of a bid to a prime bidder), and return the Drawings and Specifications in good condition within fifteen (15) days of the date of receipt of bids.

-OR-

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$150.00 per set.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: September 5, 2007, Until 10:00 a.m. (Local Time)

PLACE: Post Headquarters, Conference Room, Camp Blanding Joint Training Center, 5629 State Road 16 West, Building 2300, Starke, Florida 32091-9703.

MARK ENVELOPES: SEALED BID for Project Number 207053, Building 2300 HVAC Replacement, Camp Blanding Joint Training Center, Florida, Attn: Michele M. Dobbs, (904)823-0255/0256.

Bids submitted prior to the bid opening via courier or mail are to be delivered to: State of Florida, Department of Military Affairs, 2305 State Road 207, St. Augustine, Florida 32086 Marked as above. NO LATER THAN 4:30 p.m. on September 4, 2007.

TAMPA BAY ESTUARY PROGRAM

REQUEST FOR PROPOSALS

The Tampa Bay Estuary Program (TBEP) is requesting proposals from qualified respondents to conduct the following project:

Technical Support and Data Management Services

Request for proposal instructions and associated proposal documents may be obtained by contacting Ron Hosler at TBEP, 100 – 8th Avenue, S.E., MS #I-1, St. Petersburg, Florida 33701 or ron@tbep.org. Sealed proposals will be received at the above-stated address until 2:00 p.m., Tuesday, September 4, 2007, at which time they will be publicly opened.

TBEP encourages and promotes the utilization of organizations owned or controlled by socially and economically disadvantaged, Minority Business Enterprises and Women's Business Enterprises.

TBEP reserves the right to reject any and all proposals.

TAMPA BAY ESTUARY PROGRAM TECHNICAL SUPPORT AND DATA MANAGEMENT SERVICES

CALL FOR PROPOSALS

Proposals are due to the TBEP office by 2:00 p.m. on September 4, 2007

The Tampa Bay Estuary Program is seeking a broad range of technical support services to assist with the implementation of the Tampa Bay Comprehensive Conservation and Management Plan, updated in May 2006. A summary of the scope of services anticipated includes, but is not limited to, the following Tasks:

- Task 1.Provide technical support for TBEP staff, the Tampa
Bay Estuary Program partners and Tampa Bay
Nitrogen Management Consortium 2006-2010
Action Plans and TBEP Action Plan Database.
- Task 2. Assist staff and the Nitrogen Management Consortium in developing documentation necessary to meet FDEP and EPA requirements for meeting water quality targets in Tampa Bay, which may include, but not be limited to 1). development and maintenance of a nutrient loading "credits and debits" tracking system; 2). documentation of effectiveness of nutrient reduction actions; 3). development of a localized tracking system for point source (domestic and industrial) nutrient loads; and 4). assistance for local governments in estimating nutrient loads from MS4 areas throughout the Tampa Bay watershed.
- Task 3.Assist staff with the development of Sediment
Quality Action Plans for priority areas.
- Task 4. Provide as-needed database management and graphic support, including maintenance of the TBEP GIS library, compilation and posting of baywide water quality and sediment quality databases, assisting staff with maintenance tasks for the Tampa Bay Estuary Atlas, prepare and print graphics and maps for presentations. Provide support to TBEP staff for EPA-required reports, including annual GPRA reports and 2007 Implementation Review.
- Task 5. Contract Project Management

Additional Task in 2008-2009, pending approval of TBEP Policy Board:

TN, TP, TSS and BOD loading estimates for 2004-2007; TN loading estimates for 2020 and 2050. Re-evaluation of the TBEP TN annual loading reduction target based on results of the updated loading estimates.

The duration of the TBEP Technical Support and Data Management Contract is twelve months. The contract can be renewed without bid annually through 2010, pending annual approval for continuation by the TBEP Policy Board. Total cost for 2007-2008 is estimated to be \$45,000-\$50,000. Total costs for additional years, pending annual approval by the TBEP Policy Board, are expected to be similar. The Additional Task cost in 2008-2009 is estimated to be an additional \$90,000-\$100,000.

EARLY LEARNING COALITION OF MANATEE COUNTY, INC.

The Early Learning Coalition of Manatee County, Inc. announces its intention to procure parenting education and family involvement services for the period October 1, 2007 to June 30, 2008. The RFP document can be obtained by contacting Linda Jimenez at the Coalition administrative office at 1112 Manatee Ave. East, Bradenton, Florida 34208 or (941)714-7449. The deadline for interested parties to reply with a Notice of Intent to Submit an Application is 2:00 p.m. on August 9, 2007, and sealed proposals are due at the Coalition office by 1:00 p.m., on September 6, 2007.

VISIT FLORIDA

July, 23, 2007

To Whom It May Concern:

Enclosed you will find the details pertaining to VISIT FLORIDA's agency review process and Invitation to Negotiate (ITN) related to our advertising efforts. Your organization has been included in the distribution based on either previous inquiries made by a representative or assumed capabilities that your firm possesses.

By the length of the ITN, you can see that every effort has been made to provide the detail necessary for your response. However, as noted in the timeline, we are also allowing for an initial period to answer additional questions prior to the deadline for a formal response.

Please give every possible consideration to this request.

Best regards,

Cliff Nilson

General Counsel and VP of Government Relations

Invitation to Negotiate

Introduction

In accordance with company guidelines calling for periodic evaluation of external vendor services, VISIT FLORIDA is engaging in a review of advertising agency services. The current agency contract expires June 30, 2008. This review and subsequent negotiations to secure agency services targets completion by the week of November 19, 2007 in anticipation of the 2008-2009 planning process, which begins the following week. Additional detail on the timeline is provided under the Review Process Timeline in Exhibit A.

Proposals submitted for consideration in this review process must be from Florida-based agencies and address, to the greatest extent possible, each item listed in the Scope of Evaluation and Services Required section of this document. Proposals may be rejected if minimum requirements are not met. All proposers wishing clarification of elements in this document must submit questions via e-mail to VISIT FLORIDA as prescribed under Review Process Timeline no later than 5:00 p.m., on August 15, 2007 Eastern Daylight Savings Time. All questions posed by firms submitting a "letter of intent to submit" will be tabulated with collective answers and sent back to all bidders.

Costs for developing proposals are entirely the responsibility of the proposer and shall not be reimbursed by VISIT FLORIDA. All proposals received by VISIT FLORIDA in response to this process will be evaluated by a committee (See Exhibit B) consisting of VISIT FLORIDA senior management and one board member appointed by the chairman of the board. A standard scoring sheet (See Exhibit C) will be used to quantify the evaluations of each committee member. Numeric scores, as calculated by an averaging of committee member score sheets, shall serve as the basis for a rank ordering of finalists.

The highest ranking proposal will qualify its authoring company to enter into negotiations with VISIT FLORIDA for services as described in this document. The invitation to negotiate (ITN) does not guarantee the awarding of a contract, rather it allows both parties to engage in confidential negotiations toward a mutually beneficial relationship. VISIT FLORIDA reserves the right to negotiate with multiple agencies should contracting for individual service categories be desirable. The anticipated length of the contract is three years, commencing November 26, with a two year renewal clause and customary provisions for early termination based on performance. In the event that negotiations fail to realize a binding contract, VISIT FLORIDA retains the right to re-open negotiations with the next highest ranking proposer until a mutually beneficial relationship is secured.

Minimum Requirements

- Notice of Intent to Submit: A written Notice of Intent to Submit must be received by August 10, 2007. The notice should be e-mailed as an attachment to Cliff Nilson, General Counsel, at cnilson@VISITFLORIDA.org. A return acknowledgment will be issued by VISIT FLORIDA, which will serve as confirmation of receipt. The Notice of Intent to Submit is non-binding; however, it ensures the receipt of all addenda and exhibits related to this review process. Proposals will be accepted only from applicants who submitted a timely Notice of Intent to Submit.
- 2. Response to Scope of Evaluation and Services Required: In the form of a written proposal, ten copies to be submitted by October 2, 2007, provide a description of the nature of the organization's services, creative portfolio and processes in response to the specific elements identified in this document under the Scope of Evaluation and Services Required section.
- 3. Disclosure of Conflict(s) of Interest: Client relationships that could be considered a conflict of interest must be listed, including all clients in the travel or tourism industry. Such a list of potential conflicts does not disqualify a proposal, however, VISIT FLORIDA reserves the right to exclude a

proposal from consideration at any point in the review or negotiation process should the conflict(s) of interest be deemed as unacceptable.

- 4. Budget: A comprehensive budget breakdown for each of the service categories specified in the Scope of Evaluation and Services Required must be included. This budget should illustrate fee basis, commissions, hourly rates and pass-through for appropriate categories.
- 5. Financial Statements: Proposer must provide evidence of financial stability. The proposer must document sufficient financial resources necessary to perform all services associated with this contract. Audited or reviewed financial statements are required for the three most recent years of operations. Please also provide the agency's Dunn & Bradstreet number. Financial statements are confidential and will be reviewed only by VISIT FLORIDA's CEO and CFO. Financial documents should be labeled "confidential"

and submitted in a separate envelope. One set is sufficient. Background

VISIT FLORIDA is a public/private partnership operating as a 501 (c6) private company and is responsible for the marketing of tourism to and within Florida. With the brand promise as the state's trusted source for travel planning, VISIT FLORIDA leverages integrated marketing domestically and internationally.

VISIT FLORIDA's goals are to increase the economic impact of tourism to and through Florida by:

- 1. Increasing the number of visitors to and within Florida;
- 2. Increasing the average length of a stay;
- 3. Increasing repeat visitation;

4. Increasing the activity level of visitors once inside the state. However, directly measuring VISIT FLORIDA's return on investment with regard to the four goals listed above is difficult. Therefore, in addition to the goals listed above, VISIT FLORIDA is seeking a marketing partner who can help achieve the following benchmarks in alignment with its strategic plan through the integrated program described in this document:

- 1. Increase the number of annual visitors who utilize VISIT FLORIDA as a planning resource;
- 2. Increase the percentage of the persons who recognize VISIT FLORIDA as "the trusted source for vacation or meeting planning";
- 3. Increase the economic impact gain through marketing initiatives by VISIT FLORIDA and its industry Partners.

Note that the word "partner" is used by VISIT FLORIDA in two principal ways. We prefer to use the word "partner"–with a lower case "p"–rather than "vendor" to describe valued organizations with whom we do business. We capitalize the word "Partner" as the preferred way of referring to our membership base, now numbering more than 3,400. In working to achieve the goals above, VISIT FLORIDA represents the umbrella brand: the Florida vacation and meeting experience. We do this through "dedicated" marketing efforts that focus exclusively on our umbrella messaging which aims to create demand for the Florida experience.

However, a considerable portion (approximately 55%) of our annual marketing budget is expended in two forms of cooperative marketing efforts that create opportunities for our Partners who buy-in to programs under the VISIT FLORIDA umbrella branding. Through traditional co-op programs, VISIT FLORIDA will buy down the cost of a marketing opportunity so that the Partners can buy into portions of the program. VISIT FLORIDA's brand and call to action are present, but Partners messages are the dominant message featured. In "sanctioned" co-op programs, media outlets and marketing partners offer discounted rates to VISIT FLORIDA Partners in the absence of a direct buy-in from VISIT FLORIDA. In these cases, it is the access to the Partner base and the meaning of "sanctioned co-op" that creates value for the marketing partner. As in traditional co-op programs, VISIT FLORIDA's brand and call to action are present, but Partners' messages are also featured in sanctioned co-op programs.

Scope of Evaluation and Services Required

The scope of advertising agency services addressed by this review includes five specific and separate areas across both online advertising and offline (print, broadcast):

- Account Management and Fees
- Creative and Production Services and Fees
- Creative Portfolio
- Media Planning and Fees
- Accounting Process and Fees
- Account Management and Fees

The agency shall maintain an adequate and competent professional staff within the state of Florida (Florida-based) to perform account management and media services under the final agreement. The selected agency must act as a strategic planning partner for VISIT FLORIDA, as well as handle day-to-day operations associated with account management. These services should include the development and execution of annual plans (e.g., annual media plan, cooperative advertising menu, small business opportunity plan), as well as ad hoc plans based on expressed need by VISIT FLORIDA (e.g., post-hurricane response plans). The better proposals will also demonstrate the agency's ability to operate and assist VISIT FLORIDA in times of crisis, such as hurricane response.

Throughout the relationship, an emphasis on innovation and Partner value will be the hallmarks of the relationship. The agency should be able to draw from experience and from the latest industry research to bring strategic recommendations, processes and ideas that create value for VISIT FLORIDA and the Florida tourism industry. In the role of strategic partner, the successful vendor must display extensive knowledge of the tourism industry, with first-hand knowledge of Florida tourism of significant benefit. VISIT FLORIDA believes this experience is essential to creating solutions to the problems and challenges that the organization faces now and in the future.

The agency shall examine and consider market research, demographic data, and data relating to the effectiveness of past and present campaigns, as may be available via its own resources, or as provided by VISIT FLORIDA, but the agency will not be required to conduct or supervise market research except for an additional fee subject to agreement.

The agency should be prepared to work collaboratively with VISIT FLORIDA's staff to raise awareness of Partnership and its benefits. Often account management extends to proactive and reactive communication with the Florida tourism industry as a part of the execution of marketing programs. To a large extent, the agency operates as an extension of VISIT FLORIDA staff and is relied upon to uphold the commitment to Partner service in every possible way.

The advertising agency of record acts in concert with existing vendors who are currently contracted for services that overlap with services detailed in this document. This integration is key to the development and execution of integrated marketing programs. For example, Miles Media serves as the agency of record contracted for consumer and trade direct marketing, such as consumer web site development, print collateral development targeting consumer and meeting planner segments and integrated electronic magazines. However, the advertising agency's involvement is integral as strategic direction is formulated, branding and design guidelines are shared, and special direct marketing projects are frequently developed as part of larger campaigns. The Miles Media relationship does not preclude the agency from planning, developing and executing direct mail as not addressed by the current Miles Media relationship.

VISIT FLORIDA requires, at a minimum, one dedicated full-time account manager who will coordinate all services and communicate with VISIT FLORIDA. In addition to the account manager, VISIT FLORIDA desires access to individual staff members within the agency's organization wherein such contact will result in greater efficiency, quick response and/or specific expertise.

Services falling under account management shall include, but not be limited to, several categories:

- Provide full and comprehensive management of all aspects of the account;
- Offer integrated marketing communication planning and consultation to VISIT FLORIDA;
- Create and input data, such as the annual media plan and its regular updates (e.g., descriptions, target markets, rates and deadlines) into the VISIT FLORIDA database enabling annual and updated plans to be accessed by the

Florida tourism industry via VISIT FLORIDA's extranet (www.VISIT FLORIDA.org);

- Manage the Partner cooperative programs:
- Coordinate Partner communication to promote and secure co-operative program participation (i.e., creation and distribution of marketing materials);
- Secure contracts or agreements with Partners and their subcontractors;
- Accept and edit creative from advertisers/agencies via standard methods;
- Provide sales services, such as billing and collections;
- Provide customer support for all Partner inquiries and related stages toward successful execution of co-operative programs;
- Solicit, manage and implement programs for businesses designated as VISIT FLORIDA strategic partners and for other private-sector alliances subject to VISIT FLORIDA's prior approval.
- Create programs of value for partners and the State of Florida, including, for example, special events and special advertising campaigns exclusive to such programs;
- License for the use of Florida tourism such trademarks, logos, and slogans as may be created for such programs, subject to VISIT FLORIDA's prior approval;
- Negotiate strategic partnership terms, payments, and media conversion commitments;
- Collect partner and VISIT FLORIDA funds and disbursements of such funds to program suppliers;
- Supervise subcontractors at VISIT FLORIDA's expense, upon request, to provide research, public relations and other promotional services, and integrate the performance of such contracts into the overall marketing plan of VISIT FLORIDA;
- Provide detailed monthly performance reporting/ROI to VISIT FLORIDA as specified by finance department requirements;
- Provide periodic reports as requested as required by VISIT FLORIDA for its own reporting to external auditors and the state of Florida;
- Report the financial status of the approved budget within three working days of each month end. The report will show purchases authorized, billed, paid and accrued as well as the Partner portion of all cooperative programs;

• Forecast and project production costs and update monthly. Specific Questions/Requirements for Account Management

- and Fees1. Indicate how the company will provide a program as identified under the "Account Management and Fees" section.
- 2. Describe the company's ability to act as a strategic planning partner for VISIT FLORIDA. Indicate what research and tourism industry knowledge (and, if

applicable, Florida tourism industry knowledge) will enable the company to recognize and recommend new strategies and products. Provide examples.

- 3. Propose a comprehensive fee or rate structure, if any, necessary to address the provision of account management as part of an overall budget.
- 4. Indicate the company's specific expertise in integrated marketing communication or advertising as identified in this document including:
 - a. Name of clients
 - b. Length of contractual relationship
 - c. Services provided
 - d. Contact information for client references
- 5. Indicate the number of years the company has been in business.
- 6. Indicate the number of years and nature of the company's experience and expertise in the tourism industry and, if applicable, the Florida tourism industry.
- 7. Indicate awards and accolades the company has won for work that is pertinent to this relationship.
- 8. Describe the expertise of the personnel to be utilized for account management. Provide the following:

a. Number of full-time equivalents assigned to this account;

b. Bio/resume of account executive(s) responsible for this account;

c. Bio/resume of dedicated team. Indicate which team members will be touch points for VISIT FLORIDA within your organization;

d. Number of years of experience on related projects for each team member;

e. Specific knowledge of Florida tourism and familiarity with Florida travel destinations.

- 9. Indicate how Microsoft Project or other comparable scheduling technology will be used to monitor and manage all aspects of this relationship, particularly how scheduling will be shared with client.
- 10. Indicate which services provided by the agency are outsourced to subcontractors. If subcontractors are to be used, indicate your process for information flow and subcontractor management. For each identified subcontractor, provide answers to questions 5-7.
- 11. Indicate the company's experience developing co-operative advertising programs.
- 12. Detail the system that would be in place to enable a turn-key co-operative program, including Partner communication, solicitation and tracking.
- 13. Indicate how the company will provide lead tracking, such as "reader response," to demonstrate program effectiveness and inform future strategic planning;

Creative Services and Fees

The selected agency must be able to supply turn-key creative services to VISIT FLORIDA. These services should include but not be limited to:

- Planning, consultation and presenting creative options to VISIT FLORIDA;
- Digital marketing expertise;
- Editorial services
- Copywriting;
- Fact-checking, proofreading and editing of all materials placed or handled by agency;
- Revision of content as needed to appear across multiple platforms, adjusted as appropriate for the medium;
- Design & graphics services
- Creation and implementation of original creative, designs, artwork, templates and related elements that present a consistent brand as mutually developed with VISIT FLORIDA;
- Layout and design;
- Cartography services for all maps when present;
- Typography;
- Illustrations;
- Photography (including direction of photo shoots and image selection);
- Creation and maintenance of a photo library adequate to meet the needs of the program's products.

The successful proposer will also demonstrate either contracted services or internal capabilities sufficient to offer creative counsel and execution specific to multicultural markets, such as African-American and Hispanic-American audiences.

Specific Questions/Requirements for Creative Services and Fees

- 1. Indicate how the company will provide a program as identified under the "Creative Services and Fees" section.
- 2. Indicate what percentage of creative services is/will be outsourced and/or subcontracted to other companies or freelance agents.
- 3. Identify staffing to support creative services. All employees should be included with biographical sketches, if available.
- 4. Propose a comprehensive fee or rate structure necessary to address the provision of creative services as part of an overall budget.

Creative Portfolio

Samples of the proposer's creative portfolio will be evaluated as a measure of creative capabilities and quality. Case studies that connect the agency's creative executions to measurable results or return on investment are highly desirable. Working under the belief that history is a reasonable indicator of future performance, only work developed under the agency's existing executive or creative management may be submitted. Absolutely no speculative creative work on VISIT FLORIDA's behalf will be considered in the evaluation process. Specific Requirements for Creative Portfolio

- 1. Provide samples of creative product resulting from work performed under the direction of the current agency executive management or creative director(s).
- 2. Provide a reasonable sampling of case studies that demonstrates creative product tied to return on investment (ROI).

Creative and Production Services and Fees

Production services generally fall under those activities necessary to create promotional materials from concept to final format required for appropriate display according to media outlets mechanical specifications, but may also included subcontracting certain creative services. For planning purposes, proposers are advised that VISIT FLORIDA's typical annual allocation for creative and production services is \$1 million.

The agency may contract with third-parties to provide materials and services necessary for carrying out the agency's duties under the terms of the final agreement, based on first obtaining VISIT FLORIDA's written consent consisting of a written budget, an estimate of costs prepared by the agency and signed by an authorized VISIT FLORIDA staff member, or a signed purchase order. Failure to comply will result in loss of agency fee on the unapproved expenditure. This requirement is applicable to production services, as well as creative services, media services and others not explicitly anticipated in this document.

Production services should include, but not be limited to:

- Editorial services
- Copywriting;
- Revision of content as needed to appear across multiple platforms, adjusted as appropriate for the medium;
- Design, graphics and reproduction services
- Finished art from original creative, designs, artwork, templates and related elements for final placement;
- Video, edits, b-roll, dubs, audio recording and talent;
- Cartography services for all maps when present;
- Typography;
- Illustrations;
- Photography (including direction of photo shoots and image selection);
- Printing;
- Mailing;
- Database creation and management;
- Shipping;

Specific Questions/Requirements for Creative and Production Services and Fees

- 1. Indicate how the company will provide a program as identified under the "Production Services and Fees" section.
- 2. Indicate what percentage of production services is/will be outsourced and/or subcontracted to other companies or freelance agents.

- 3. Identify staffing to support production services. All employees should be included with biographical sketches, if possible.
- 4. Propose a comprehensive fee or rate structure necessary to address the provision of production services as part of an overall budget.

Media Planning, Buying and Fees

A media plan shall be developed annually that shall contain dedicated and co-operative components. The annual process begins in November with staff and industry planning retreats. Media requests for proposals (RFPs) are issued in December/January. Negotiations and plan development must be completed for release to the Partner base on or about April 30.

For planning purposes, proposers are advised that VISIT FLORIDA's typical annual allocation for dedicated advertising media placement is approximately \$9 million. A special, one-time legislative allocation made for the 2007-2008 fiscal year increased the media budget to \$16 million. The annual allocated production fees, as discussed above, is not to be considered part of the media placement budget.

In ordering the space, time or other means to be used for VISIT FLORIDA's advertising, the agency shall endeavor to secure the most advantageous rates available; properly incorporate VISIT FLORIDA's creative in mechanical or other appropriate form; transmit it with proper instruction for the fulfillment of the order; check and verify insertions, displays, broadcasts or other means used in such manner as customary and good practice by advertising agencies; and verify invoices for space, time materials and services.

The agency shall maintain continuous updates of an approved media plan as the basis against which insertion orders and invoicing are approved for billing and payment. The agency, upon prior written approval by VISIT FLORIDA, in the form of insertion orders and contract instruments, will purchase necessary media time and space for VISIT FLORIDA's marketing programs as called for in the media plan and designated initiatives.

For services provided under a contracted agreement, VISIT FLORIDA shall pay the agency a fee to be negotiated to represent maximum savings below the industry standard of 15%. The successful proposer will detail the rate of anticipated savings, although the lowest rate does not necessarily guarantee a successful proposal.

The fee for media planning and buying services shall be paid in equal monthly installments payable in advance on the first day of each month. In the event such annual cost is increased or decreased during any contract year, the monthly fee shall be adjusted in proportion to the change in the annual cost. The adjustment in the fee shall occur with the first fee payment due immediately after such adjustment so the annual amount paid represents the adjusted fee. After the close of the fiscal year and payment of all invoices by VISIT FLORIDA, a final reconciliation of the agency fee shall be completed to determine whether there is a difference between the amount actually expended by VISIT FLORIDA and the fee due under the final agreement. In no event shall the fee paid exceed the negotiated rate.

VISIT FLORIDA shall not be required to pay the amount by which the aggregate cost of any program or campaign exceeds the approved budget and cost estimate by more than five percent (5%).

As an industry-wide service under the final agreement, the agency will provide media buying services upon agreement with any Tourist Development Council (TDC) or Convention & Visitor's Bureau (CVB) within the state for a negotiated fee. A proposed fee under this service should be reflected in the proposers budget. Such fees shall be paid to the agency by the TDC/CVB and not by VISIT FLORIDA.

If during the term of the final agreement, there should occur any special incremental infusion to the annual VISIT FLORIDA allocated budget for net dedicated and cooperative media, additional compensation to the agency shall be based on a separately negotiated rate expected to be below the negotiated media rate.

Media planning and buying services should include, but not be limited to:

- Subscription to and application of up-to-date media research tools;
- Innovation in media planning across all media categories;
- Integration of dedicated and co-operative programs for maximum impact;
- Integrated media planning, insertion and billing software;
- Rate negotiation and contracting;
- Deadline management, materials delivery and verification;
- Billing, invoicing and payment;
- Proof of performance and monthly reporting;

The successful proposer will also demonstrate either contracted services or internal capabilities sufficient to offer media planning and buying specific to multicultural markets, such as African-American and Hispanic-American audiences.

Specific Questions/Requirements for Media Planning, Buying and Fees

- 1. Indicate how the company will provide a program as identified under the "Media Planning, Buying and Fees" section.
- 2. Indicate what percentage of media planning and buying services is/will be outsourced and/or subcontracted to other companies or freelance agents.
- 3. Identify staffing to support media planning and buying services. All employees should be included with biographical sketches, if possible.
- 4. Propose a comprehensive fee or rate structure necessary to address the provision of media planning and buying services as part of an overall budget.

Accounting Process

The agency must prepare and submit monthly recaps. The recap should show all amounts for media, production, creative services and fees that have been approved by VISIT FLORIDA, billed by the agency and the balance due. The agency will also recap all co-op advertising revenue generated and all amounts collected from Partners on behalf of VISIT FLORIDA.

Monthly service fees shall be due and payable the first day of each month upon receipt of an invoice from the agency. For services rendered by the agency for production services, subcontractors and other reimbursable costs incurred by the agency, the agency shall bill VISIT FLORIDA monthly and furnish supporting documentation.

All invoices rendered by the agency, other than media, shall be payable within 15-20 days of receipt by VISIT FLORIDA provided all required back-up materials are attached to the invoice. Bills for media shall be due and payable to the agency upon the agency's furnishing such bills to VISIT FLORIDA along with proof that advertising represented occurred as contracted. Typical proof of performance includes affidavits and copies of publications, screen shots and similar verification that media placement was fulfilled. VISIT FLORIDA shall pay such media bills upon presentation, so as to enable the agency in turn to pay media providers promptly in accordance with the terms of such media bills.

Specific Questions/Requirements for Accounting Process

- 1. Indicate how the company will provide a program as identified under the "Accounting Processes and Fees" section.
- 2. Indicate what percentage of accounting services is/will be outsourced and/or subcontracted to other companies or freelance agents.
- 3. Identify staffing to support accounting services. All employees should be included with biographical sketches considered desirable.
- 4. Indicate the level of integration between account management, media planning/buying and accounting software and processes.
- 5. Provide one copy of reviewed or audited financial statements for the past three years in a sealed envelope marked "Confidential."

Other Contractual Considerations

For the purposes of communicating expectations held by VISIT FLORIDA, other considerations are disclosed to potential proposers.

A. All concepts, slogans, or plans submitted or developed by the agency for VISIT FLORIDA during the term of the agreement, whether or not used, and any and all layouts, copy, artwork, films, and other tangible material which the agency prepares for VISIT FLORIDA or purchases for its account pursuant to an advertising campaign for VISIT FLORIDA, are VISIT FLORIDA's property exclusively, provided that VISIT FLORIDA has paid the invoices rendered, if any.

- B. All contracts for the acquisition or use of materials and properties, and for the employment of talent, shall be entered into and signed by the agency on behalf of VISIT FLORIDA to the end that all materials, properties and rights obtained by virtue of such contracts shall become the property of VISIT FLORIDA.
- C. All tangible and intangible property acquired in conjunction with the purchase of advertising for VISIT FLORIDA shall be the property of VISIT FLORIDA and shall be used exclusively by the Agency for promotion of Florida tourism on behalf of VISIT FLORIDA. VISIT FLORIDA reserves the right of final approval of the disposition of said property.
- D. The agency shall, at its own cost during the term of this relationship, maintain continuously in force an advertiser's liability policy for the benefit of VISIT FLORIDA in the minimum amount of \$2 million.
- E. The agency will exercise all reasonable precautions in the examination of all material prepared or used on VISIT FLORIDA's behalf to avoid any claims against either party. To the extent and limits of the general liability policy maintained by VISIT FLORIDA, VISIT FLORIDA will indemnify and hold the agency harmless with respect to claims, demands, or actions arising out of representations or materials furnished by VISIT FLORIDA to the agency. The agency will indemnify and hold VISIT FLORIDA harmless from and against any and all claims, demands or actions arising from the preparation or presentation of any advertising covered by the final agreement.
- F. VISIT FLORIDA shall reimburse the agency for the costs of such materials and services, provided that the agency shall be responsible for the completion of all subcontracted work in a manner deemed satisfactory by VISIT FLORIDA. The agency shall be reimbursed for reasonable costs of travel necessary to carry out the final agreement, other than travel to Tallahassee directly related to agency's performance.
- G. To the extent the agency subcontracts for work, the agency is encouraged to meet or exceed the minority subcontracting goals provided by Florida law, through contracts with qualified minority subcontractors. Minority vendor activities and expenditures must be reported to VISIT FLORIDA on a quarterly basis.
- H. The agency shall not hold or acquire an account that is considered by VISIT FLORIDA to be a competitive state, county, city, or region representing another domestic, international, including Caribbean, or other warm-weather tourist destination marketing organization during the term of the final agreement without prior written approval. The

agency may assist, or have as clients, Florida city or county or other local destination marketing organizations, such as tourist development councils, convention and visitors bureaus and chambers of commerce, or local or regional consortiums of such entities. VISIT FLORIDA retains the right to determine whether it considers a destination marketing organization or consortium as competitive. The agency agrees to request such determination, in writing, prior to proceeding with any such new business efforts and VISIT FLORIDA agrees to respond, in writing, within seven (7) business days of agency's request.

Exhibit A: Review Process Timeline

July 24, 2007: Review process announced, invitations to negotiate issued.

- August 10, 2007: Interested parties must express their intent to submit a proposal by 5:00 p.m. via e-mail to Cliff Nilson, General Counsel at cnilson@VISITFLORIDA.org.
- August 13-15: Questions may be submitted to Cliff Nilson via e-mail: cnilson@VISIT FLORIDA.org.
- August 20: Responses to all questions received by all parties will be shared with all parties who expressed intent. Answers will be distributed via e-mail by 5:00 p.m.

August 20-Oct. 1: Agency proposal development.

- Oct. 2, 2007: Ten (10) hard copies of proposals due at VISIT FLORIDA Tallahassee office by 5 p.m. E-mail and fax delivery will not be accepted. Send submissions to Cliff Nilson, General Counsel, VISIT FLORIDA, 2540 West Executive Center Circle, Suite 200, Tallahassee, FL 32301, (850)488-5607. Note: This is a new address effective August 31, 2007.
- Oct. 3-11: Review committee scoring and deliberations.
- Oct. 12: Invitations for in-person presentations issued to finalists via e-mail and telephone. Communication of finalist list issued to all qualifying participants via e-mail.
- Oct. 25-26: In-person presentations in Tallahassee.
- Oct. 31-Nov. 5: Invitation to Negotiate (ITN) issued to preferred finalist.
- Oct. 31-Nov. 16: Contract negotiations.
- Nov. 19-21: Decision notification delivered to Marketing Council Steering Committee (MCSC) and Board of Directors; finalists notified.
- Nov. 26-28: Annual industry marketing retreat at Saddlebrook Resort (Wesley Chapel, Florida).

Exhibit B: Review Committee Composition

Frank "Bud" Nocera, CEO and President

Chris Thompson, COO

Dale A. Brill, CMO

Vangie McCorvey, CFO

Barry E. Pitegoff, Vice President of Research

Leon Corbett, Director of Advertising and Direct Marketing

Glenn Hastings, Board Member; Chair, Advertising Internet Committee

Advisors and Available Proxy Committee Members:

Sara Patterson, Advertising and Direct Marketing Manager Michele Vaught, Controller

Exhibit C: Agency Scoring Sheet

| FOR VISIT FLORIDA USE ONLY | Z |
|----------------------------|---|
| Proposal: | |
| Evaluated By: | _ |
| Date: | - |
| | |

EVALUATION CRITERIA

Agencies and their proposals will be reviewed, evaluated and scored by an evaluation committee. Evaluation of proposals will be based on the proposed criteria shown as follows for each component; each criterion will be scored according to the degree of responsiveness present in the proposal being evaluated. A weighted average for each, not displayed on this evaluation sheet, will be calculated based on an independent assignment of importance to each categories' criteria.

Account Management and Fees

| 1. | Demonstrated ability to act as a strategic partner. | |
|----|---|--|
| 2. | Desirability of fee structure and budget. | |
| 3. | Demonstrated expertise in travel/tourism | |
| | marketing communication and advertising. | |
| 4. | Demonstrated strength of account management | |
| | personnel and processes. | |
| 5. | Demonstrated capability to develop and | |
| | manage co-operative programs. | |
| Cr | eative and Production Services and Fees | |
| 1. | Demonstrated strength of creative services | |
| | personnel and processes. | |
| 2. | Desirability of fee structure and budget. | |
| 3. | Demonstrated ability to deliver multicultural | |
| | creative strategy. | |
| Cr | eative Portfolio | |
| 1. | Demonstrated creativity in copywriting. | |
| 2. | Demonstrated creativity in layout/design. | |
| 3. | Demonstrated innovation in creative portfolio. | |
| 4. | Demonstrated ability to deliver ROI. | |
| 5. | Desirability of fee structure and budget. | |
| Pr | oduction Services and Fees | |
| 1. | Demonstrated access to quality subcontractor base. | |

| Demonstrated strength of production personnel and processes. Desirability of fee structure and budget. Media Planning and Fees Demonstrated access to media planning research tools. Demonstrated strength of media planning and buying personnel and processes. Demonstrated innovation in media planning. Demonstrated experience/ability to integrate dedicated and co-operative plans. Demonstrated ability to deliver multicultural media planning/buying. Desirability of fee structure and budget. | A copy of the Interpretation may be obtained at ht floridabuilding.org/bi/bi_default.aspx NOTICE IS HEREBY GIVEN THAT the Building Association of Florida has issued a Binding Inter pursuant to Section 553.775, Florida Statutes, file Melick on April 26, 2007. The following is a summr interpretation: According to Section 704.1, 1604.5, a of the 2004 Florida Building Code, Building, it is th the code that the top joint of a rated wall, where it slab above, must incorporate a flexible joint that tested to provide a fire resistance rating through a listed by a National Recognized Testing Laboratory r by the Florida Building Code. A copy of the Interpretation may be obtained at ht |
|---|--|
| Accounting process 1. Demonstrated strength of accounting | floridabuilding.org/bi/bi_default.aspx. |
| personnel and processes. 2. Demonstrated integration of management, accounting and media planning software/processes. 3. Demonstrated ability to handle Partner program billing and invoicing. | NOTICE IS HEREBY GIVEN THAT the Building Association of Florida has issued a binding inter pursuant to Section 553.775, Florida Statutes, filed b Pepe on May 15, 2007. The following is a summ interpretation: No interpretation was rendered due to that the application was not presented to the local Da |

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.

| BLID-11-2007-009 |
|----------------------------------|
| July 19, 2007 |
| PIER 66 HOTEL & MARINA |
| 2301 SE 17th Street, LLC/ |
| Joseph Goldstein |
| 28-24.026, 28-24.023, 28-24.036, |
| F.A.C. |
| Fort Lauderdale |
| |

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by Kathleen Croteau on May 24, 2007. The following is a summary of the interpretation:

According to Section 424.2.17.1.12, of the 2004 Florida Building Code, Building, pool barrier is required to be on the same property as the pool.

http://www.

g Officials terpretation ed by Neil mary of the and 2101.1 he intent of it meets the it has been test report recognized

http://www.

g Officials terpretation by Thomas nary of the to the fact ade County Board of Rules and Appeals (BORA).

A copy of the Interpretation may be obtained at http://www. floridabuilding.org/bi/bi_default.aspx

STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF **ISLANDS**

ORDINANCE NO. 07-08

FINAL ORDER

Department of Community Affairs (the The "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
- 2. On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-08 ("Ord. No. 07-08") adopted by the Village on May 10, 2007.

3. The purpose of the Ordinance is to amend the Village Code with regard to the local planning agency by modifying the disqualification criteria, removal criteria, quorum requirement and appointment terms currently in effect within the Village.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
- Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-08 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2006). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 8. Ord. 07-08 promotes and furthers the following Principles:
 (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 (l) To protect the public health, safety and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
- 9. Ord. 07-08 is not inconsistent with the remaining Principles. Ord. 07-08 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-08 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida. NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT А FORMAL ADMINISTRATIVE HEARING, MAY YOU BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE TO PRESENT **EVIDENCE** OPPORTUNITY AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CROSS-EXAMINATION AND CONDUCT SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

DESIRE IF YOU EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST THE AGENCY FILE WITH CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF 2555 GENERAL COUNSEL, SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE SUBSECTION WITH 28-106.201(2), **FLORIDA** ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CHARLES GAUTHIER, AICP

Director, Division of Community Planning Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 23rd day of July, 2007.

Paula Ford, Agency Clerk

By U.S. Mail: Honorable Dave Boerner, Mayor Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Beverly Raddatz, Village Clerk Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Nina Boniske, Esq. James White, Esq. Weiss Serota Helfman Pastoriza Guedes Cole & Boniske, P.A. 3107 Stirling Drive, Suite 300 Fort Lauderdale, FL 33312-8500

STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 07-10

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
- 2. On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-10 ("Ord. No. 07-10") adopted by the Village on May 10, 2007.
- 3. The purpose of the Ordinance is to amend the Village Code to allow boat sales as a permitted use in the Village Center (VC) zoning district and to allow the redevelopment of existing outdoor storage and display areas as a Major Conditional Use in the VC zoning district.
- 4. Ord. 07-10 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
- Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-10 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2006). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d

1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

Ord. 07-10 promotes and furthers the following Principles:

 (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, dune ridges and beaches, wildlife and their habitat.

10. Ord. 07-10 is not inconsistent with the remaining Principles. Ord. 07-10 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-10 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS BY ARE AFFECTED THIS ORDER HAS THE **OPPORTUNITY** FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR AN PETITION REQUESTING ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN **INFORMAL** ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING А FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT А FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE TO PRESENT **EVIDENCE** OPPORTUNITY AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

DESIRE IF YOU EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, **"PETITION** FOR PROCEEDINGS" ADMINISTRATIVE WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK. IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REOUIREMENTS IN SUBSECTION 28-106.104(2). FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301. FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), **FLORIDA** ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING. YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

> CHARLES GAUTHIER, AICP Director, Division of Community Planning Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100 CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 23rd day of July, 2007.

Paula Ford, Agency Clerk

By U.S. Mail: Honorable Dave Boerner, Mayor Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Beverly Raddatz, Village Clerk Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Nina Boniske, Esq. James White, Esq. Weiss Serota Helfman Pastoriza Guedes Cole & Boniske, P.A. 3107 Stirling Drive, Suite 300 Fort Lauderdale, FL 33312-8500

STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 07-11

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
- On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-11 ("Ord. No. 07-11") adopted by the Village on May 10, 2007.
- 3. The purpose of the Ordinance is to amend Section 30-32, "Specific Definitions" of the Village Code with respect to the definition of a room, hotel, or motel; and further amending Article V "Schedule of District Use and Development Standards," Division VII "Off-Street Parking, Loading and Driveway Standards," Section 30-852 "Off-Street Parking" of the Village Code, and Modifying the Parking Requirements of Hotel or Motel Rooms.
- 4. The proposed amendment is changing the definition of a hotel/motel room from a single bedroom/full bath combination to a unit that can be up to two (2), or three (3) bedrooms, with up to two (2) full bathrooms and one-half bathroom units with one (1) kitchen, and one (1) additional living area (excluding bedrooms), not exceeding 2,000 square feet of habitable floor area, provided that the average habitable floor area of all hotel or motel units on the property does not exceed 1,500 square feet.
- 5. Data and analysis has not been provided to evaluate the net change in maximum potential development for the approximate 1,400 existing hotel and motel units within the Village, the net potential change of density and intensity, the potential impacts to hurricane evacuation as well as potential impacts on potable water supply or the potential impacts to affordable housing/work force housing from the proposed redevelopment of hotels and motels within the Village.
- The proposed amendment is contrary to the Village 6. Comprehensive Plan Policy 1-2.1.10 "Restrict Development of New Transient Units" which states that "Islamorada, Village of Islands shall cap the number of new transient units at the number of current hotel and motel rooms, campground and recreational vehicle spaces." The proposed amendment would allow for the conversion of an existing one bedroom, one bath hotel unit to a two bedroom, two bath unit with no equivalency redevelopment reduction. An existing one bedroom, one bath, and two bedroom, one bath hotel unit may be redeveloped to a 2,000 square foot three bedroom, two and one-half bath hotel/motel unit with a ninety (90) percent conversion factor.
- 7. The proposed amendment increases the number of required parking spaces from 1 space per room up to 1.2 spaces for two bedroom units and 1.5 spaces for three bedroom hotel/motel units to accommodate additional

vehicles staying at the redeveloped hotel/motel units with an average habitable floor area of 1,500 square feet. The increase in size of the redeveloped hotel and motel units along with the increased required number of parking spaces necessary to accommodate additional vehicles may negatively impact hurricane evacuation clearance times.

CONCLUSIONS OF LAW

- The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
- Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern.
 § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-11 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2006). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 12. Ord. 07-11 is inconsistent with the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(j) To make available adequate affordable housing for all sectors of the population of the Florida.

(1) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.

- 13. Ordinance 07-11 is neutral in effect on the remaining Principles.
- 14. Ordinance 07-11 has not demonstrated consistency with the following provisions of the Islamorada, Village of Islands Comprehensive Plan:

Policy 1-2.1.10: Restrict Development of New Transient Units, Islamorada shall cap the number of new transient units at the number of current and vested hotel and motel rooms, campground and recreational vehicle spaces existing within the Village as of December 6, 2001.

Policy 2-1.6.3: Adopt a 24 Hour Hurricane Evacuation Time for the Florida Keys.

Policy 3-1.1.8: Mandate Provision of Employee Housing for developers of new or expanded businesses.

Policy 1-2.2.4: Uses that are Non-Conforming Due to Density if legally permitted may be redeveloped to the same density. The Director of Community Planning and Development Services may consider a reduction of any of the applicable regulations upon a finding that the reduction is consistent with the Village Comprehensive Plan.

Policy 1-2.2.6: Enlargement or Extension to Non-Conforming Structures, if any of the existing hotel/motel rooms are non-conforming structures, they may not be expanded or redeveloped with improvements that constitute a substantial improvement.

WHEREFORE, IT IS ORDERED that Ord. 07-11 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE FOR **OPPORTUNITY** AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT А FORMAL ADMINISTRATIVE HEARING, YOU MAY **BE** REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT **EVIDENCE** AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, **"PETITION** FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REOUIREMENTS IN SUBSECTION 28-106.104(2). FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), **FLORIDA** ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CHARLES GAUTHIER, AICP Director, Division of Community Planning Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100 CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 20th day of July, 2007.

Paula Ford, Agency Clerk

By U.S. Mail: Honorable Dave Boerner, Mayor Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Beverly Raddatz, Village Clerk Islamorada, Village of Islands Post Office Box 568 Islamorada, FL 33036

Nina Boniske, Esq. James White, Esq. Weiss Serota Helfman Pastoriza Guedes Cole & Boniske, P.A. 3107 Stirling Drive, Suite 300 Fort Lauderdale, FL 33312-8500

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Land Rover North America, intends to allow the relocation of AN Imports of Fort Lauderdale, Inc. d/b/a Land Rover Fort Lauderdale, as a dealership for the sale of Land Rover vehicles from its present location at 5370 North Federal Highway, Fort Lauderdale, Florida 33308, to a proposed location at 400 West Copans Road, Pompano Beach (Broward County), Florida 33064, on or after September 2007.

The name and address of the dealer operator(s) and principal investor(s) of AN Imports of Fort Lauderdale, Inc. d/b/a Land Rover Fort Lauderdale are dealer operator: James R. Bender, 13600 Icot Boulevard, Clearwater, Florida 33760; principal investor(s): Auto Nation Vermont, Inc., 110 Southeast 6th Street, Fort Lauderdale, Florida 33301. The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Coleman, Franchise Development Manager, Eastern Region, Land Rover of North America, 6630 Buckingham Circle, Cumming, Georgia 30040.

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 relocation 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 Power Sports Factory, intends to allow the establishment of Blade Power Sports, Inc., as a dealership for the sale of Qianjiang (QIAN), Strada and Yamati (YMTI) motorcycles at 8536 Leo Kidd Road, Port Richie (Pasco County), Florida 34668, on or after July 19, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Blade Power Sports, Inc. are dealer operator(s): Stuart Taft, 3599 Woodridge Place, Palm Harbor, Florida 34684; principal investor(s): Stuart Taft, 3599 Woodridge Place, Palm Harbor, Florida 34684.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08110.

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 SunL Group, Inc., intends to allow the establishment of Coastal Powersports, as a dealership for the sale of motorcycles manufactured by Qingqi Group, Inc. (QING), Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA), Chongqing Lifan Industry Group (CHOL), Shanghai Meitian Motorcycle Co. Ltd. (MEIT) and Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 12 Eglin Parkway Southeast, Fort Walton Beach (Okaloosa County), Florida 32548, on or after July 23, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Coastal Powersports are dealer operator(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548; principal investor(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548.

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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mei Zhou, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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 Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) motorcycles at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33604, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator(s): Brook Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604; principal investor(s): Brook Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

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 Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Evolution Motorsports, Inc., as a dealership for the sale of Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) motorcycles at 2629 North Magnolia Avenue, Ocala (Marion County), Florida 34475, on or after July 16, 2207.

The name and address of the dealer operator(s) and principal investor(s) of Evolution Motorsports, Inc. are dealer operator(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 33603; principal investor(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 33603.

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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

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 SunL Group, Inc., intends to allow the establishment of Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Qingqi Group, Inc. (QING), Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA), Chongqing Lifan Industry Group (CHOL), Shanghai Motorcycle Co. Ltd. (MEIT) and Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 1025 Sunshine Lane, Altamonte Springs (Seminole County), Florida 32714, on or after July 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Extreme Motor Sales are dealer operator(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548; principal investor(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mei Zhou, SunL Group, Inc, 8551 Esters Boulevard, Irving, Texas 75063.

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 Buell Motorcycle Company, intends to allow the establishment of Gulf Coast Harley-Davidson, Inc., as a dealership for the sale of Buell motorcycles (BUEL) at 5817 State Road 54, New Port Richie (Pasco County), Florida 34652, on or after August 13, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Harley-Davidson, Inc. are dealer operator(s): Preston L. Farrior, 2907 Villa Rosa, Tampa, Florida 34652; principal investor(s): James L. Ferman Jr., 1814 Richardson Place, Tampa, Florida 33609, Steven B. Straske III, 3302 Mullen Avenue, Tampa, Florida 33609 and J. Farrior III, 42 Ladoga, Tampa, Florida 33606.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Ed Yagodinski, Regional Dealer Development Representative, Harley-Davidson Motor Company, Post Office Box 653, Milwaukee, Wisconsin 53201.

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 Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

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 RTM Group, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of RTM Group, Inc. (RTMI) motorcycles at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after July 17, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Raul Romero, Jr., President, RTM Group, Inc., 6500 Northwest 72nd Avenue, Suite 103, Miami, Florida 33166.

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 Maserati North America, Inc., intends to allow the establishment of TT of Tamiami, Inc. d/b/a Maserati of Naples, as a dealership for the sale of Maserati automobiles (MASE) at 301 Airport Road South, Naples (Collier County), Florida 34104, on or after September 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of TT of Tamiami, Inc. d/b/a Maserati of Naples are dealer operator(s): Terry Taylor, 515 North Flagler Drive, Suite P-400, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 515 North Flagler Drive, Suite P-400, West Palm Beach, Florida 33401.

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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: David M. Wertheim, Vice President and General Counsel, Maserati North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.

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 Big Dog Motorcycles, LLC, intends to allow the establishment of Treasure Coast Harley-Davidson of Stuart, Inc. d/b/a Treasure Coast Toy Store, as a dealership for the sale of Big Dog motorcycles (BDMC) at 4515 Southeast Commerce Avenue, Stuart, (Martin County), Florida 34997, on or after July 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Treasure Coast Harley-Davidson of Stuart, Inc. d/b/a Treasure Coast Toy Store are dealer operator(s): James C. LaBar, 4967 Southeast Federal Highway, Stuart, Florida 34997; principal investor(s): James C. LaBar, 4967 Southeast Federal Highway, Stuart, Florida 34997.

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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tracy Buer, Dealer Relations and Contract Administrator, Big Dog Motorcycles, LLC, 1520 East Douglas Avenue, Wichita, Kansas 67214.

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 Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys, as a dealership for the sale of Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) motorcycles at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. d/b/a All The Wheel Toys are dealer operator(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994; principal investor(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994.

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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on July 20, 2007, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication. CON# INITIAL DECISION, PROJECT, CTY, APPLICANT,

- PARTY REQUEST HEARING (PRH)
- 9975 Approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey

- 9975 Approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) BayCare of Southeast Pasco, Inc.
- 9975 Supports approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) same as applicant
- 9977 Denial, establish a 130 bed Class I acute care hospital, Pasco County, BayCare of Southeast Pasco, Inc., (PRH) same as applicant
- 9977 Supports denial, establish a 130 bed Class I acute care hospital, Pasco County, BayCare of Southeast Pasco, Inc., (PRH) New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey
- 9978 Approval, establish a 5 bed Level II NICU, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9978 Approval, establish a 5 bed Level II NICU, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- 9979 Approval, establish an 82 bed Class II children's hospital, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9979 Approval, establish an 82 bed Class II children's hospital, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- 9980 Approval, establish an 8 bed Level III NICU, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9980 Approval, establish an 8 bed Level III NICU, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- Approval, construct an 80 bed hospital, St. Lucie
 County, Martin Memorial Medical Center, Inc. (PRH)
 HCA Health Services of Florida, Inc. d/b/a St. Lucie
 Medical Center and Lawnwood Medical Center, Inc.
 d/b/a Lawnwood Regional Medical Center

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0131819-009-EV-VR) to Mosaic Fertilizer, LLC, (Mosaic), Post Office Box 2000, Mulberry, Florida 33860-1100, under

Section 378.212(1)(a), Florida Statutes (F.S.), from the provisions of paragraph 62C-16.0032(2)(a), Florida Administrative Code, (F.A.C.).

On June 21, 2007, Mosaic Fertilizer, LLC, (Mosaic) petitioned the Department for a variance to paragraph 62C-16.0032(2)(a), Florida Administrative Code, from Mosaic Fertilizer, LLC. The variance is from the requirement for a mine operator to file a Conceptual Reclamation Plan Application with the Department of Environmental Protection within seven days of the submittal of an Application for Development Approval (ADA) under Chapter 380, F.S. This petition is associated with the submission of the Mosaic Hookers Prairie Mine Conceptual Reclamation Plan Modification. Mosaic is currently working on a Conceptual Reclamation Plan (CRP) Modification Application required by Specific Condition 20 of the Wetland Resource Permit No. 0131819-006 to be submitted by October 9, 2007.

Therefore, the Department intends to issue a variance pursuant to Section 378.212(1)(a), F.S., from the provisions of paragraph 62C-16.0032(2)(a), F.A.C. The term of variance will be until October 9, 2007, unless a later date is approved in writing by the Department.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, Telephone: (850)488-8217.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S. as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect. If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 378.212(3), F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under subsection 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the

address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

NOTICE OF INTENT TO GRANT A WATER QUALITY CRITERIA EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standard for sodium pursuant to Rule 62-520.500, Florida Administrative Code, as part of industrial wastewater Permit Number FL0001554 for the Sanford Steam Electric Power Plant located at 950 South Highway 17-92, Debary, Volusia County Florida. The facility is owned by Florida Power & Light Company (FPL), P. O. Box 14000, Juno Beach, Florida 33408. The exemption is for the permitted discharge of treated industrial wastewater to Class G-II ground water. The exemption is granted for the duration of the FPL's wastewater Permit Number FL0001554. Any future exemptions must be petitioned for by the applicant in conjunction with the wastewater Permit Number FL0001554.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant Ms. Jill Watson, Power Generation Division, Florida Power and Light Company, Post Office Box 14000, Juno Beach, Florida 33408, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrants reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Tallahassee Office, 2600 Blair Stone Road, Room 232B, Tallahassee, Florida 32399-2400, telephone David James at (850)245-8648.

NOTICE OF AVAILABILITY FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Department of Environmental Protection has determined that the Columbia County project for construction of a well field, a production well, chlorination equipment, a ground storage tank, a hydro-pneumatic tank, high service pumps, a standby diesel generator, and a water distribution system will not adversely affect the environment. The Clearinghouse SAI number for this project is FL200705173395C. Construction will occur in the Highway 441 and I-75 utility service area of the County. The total cost of the project is estimated to be \$2,178,718. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Paul Brandl, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS#3505, Tallahassee, Florida 32399-2400 or calling (850)245-8373.

NOTICE OF AVAILABILITY FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that Niceville's proposed project for the construction of wastewater facilities improvements will not have a significant adverse affect on the environment. The total project cost is estimated at \$1,560,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra H. Vora, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

NOTICE OF AVAILABILITY FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that Niceville's proposed project for the construction of stormwater facilities improvements will not have a significant adverse affect on the environment. The total project cost is estimated at \$11,993,500. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra Vora, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

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 is available at http://www.dep.state.fl.us /secretary/oip/state_clearinghouse/ ("Current Project Information") or call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

FLORIDA COASTAL MANAGEMENT PROGRAM

On July 11, 2007, the State received concurrence from the Federal Office of Ocean and Coastal Resource Management (OCRM) that the proposed changes to the approved Florida Coastal Management Program (FCMP), as noted in the routine program change submission located at http://www.dep. state.fl.us/cmp/federal/fedconsv_06.htm constitute routine changes as defined by 15 C.F.R. 923.84, implementing the Federal Coastal Zone Management Act (16 U.S.C. ss. 1451 et seq.).

These routine program changes incorporate all changes enacted by the Florida Legislature in 2006 to the following statutes: Chapter 161, Florida Statutes (F.S.), Beach and Shore Preservation; Chapter 163, Part II, F.S., Growth Policy, County and Municipal Planning, Land Development Regulation; Chapter 186, F.S., State and Regional Planning; Chapter 252, F.S., Emergency Management; Chapter 253, F.S., State Lands; Chapter 258, F.S., State Parks and Preserves; Chapter 259, F.S., Land Acquisitions for Conservation or Recreation; Chapter 260, F.S., Recreational Trails System; Chapter 267, F.S., Historical Resources; Chapter 288, F.S., Commercial Development and Capital Improvements; Chapter 334, F.S., Transportation Administration; Chapter 339. F.S., Transportation Finance and Planning; Chapter 370, F.S., Saltwater Fisheries; Chapter 372, F.S., Wildlife; Chapter 373, F.S., Water Resources; Chapter 375, F.S., Outdoor Recreation and Conservation Lands; Chapter 376, F.S., Pollutant Discharge Prevention and Removal; Chapter 377, F.S., Energy Resources; Chapter 380, F.S., Land and Water Management; Chapter 381, F.S., Public Health, General provisions (Sections 381.001, 381.0011, 381.0012, 381.381.006, 381.0061, 381.0065, 381.0066, and 381.0067); Chapter 403, F.S., Environmental Control; and Chapter 582, F.S., Soil and Water Conservation.

Changes adopted by the Florida Legislature prior to 2006 are also included in the FCMP, with the exceptions specified in the routine program change submission located at http://www.dep.state.fl.us/cmp/federal/fedconsv_06.htm.

These incorporated changes do not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization or coordination, public involvement, and national interest.

As of the date of this notice, these statutory changes are incorporated into the FCMP and federal consistency applies to these statutory changes, except as noted. This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 C.F.R. 923.84(b)(4). A list of persons and organizations notified is available for inspection or can be provided upon request by the FCMP at (850)245-2161.

For more information on this routine program change, please contact: Mr. Danny Clayton, Department of Environmental Protection, Florida Coastal Management Program, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)245-2161.

DEPARTMENT OF HEALTH

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Charmaine Rose Barclay, R.N., license number RN 9251684. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lori Renee Croft, R.N., license number RN 1678842. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public. On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Carey E. Daniels, C.N.A., license number CNA 26931. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Gloria Lynn Gregory, R.N., license number RN 2923552. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Nicole Marie Olson, R.N., license number RN 2949532. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Cathy Sisson, C.N.A., license number CNA 121388. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Linda E. Lemay Stevens, R.N., license number RN 2982092. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Renee Woulard, C.N.A., license number CNA 95877. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Faouzie Chammah, R.Ph.., license number PS 32536. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Request for Public Comments on Florida's WIC Program The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients' needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC and Nutrition Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726, or by Fax (850)922-3936. Your feedback is essential and is appreciated before August 15, 2007. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call 1(800)795-3272 (Voice) or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.

FISH AND WILDLIFE CONSERVATION COMMISSION

AVAILABILITY OF DRAFT MANAGEMENT PLAN

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that delisting (removing from the imperiled species lists) the bald eagle (Haliaeetus leucocephalus) was warranted, and directed the development of a management plan. Delisting will not occur until the delisting rules in the proposed plan are approved by the Commission. A first draft management plan for the bald eagle was prepared and made available for public comment. Comments were reviewed and the draft management plan revised. The Commission is now requesting written comments on the second draft management plan. Copies of the draft management plan will be available at http://myfwc.com/ imperiledspecies/petitions.htm after 9:00 a.m., August 6, 2007. Written comments should be addressed to Bald Eagle Management Plan, 1239 S. W. 10th Street, Ocala, Florida 34474-2797, or submitted to eagle_plan@myFWC.com. Comments will be accepted until 11:59 p.m., September 14, 2007. Florida has a broad public records law. Your written communications, including e-mails, are public records subject to public disclosure.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 24, 2007):

APPLICATION TO ORGANIZE A SUCCESSOR INSTITUTION AND BANK MERGER

Constituent Institutions: Prime Bank, Melbourne, Florida and PB Interim Bank, Melbourne, Florida Resulting Institution: Prime Bank With Title: Prime Bank Received: July 25, 2007

Section XIII Index to Rules Filed During Preceding Week

RULES FILED BETWWEN July 16, 2007 and July 20, 2007

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. | | | | | | |
|--|-----------|-------------------|----------------------|---------------------|--|--|--|--|--|--|
| DEPARTMENT OF CORRECTIONS | | | | | | | | | | |
| 33-208.003 | 7/16/2007 | 8/5/2007 | 33/22 | | | | | | | |
| 33-501.302 | 7/16/2007 | 8/5/2007 | 33/17 | 33/24 | | | | | | |
| WATER MANAGEMENT DISTRICTS Suwannee River Water Management District | | | | | | | | | | |
| 40B-4.3020 | 7/19/2007 | 8/8/2007 | 33/16 | 33/25 | | | | | | |
| 40B-4.3030 | 7/19/2007 | 8/8/2007 | 33/16 | 33/25 | | | | | | |
| 40B-4.3040 | 7/19/2007 | 8/8/2007 | 33/16 | 33/25 | | | | | | |
| 40B-400.443 | 7/20/2007 | 8/9/2007 | 33/25 | | | | | | | |
| 40B-400.447 | 7/20/2007 | 8/9/2007 | 33/25 | | | | | | | |

33/21

South Florida Water Management District

| | 0 | | | |
|-----------|-----------|----------|--|--|
| 40E-1.659 | 7/18/2007 | 8/7/2007 | | |

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. | | | | | | | |
|--|------------|-------------------|----------------------|---------------------|--|--|--|--|--|--|--|
| DEPARTMENT OF ENVIRONMENTAL PROTECTION | | | | | | | | | | | |
| 62-302.800 | 7/16/2007 | 8/5/2007 | 33/08 | | | | | | | | |
| DEPARTMENT OF HEALTH | | | | | | | | | | | |
| Board of Orthotists and Prosthetists | | | | | | | | | | | |
| 20010010101 | | | 5 | | | | | | | | |
| 64B14-3.001 | 7/19/2007 | 8/8/2007 | 33/19 | 33/19 | | | | | | | |
| | | | | | | | | | | | |
| Board of Phar | macy | | | | | | | | | | |
| 64B16-26.2031 | 7/19/2007 | 8/8/2007 | 33/21 | | | | | | | | |
| ~ ~ ~ ~ ~ ~ ~ ~ ~ | | | | | | | | | | | |
| Council of Me | dical Phys | sicists | | | | | | | | | |
| 64B23-6.001 | 7/16/2007 | 8/5/2007 | 33/11 | 33/23 | | | | | | | |
| | | | | | | | | | | | |
| Division of Fa | mily Heal | th Services | | | | | | | | | |
| 64F-12.026 | 7/17/2007 | 8/6/2007 | 33/13 | 33/25 | | | | | | | |
| | | | | | | | | | | | |
| DEPARTMEN | NT OF FI | NANCIAL | SERVICES | | | | | | | | |
| Divsion of Wo | rkers' Co | mpensation | l | | | | | | | | |
| 69L-6.032 | 7/16/2007 | 8/5/2007 | 33/14 | 33/22 | | | | | | | |
| | | | | | | | | | | | |

| ī | Section XIV List of Rules Affected | | | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|------------------|---|---------------|------------------|------------------------|----------------------|---------------------|---------------------|
| 1 | List of Kules | Ancieu | | | | | |
| | | | | 5B-44.0135 | 33/16 | | 33/27 |
| This "List of Ru | | | | 5B-58.001 | 27/29 | | 22/25 |
| which have be | | | | 5B-60.001 | 33/16 | | 33/27 |
| Beginning with | the February 2, | 1996 issue, t | the list will be | 5B-60.002 5B-60.003 | 33/16 | | 33/27 |
| published month | published monthly for the period covering the last eight weeks. | | | | 33/16 | | 33/27 |
| - | | - | - | 5B-60.004 | 33/16 | | 33/27 |
| w – Signifie | s Withdrawal of | Proposed Rule | e(s) | 5B-60.005 | 33/16 | | 33/27 |
| - | allenge Filed | P | | 5B-60.006 | 33/16 | | 33/27 |
| | eclared Valid | | | 5B-60.007 | 33/16 | | 33/27 |
| | | | | 5B-60.008 | 33/16 | | 33/27 |
| | eclared Invalid | | | 5B-60.009 | 33/16 | | 33/27 |
| d – Rule Ch | allenge Dismiss | ed | | 5B-60.010 | 33/16 | | 33/27 |
| dw – Dismiss | ed Upon Withdr | awal | | 5B-60.011 | 33/16 | | 33/27 |
| | I | | | 5B-60.012 | 33/16 | | 33/27 |
| Rule No. | Proposed | Amended | Adopted | 5B-60.013 | 33/16 | | 33/27 |
| Kule NO. | Vol./No. | Vol./No. | Vol./No. | 5B-60.014 | 33/16 | | 33/27 |
| | v01./1NO. | V01./1NO. | v01./1NO. | 5B-60.015 | 33/16 | | 33/27 |
| | STAT | Έ | | 5B-60.016 | 33/16 | 22/22 | 33/27 |
| | 5111 | L | | 5B-63.001 | 32/48 | 33/22 | |
| 1A-33.005 | 33/22 | | | 50 04 001 | 22/27 | 33/26 | |
| 1S-2.030 | 33/25 | | | 5C-24.001 | 33/27 | | |
| 1S-2.034 | 33/30 | | | 5C-24.002 | 33/27 | | |
| 1S-2.037 | 33/30 | | | 5C-24.003 | 33/27 | | |
| 1S-2.040 | 33/30 | | | 5C-27.001 | 33/27 | | |
| 1S-2.042 | 32/8 | | | 5C-28.001 | 33/27 | | |
| 1S-5.002 | 33/16 | | 33/30w | 5E-1.003 | 33/9 | 33/18 | |
| 1T-1.001 | 33/26 | | | | | 33/27 | |
| | 33/26 | | | 5E-1.023 | 33/31 | | |
| | | | | 5E-14.106 | 33/7 | | |
| | LEGAL AI | FFAIRS | | | 33/12 | | 33/27 |
| | | | | 5E-14.117 | 33/7 | | |
| 2A-8.005 | 33/21 | | 33/28 | | 33/12 | | 33/27 |
| | DANIZINIC ANI | | | 5F-5.001 | 33/21 | | |
| | BANKING ANI | JFINANCE | | 5F-8.0011 | 33/21 | 33/31 | |
| 3E-48.005 | 28/42 | | | 5F-8.0012 | 33/21 | 33/31 | |
| 31-40.005 | 20/42 | | | 5F-8.003 | 33/21 | 33/31 | 22/20 |
| | INSURA | NCE | | 5F-11.002 | 33/18 | | 33/30 |
| | | | | 5F-11.027 | 33/18 | | 33/30 |
| 4-138.047 | 28/41 | | | 5F-11.050 | 33/18 | | 33/30 |
| 4-154.525 | 29/16 | 29/25 | | 5I-4.002 | 32/49 | | |
| 4-211.031 | 27/44 | | | 5I-4.006 | 32/49 | | |
| 4-228.055 | 26/35 | | | 5L-1.003 | 33/27 | | |
| 4A-62.001 | 29/44 | 29/46 | | 5M-6.001 | 33/22 | | 33/30 |
| 4A-62.002 | 29/44 | 29/46 | | 5M-6.002 | 33/22 | | 33/30 |
| | | | | 5M-6.003 | 33/22 | | 33/30 |
| AGRICUI | LTURE AND CC | ONSUMER SE | RVICES | 5M-6.004 | 33/22 | | 33/30 |
| | | | | 5M-6.005 | 33/22 | | 33/30 |
| 5B-44.001 | 33/16 | | 33/27 | 5M-6.006 | 33/22 | | 33/30 |
| 5B-44.002 | 33/16 | | 33/27 | | EDUCA | TION | |
| 5B-44.003 | 33/16 | | 33/27 | | EDUCA | TION | |
| 5B-44.004 | 33/16 | | 33/27 | 6AER07-1 | | | 33/28 |
| 5B-44.008 | 33/16 | | 33/27 | | 22/21 | | |
| 5B-44.0113 | 33/16 | | 33/27 | 6A-1.09401 | 33/21 | | 33/29 |
| 5B-44.0116 | 33/16 | | 33/27 | 64 1 000000 | 33/29 | | 22/20 |
| 5B-44.0118 | 33/16 | | 33/27 | 6A-1.099823 | 33/20 | | 33/29 |
| 5B-44.0125 | 33/16 | | 33/27 | 6A-2.0010 | 33/11 | | |
| | | | | | | | |

Florida Administrative Weekly

| Rule No. | Proposed | Amended | Adopted | Rule No. | Proposed | Amended | Adopted |
|------------|----------------|----------------|----------|------------------------|-----------|-------------|----------|
| 1010 1 (0) | Vol./No. | Vol./No. | Vol./No. | | Vol./No. | Vol./No. | Vol./No. |
| | | | | | | | |
| 6A-4.0081 | 33/15 | | 33/24 | 9B-72.130 | 33/22 | | |
| 6A-4.0082 | 33/15 | | 33/24 | 9B-74.010 | 33/30 | | |
| 6A-4.0083 | 33/15 | | 33/24 | 9B-74.020 | 33/30 | | |
| 6A-4.0084 | 33/15 | | 33/24 | 9B-74.030 | 33/30 | | |
| 6A-4.0243 | 33/15 | | 33/24 | 9B-74.040 | 33/30 | | |
| 6A-4.0251 | 32/3 | 32/5 | | 9B-74.050 | 33/30 | | |
| 6A-5.081 | 33/16 | | 33/24 | 9J-5 | 32/32c | | |
| 6A-6.014 | 33/29 | | | | DEVEN | | |
| 6A-6.0783 | 33/20 | 33/23 | 33/29 | | REVEN | NUE | |
| 6A-14.030 | 33/15 | | 33/24 | 12-26.008 | 32/52 | 33/12 | |
| 6A-14.0716 | 33/15 | | 33/24 | 12-20.000 | 52/52 | 33/12 | |
| 6A-14.072 | 33/15 | | 33/24 | 12AER07-8 | | 55/15 | 33/30 |
| 6A-14.0734 | 33/15 | | 33/24 | 12A-17.005 | 32/2 | 32/31 | 55/50 |
| 6A-14.080 | 33/15 | 33/27 | | 12BER07-1 | 32/2 | 52/51 | 33/25 |
| 6B-4.010 | 33/10 | | | 12BER07-1 | | | 33/25 |
| 6E-1.003 | 33/13 | | 33/29 | 12BER07-2 12BER07-3 | | | 33/25 |
| | 33/19 | | | 12BER07-5 | | | 33/25 |
| 6E-1.0032 | 33/13 | | 33/29 | 12DER07-4 | | | 33/27 |
| | 33/19 | | | 12DER07-6 | | | 33/28 |
| 6E-2.002 | 33/13 | | 33/27w | 12DER07-0 | | | 33/30 |
| | 33/20 | | | 12D-3.001 | 33/26 | | 55/50 |
| 6E-2.004 | 33/13 | | 33/29 | 12D-3.003 | 33/26 | | |
| | 33/20 | 2 0/11/ | 22/20 | 12D-7.003 | 33/26 | | |
| 6E-2.0041 | 22/12 | 29/14 | 33/29 | 12D-7.013 | 33/26 | | |
| | 33/13 | | 33/29 | 12D-8.0061 | 33/26 | | |
| | 33/20 | | | 12D-8.011 | 33/26 | | |
| 6L-1.001 | 28/12 | | | 12D-13.031 | 33/26 | | |
| 6L-1.002 | 28/12 | | | 12D-16.002 | 33/26 | | |
| 6L-1.004 | 28/12 | | | 120 10.002 | 55/20 | | |
| 6L-1.005 | 28/12 | | | | TRANSPOR | TATION | |
| 6L-1.006 | 28/12 | | | | | | |
| 6L-1.007 | 28/12 | | | 14-1 | 31/32c | | |
| 6L-1.008 | 28/12 | | | | 32/2c | | |
| 6L-1.009 | 28/12 | | | | 32/2c | | |
| 6L-1.010 | 28/12 | | | 14-1.0081 | 33/31 | | |
| 6L-1.011 | 28/12 | | | 14-10.007 | 33/31 | | |
| 6L-1.012 | 28/12 | | | 14-25.022 | 33/31 | | |
| 6L-1.013 | 28/12 30/26 | | | 14-25.023 | 33/31 | | |
| 6M-7.0055 | 50/20 | | | 14-25.024 | 33/31 | | |
| | COMMUNITY | AFFAIRS | | 14-25.026 | 33/31 | | |
| | commerciari | 11111111 | | 14-85.004(11)(e),(3) | 33/27c | | |
| 9B-3.004 | 33/22 | | | HIGHWAVS | AFETV AND |) MOTOR VE | HICI ES |
| 9B-3.047 | 33/30 | | | IIIOIIWAI S | APLIT ANL | | IIICLES |
| 9B-3.0472 | 33/30 | | | 15C-7.005 | 33/8c | | |
| 9B-3.0475 | 33/30 | | | 100 11000 | 22,00 | | |
| 9B-3.0477 | 33/30 | | | BOARD OF | TRUSTEES | OF THE INTH | ERNAL |
| 9B-3.050 | 33/22 | | | IMPR | OVEMENT | TRUST FUNE |) |
| 9B-3.053 | 31/45 | | | | | | |
| 9B-7.003 | 33/30 | | | 18-1.001 | 33/29 | | |
| 9B-7.0042 | 33/22 | | | 18-1.002 | 33/29 | | |
| 9B-50.003 | 33/29 | | | 18-1.003 | 33/29 | | |
| 9B-72.010 | 33/22 | | | 18-1.004 | 33/29 | | |
| 9B-72.070 | 33/22 | | | 18-1.005 | 33/29 | | |
| 9B-72.080 | 33/22 | | | 18-1.006 | 33/29 | | |
| 9B-72.100 | 33/22 | | | 18-1.007 | 33/29 | | |
| | | | | | | | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|-------------|----------------------|---------------------|---------------------|--------------------------|----------------------|---------------------|---------------------|
| 18-1.008 | 33/29 | | | 33-501.302 | 33/17 | 33/24 | 33/31 |
| 18-1.009 | 33/29 | | | 33-601.307 | 33/19 | | 33/28 |
| 18-1.010 | 33/29 | | | 33-601.602 | 33/19 | | 33/28 |
| 18-1.011 | 33/29 | | | 33-601.603 | 33/31 | | |
| 18-1.012 | 33/29 | | | 33-601.606 | 33/28 | | |
| 18-1.013 | 33/29 | | | 33-601.721 | 33/19 | | 33/28 |
| 18-1.014 | 33/29 | | | 33-601.724 | 33/28 | | |
| 18-2.017 | 33/22 | | | 33-601.725 | 33/28 | | |
| | 33/29 | | | 33-601.731 | 33/19 | 33/22 | |
| 18-2.018 | 33/22 | | | | | 33/31 | |
| | 33/29 | | | 33-601.737 | 33/24 | | |
| 18-2.020 | 33/29 | | | 33-601.800 | 33/24 | | |
| 18-2.021 | 33/22 | | | 33-602.203 | 33/17 | | 33/25 |
| 18-21.003 | 33/29 | | | 33-602.205 | 33/28 | | |
| 18-21.004 | 33/29 | | | 33-602.210 | 33/21 | | |
| 18-21.010 | 33/29 | | | 33-602.220 | 33/31 | | |
| 18-21.011 | 33/29 | | | | | | |
| 18-21.013 | 33/29 | | | WATI | ER MANAGEM | ENT DISTRIC | CTS |
| 18-24.005 | 33/22 | | | | | | |
| | | | | 40B-3.3020 | 33/16 | | |
| STAT | E BOARD OF A | DMINISTRAT | TION | 40B-3.3030 | 33/16 | | |
| | | | | 40B-3.3040 | 33/16 | | |
| 19ER07-1 | | | 33/25 | 40B-4.3020 | 33/16 | 33/25 | 33/31 |
| 19-8.010 | 33/25 | | | 40B-4.3030 | 33/16 | 33/25 | 33/31 |
| 19-8.028 | 33/15 | | 33/28 | 40B-4.3040 | 33/16 | 33/25 | 33/31 |
| 19-8.030 | 33/25 | | | 40B-8.021 | 33/21 | | 33/30 |
| 19-15.001 | 33/25 | | | 40B-8.051 | 33/21 | | 33/30 |
| | | | | 40B-400.091 | 33/9 | | 33/24 |
| | CITR | US | | 40B-400.443 | 33/25 | | 33/31 |
| | 22/22 | 22/24 | | 40B-400.447 | 33/25 | | 33/31 |
| 20-3.002 | 33/23 | 33/31 | | 40C-1.106 | 33/8 | 33/16 | 33/24 |
| 20-100.004 | 33/23 | 33/31 | | 40C-2.091 | 33/23 | | |
| DI | BLIC SERVICE | COMMISSIO | N | 40C-2.231 | 33/23 | | |
| ru | BLIC SERVICE | | 1 | 40C-4.091 | 33/8 | 33/16 | 33/24 |
| 25-4.036 | 33/27 | | | 40C-4.302 | 33/8 | 33/16 | 33/24 |
| 25-24.515 | 33/27 | | | 40D-1.600 | 33/27 | | |
| 25-30.4325 | 33/23 | | | 40D-1.659 | 33/27 | | |
| 25-56.034 | 32/32c | | | | 33/27 | | |
| 25-56.0341 | 32/32c | | | 40D-2.091 | 22/48 | | |
| 25-56.0342 | 32/32c | | | | 33/23 | | |
| 25-56.0343 | 32/32c | | | | 33/28 | | 33/30w |
| 25-56.064 | 32/32c | | | | 33/30 | | |
| 25-56.078 | 32/32c | | | 40D-2.301 | 22/48 | | |
| 25-56.115 | 32/32c | | | 40D-2.331 | 33/23 | | |
| 25-50.115 | 32/320 | | | 40D-2.801 | 33/28 | | 33/30w |
| | CORREC | TIONS | | | 33/30 | | |
| | | | | 40D-4.051 | 33/27 | | |
| 33-103.001 | 33/31 | | | 40D-4.091 | 22/48 | | |
| 33-103.006 | 33/31 | | | | 33/27 | | |
| 33-103.015 | 33/31 | | | | 33/27 | | |
| 33-103.017 | 33/31 | | | | 33/27 | | |
| 33-103.019 | 33/15 | | 33/24 | 40D-4.331 | 33/27 | | |
| | 33/27 | | | 40D-8.041 | 32/1 | | |
| 33-208.003 | 33/22 | | 33/31 | 40D-8.624 | 33/14 | | |
| 33-210.101 | 30/43 | | | 40D-400.443 | 33/27 | | |
| 33-302.1031 | 33/25 | | | 40D-400.447 | 33/27 | | |
| 20 00001 | 00/20 | | | -00 -00. - +/ | 55141 | | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|------------------------|----------------------|---------------------|---------------------|--------------------|----------------------|---------------------|---------------------|
| 40E-1.607 | 33/30 | | | | ELDER AI | FFAIRS | |
| 40E-1.659 | 33/21 | | 33/31 | | | | |
| 40E-2.091 | 33/30 | | | 58A-2.002 | 33/31 | | |
| 40E-4.041 | 33/21 | | 33/29 | 58A-2.003 | 33/31 | | |
| 40E-4.042 | 33/21 | | 33/29 | 58A-2.005 | 33/31 | | |
| 40E-4.051 | 33/21 | 33/30 | | 58A-2.010 | 33/31 | | |
| 40E-4.091 | 33/9 | | 33/26 | 58A-2.012 | 33/31 | | |
| | 33/21 | | 33/29 | 58A-2.014 | 33/31 | | |
| 40E-4.301 | 33/21 | | 33/29 | 58A-2.0232 | 33/31 | | |
| 40E-4.302 | 33/9 | | 33/26 | | | | |
| | 33/21 | | 33/29 | AGENCY FOR | HEALTH CA | ARE ADMINIS | STRATION |
| 40E-4.361 | 33/21 | | 33/29 | | | | |
| 40E-4.381 | 33/21 | | 33/29 | 59-1 | 29/35c | | |
| 40E-7.669 | 33/21 | | 00/22 | 59A-3.2085 | 33/11 | | |
| 40E-7.670 | 33/21 | | | 59C-1.002 | 33/23 | | |
| 40E-7.674 | 33/21 | | | 59C-1.008 | 33/29 | | |
| 40E-20.091 | 33/30 | | | 59C-1.0355 | 33/30c | | |
| 40E-40.051 | 33/21 | | 33/28 | 59C-1.0355(4)(d)3. | 33/30c | | |
| 40E-40.061 | 33/21 | | 33/28 | 59G-4.002 | 33/17 | | 33/29 |
| 40E-63.432 | 33/13 | | 33/24 | 59G-4.003 | 33/24 | | |
| 40E-63.432 | 33/13 | | 33/24 | 59G-4.016 | 32/19 | | |
| 40E-400.443 | 33/21 | | 55/24 | 59G-4.070 | 33/31 | | |
| 40E-400.443 | 33/21 | | | 59G-4.130 | 33/29 | | |
| 40E-400.447 | 55/21 | | | 59G-4.140 | 33/26 | | |
| | LOTTE | ERY | | 59G-4.197 | 33/14 | 33/24 | |
| 52ED07 00 | | | 22/15 | 59G-4.230 | 33/16 | 33/25 | 33/26 |
| 53ER07-22 | | | 33/15 | 59G-6.010 | 33/10 | 33/18 | 55/20 |
| 53ER07-23 | | | 33/15 | 590-0.010 | 35/15 | 33/24 | |
| 53ER07-24 | | | 33/15 | | | 33/24 | |
| 53ER07-25 | | | 33/17 | 59G-13.080 | 33/30 | 33/20 | |
| 53ER07-26 53ER07-27 | | | 33/17 33/19 | 59G-13.080 | 33/31 | | |
| 53ER07-27 | | | 33/19 | 59G-13.091 | 33/30 | | |
| | | | | 59G-13.092 | 33/30 | | |
| 53ER07-29 | | | 33/19 | 590-15.092 | 55/50 | | |
| 53ER07-30 53ER07-31 | | | 33/20 33/20 | MA | NAGEMEN | T SERVICES | |
| 53ER07-32 | | | 33/21 | | | | |
| 53ER07-33 | | | 33/21 | 60BB-0.8700 | 33/26 | | |
| 53ER07-34 | | | 33/21 | 60BB-3.011 | 32/50 | 33/23 | |
| 53ER07-35 | | | 33/21 | 60BB-3.012 | 32/50 | 33/23 | |
| 53ER07-36 | | | 33/23 | 60BB-3.013 | 32/50 | 33/23 | |
| 53ER07-30 | | | 33/23 | 60BB-3.015 | 32/50 | 33/23 | |
| 53ER07-38 | | | 33/25 | 60BB-3.016 | 32/50 | 33/23 | |
| | | | | 60BB-3.017 | 32/50 | 33/23 | |
| 53ER07-39 | | | 33/25 | 60BB-3.018 | 32/50 | 33/23 | |
| 53ER07-40 53ER07-41 | | | 33/26 33/26 | 60BB-3.019 | 32/50 | 33/23 | |
| | | | | 60BB-3.020 | 32/50 | 33/23 | |
| 53ER07-42 | | | 33/28 | 60BB-3.021 | 32/50 | 33/23 | |
| 53ER07-43 | | | 33/28 | 60BB-3.022 | 32/50 | 33/23 | |
| 53ER07-44 | | | 33/28 | 60BB-3.024 | 32/50 | 33/23 | |
| 53ER07-45 | | | 33/29 | 60BB-3.028 | 32/50 | 33/23 | |
| 53ER07-46 | | | 33/29 | 60BB-3.029 | 32/50 | 33/23 | |
| 53ER07-47 | | | 33/29 | 60BB-8.700 | 33/26 | | |
| 53ER07-48 | | | 33/29 | 60H-1.003 | 33/15 | | 33/27 |
| | | | | 60H-1.015 | 33/15 | | 33/27 |
| | | | | 60H-1.017 | 33/15 | | 33/27 |
| | | | | | | | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|---|----------------------|---------------------|---------------------|--------------|----------------------|---------------------|---------------------|
| 60H-1.022 | 33/15 | | 33/27 | 61A-10.054 | 32/3 | 33/29 | |
| 60L-35.001 | 33/27 | | | 61A-10.055 | 32/3 | 33/29 | |
| 60L-35.002 | 33/27 | | | 61A-10.080 | 32/3 | 33/29 | |
| 60L-35.003 | 33/27 | | | 61A-10.081 | 32/3 | 33/29 | |
| 60L-35.004 | 33/27 | | | 61A-10.082 | 32/3 | 33/29 | |
| 60L-35.005 | 33/27 | | | 61A-10.083 | 32/3 | 33/29 | |
| 60L-35.006 | 33/27 | | | 61A-10.084 | 32/3 | 33/29 | |
| 60S-9.001 | 33/23 | | | 61A-10.085 | 32/3 | 33/29 | |
| 60U-1.006 | 33/23 | | | 61B-82.001 | 33/29 | | |
| 60V-1.007 | 33/23 | | | 61B-82.002 | 33/29 | | |
| 60W-8.001 | 33/23 | | | 61B-82.004 | 33/29 | | |
| 60Y-1 | 32/2c | | | 61B-82.005 | 33/29 | | |
| | 32/2c | | | 61B-82.006 | 33/29 | | |
| | | | | 61B-82.007 | 33/29 | | |
| BUSINESS A | ND PROFESS | SIONAL REG | ULATION | 61B-83.001 | 33/29 | | |
| (1.00.000 | 22/10 | 22/22 | 22/20 | 61B-83.002 | 33/29 | | |
| 61-20.002 | 33/10 | 33/22 | 33/30 | 61B-83.003 | 33/29 | | |
| ~ | 22/12 | 33/28 | 33/30 | 61B-83.004 | 33/29 | | |
| 61A-1.010 | 33/12 | | 33/27w | 61C-1.004 | 33/18 | | 33/30w |
| | 33/22c | | | 61C-4.0161 | 33/18 | | 33/26w |
| 61A-1.010(1) | 33/2c | | | 61C-5.006 | 33/26 | | |
| 61A-2.019 | 31/50 | | | 61D-6.008 | 33/17 | | |
| 61A-5.001 | 33/29 | | | 61D-11.019 | 32/48 | | 33/26w |
| 61A-5.0105 | 33/29 | | | 61D-14.021 | 32/17 | | |
| 61A-5.747 | 33/29 | 22/20 | | 61D-14.091 | 32/48 | | |
| 61A-10.001 | 32/3 | 33/29 | | 61D-14.092 | 32/48 | | |
| 61A-10.002 | 32/3 | 33/29 | | 61D-14.093 | 32/48 | | |
| 61A-10.0021 | 32/3 | 33/29 | | 61D-14.094 | 32/48 | | |
| 61A-10.0022 | 32/3 | 33/29 | | 61D-14.095 | 32/48 | | |
| 61A-10.005 | 32/3 | 33/29 | | 61G1-21.003 | 33/27 | | |
| 61A-10.006 | 32/3 | 33/29 | | 61G1-22.003 | 33/23 | | 33/30 |
| 61A-10.007 | 32/3 | 33/29 | | 61G1-24.002 | 33/27 | | |
| 61A-10.008 | 32/3 | 33/29 | | 61G2-3.001 | 33/26 | | |
| 61A-10.009 | 32/3 | 33/29 | | 61G2-3.002 | 33/26 | | |
| 61A-10.0091 | 32/3 | 33/29 | | 61G2-3.003 | 33/26 | | |
| 61A-10.010 | 32/3 | 33/29 | | 61G2-3.004 | 33/26 | | |
| 61A-10.011 | 32/3 | 33/29 | | 61G2-3.0041 | 33/26 | | |
| 61A-10.0111 | 32/3 | 33/29 | | 61G2-3.005 | 33/26 | | |
| 61A-10.0112 | 32/3 | 33/29 | | 61G2-3.006 | 33/26 | | |
| 61A-10.012 | 32/3 | 33/29 | | 61G2-3.007 | 33/26 | | |
| 61A-10.013 | 32/3 | 33/29 | | 61G2-3.008 | 33/26 | | |
| 61A-10.014 | 32/3 | 33/29 | | 61G2-3.010 | 33/26 | | |
| 61A-10.015 | 32/3 | 33/29 | | 61G2-3.011 | 33/26 | | |
| 61A-10.016 | 32/3 | 33/29 | | 61G2-3.012 | 33/26 | | |
| 61A-10.017 | 32/3 | 33/29 | | 61G4-15.001 | 33/17 | | 33/24 |
| 61A-10.018 | 32/3 | 33/29 | | 61G4-15.0021 | 33/16 | 33/30 | |
| 61A-10.0181 | 33/29 | 33/29 | | 61G4-15.005 | 33/30 | | |
| 61A-10.020 | 32/3 | 33/29 | | 61G4-15.006 | 33/30 | | |
| 61A-10.021 | 32/3 | 33/29 | | 61G4-15.033 | 33/27 | | |
| 61A-10.026 | 32/3 | 33/29 | | 61G6-5.001 | 33/21 | | 33/28 |
| 61A-10.027 | 32/3 | 33/29 | | 61G6-7.001 | 33/30 | | |
| 61A-10.031 | 32/3 | 33/29 | | 61G7-10.0014 | 32/21 | | |
| 61A-10.050 | 32/3 | 33/29 | | 61G7-33.0065 | 30/16 | | |
| 61A-10.051 | 32/3 | 33/29 | | 61G9-9.001 | 31/6 | | |
| 61A-10.052 | 32/3 | 33/29 | | 61G14-11.007 | 33/22 | | 33/29 |
| 61A-10.053 | 32/3 | 33/29 | | 61G14-15.003 | 33/26 | | - |

Florida Administrative Weekly

| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|--|--------------|----------------------|---------------------|---------------------|------------|----------------------|---------------------|---------------------|
| | 61G14-19.001 | 33/20 | | 33/27 | 62-303.470 | 33/21 | | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | | | 32/39 | | | | | |
| | | | | | | | | |
| $ \begin{array}{ c c c c c c c c c c c c c c c c c c c$ | 61G15-21.007 | 32/32 | | | 62-304.510 | | | |
| $ \begin{array}{ c c c c c c } 33.8e & 31.2e & 31$ | | 33/3 | 33/20 | | 62-304.600 | | | |
| $ \begin{array}{ c c c c c c } 3322c & 3126 & 31$ | | | | | | 31/28c | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | | | | | | | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61G16-4.004 | 32/46 | | | 62-341.021 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61G16-5.004 | 33/11 | | | 62-341.201 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61G18-11.002 | 33/16 | | 33/25 | 62-341.215 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61G18-12.019 | 33/16 | | 33/25 | 62-341.443 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61G19-9.006 | 33/16 | 33/20 | 33/25 | 62-341.447 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61H1-31.001 | 33/31 | | | 62-341.448 | 33/10 | | 33/24 |
| $\begin{array}{ c c c c c c c } & & & & & & & & & & & & & & & & & & &$ | 61H1-33.0032 | 33/31 | | | 62-341.483 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-3.001 | 28/41 | 28/43 | | 62-341.485 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | | | 28/46 | | 62-341.487 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-3.002 | 28/41 | 28/43 | | 62-341.601 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | | | 28/46 | | 62-341.900 | 33/10 | | 33/24 |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-4.001 | 33/27 | | | 62-343.110 | 33/25 | 33/30 | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-4.003 | 33/27 | | | 62-345.300 | 33/21 | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-4.005 | 28/41 | 28/43 | | 62-345.400 | 33/21 | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | 61J1-4.010 | 33/25 | | | 62-345.500 | 33/21 | | |
| $\begin{array}{ c c c c c c c } & & & & & & & & & & & & & & & & & & &$ | 61J1-7.004 | 28/41 | 28/43 | | 62-345.600 | 33/21 | | |
| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 61J1-7.005 | 28/41 | 28/43 | | 62-345.900 | 33/21 | | |
| $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | | | 28/46 | | 62-346.010 | | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | | | | | 62-346.020 | | | |
| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 61J2-5.014 | 32/14 | | | 62-346.030 | | 33/29 | |
| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | | | 33/12 | | | | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | | | | | | | 33/29 | |
| ENVIRONMENTAL PROTECTION 62-346.070 33/10 33/29 62-4.001 33/10 33/24 62-346.080 33/10 62-4.200 33/10 33/24 62-346.090 33/10 33/29 62-4.200 33/10 33/24 62-346.091 33/10 33/29 62-4.510 33/10 33/22 62-346.095 33/10 33/29 62-16.100 33/6 33/22 62-346.100 33/10 33/29 62-16.200 33/6 33/22 62-346.100 33/10 33/29 62-16.300 33/6 33/22 62-346.100 33/10 33/29 62-16.600 33/6 33/22 62-346.100 33/10 62-16.500 62-16.600 33/6 33/22 62-346.130 33/10 62-16.600 62-16.00 33/6 33/22 62-346.451 33/10 62-16.500 62-16.00 33/6 33/22 62-346.501 33/10 62-16.500 62-16.900 33/21 33/28 62-505.20 | | | 28/17 | | | | | |
| ENVIRONMENTAL PROTECTION 62-346.071 33/10 62-4.001 33/10 33/24 62-346.080 33/10 62-4.200 33/10 33/24 62-346.090 33/10 33/29 62-4.200 33/10 33/24 62-346.095 33/10 33/29 62-4.510 33/6 33/22 62-346.100 33/10 33/29 62-16.200 33/6 33/22 62-346.100 33/10 33/29 62-16.200 33/6 33/22 62-346.100 33/10 33/29 62-16.400 33/6 33/22 62-346.130 33/10 33/29 62-16.600 33/6 33/22 62-346.130 33/10 62-16.600 33/6 33/22 62-346.301 33/10 62-16.600 33/6 33/22 62-346.451 33/10 62-16.600 33/16 33/22 62-346.451 33/10 62-16.600 33/21 33/28 62-360.90 33/10 33/29 62-244.801 33/10 62-116.100 33/21 33/28 62-505.300 | 61J2-20.042 | 33/29 | | | | | | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | ENIVIE | | DDOTECTIC | N | | | 33/29 | |
| $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | EINVIE | CONVIENTAL | | N | | | | |
| | 62-4 001 | 33/10 | | 33/24 | | | | |
| | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | | | | | | | 33/29 | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | | | 33/22 | 33/21 | | | 00/00 | |
| | | | | | | | 33/29 | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | | | | | | | 22/20 | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | | | | | | | 33/29 | |
| | | | | | | | | |
| $ \begin{array}{cccccccccccccccccccccccccccccccccccc$ | 62-16.600 | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | 33/26 | | | 22/20 | |
| | | | | | | | 33/27 | |
| | 62-210.200 | | | | | | | |
| | 62-212.400 | 33/21 | | 33/28 | | | | |
| | 62-212.720 | 33/21 | | 33/28 | | | | |
| 62-302.800 33/8 33/31 62-531.330 33/1 62-303.360 33/21 33/29 62-531.340 33/1 62-303.370 33/21 62-531.350 33/1 62-303.380 33/21 33/29 62-531.450 33/1 | 62-296.470 | | | | | | | |
| 62-303.360 33/21 33/29 62-531.340 33/1 62-303.370 33/21 62-531.350 33/1 62-303.380 33/21 33/29 62-531.450 33/1 | 62-302.800 | 33/8 | | 33/31 | | | | |
| 62-303.370 33/21 62-303.380 33/21 33/29 62-531.350 62-531.450 33/1 | 62-303.360 | 33/21 | 33/29 | | | | | |
| 62-303.380 33/21 33/29 62-531.450 33/1 | 62-303.370 | 33/21 | | | | | | |
| 62-303.460 33/21 | | | 33/29 | | | | | |
| | 62-303.460 | 33/21 | | | | | | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|------------------------|----------------------|------------------|---------------------|------------------------|----------------------|---------------------|---------------------|
| 62-602.200 | 33/20 | | | 63D-7.002 | 33/26 | | |
| 62-602.230 | 33/20 | | | 63D-7.003 | 33/26 | | |
| 62-602.250 | 33/20 | | | 63D-7.004 | 33/26 | | |
| 62-602.270 | 33/20 | | | 63D-7.005 | 33/26 | | |
| 62-602.300 | 33/20 | | | 63D-7.006 | 33/26 | | |
| 62-602.350 | 33/20 | | | 63D-7.007 | 33/26 | | |
| 62-602.360 | 33/20 | | | 63D-7.008 | 33/26 | | |
| 62-602.410 | 33/20 | | | 63D-7.009 | 33/26 | | |
| 62-602.420 | 33/20 | | | 63E-4.001 | 33/3 | | 33/27 |
| 62-602.430 | 33/20 | | | 63E-4.002 | 33/3 | 33/17 | 33/27 |
| 62-602.450 | 33/20 | | | | | 33/21 | |
| 62-602.500 | 33/20 | | | 63E-4.003 | 33/3 | | 33/27 |
| 62-602.560 | 33/20 | | | 63E-4.004 | 33/3 | | 33/27 |
| 62-602.570 | 33/20 | | | 63E-4.005 | 33/3 | 33/17 | 33/27 |
| 62-602.580 | 33/20 | | | 63E-4.006 | 33/3 | | 33/27 |
| 62-602.600 | 33/20 | | | 63E-4.007 | 33/3 | | 33/27 |
| 62-602.650 | 33/20 | | | 63E-4.008 | 33/3 | 33/17 | 33/27 |
| 62-602.660 | 33/20 | | | 63E-4.009 | 33/3 | 33/17 | 33/27 |
| 62-602.700 | 33/20 | | | 63E-4.010 | 33/3 | 33/17 | 33/27 |
| 62-602.720 | 33/20 | | | 63E-4.011 | 33/3 | 33/17 | 33/27 |
| 62-602.800 | 33/20 | | | 63E-4.012 | 33/3 | | 33/27 |
| 62-602.850 | 33/20 | | | 63E-4.013 | 33/3 | 33/17 | 33/27 |
| 62-602.870 | 33/20 | | | 63E-4.014 | 33/3 | 33/17 | 33/27 |
| 62-602.880 | 33/20 | | | 63E-6.003 | 33/25 | | |
| 62-602.900 | 33/20 | | | 63E-7.001 | 33/23 | | |
| 62-610.100 | 33/30 | | | 63E-7.002 | 33/23 | | |
| 62-610.200 | 33/30 | | | 63E-7.003 | 33/23 | | |
| 62-610.300 | 33/30 | | | 63E-7.004 | 33/23 | | |
| 62-610.419 | 33/30 | | | 63E-7.005 | 33/23 | | |
| 62-610.451 | 33/30 | | | 63E-7.006 | 33/27 | | |
| 62-610.471 | 33/30 | | | 63E-7.007 | 33/27 | | |
| 62-610.568 | 33/30 | | | 63E-7.008 | 33/27 | | |
| 62-610.800 | 33/30 | | | 63E-7.009 | 33/27 | | |
| 62-610.870 | 33/30 | | | 63G-2.004 | 33/4 | 33/18 | 33/28 |
| 62-699.200 | 33/20 | | | 63G-2.0045 | 33/4 | 33/18 | 33/28 |
| 62-699.310 | 33/20 | | | | | 33/21 | |
| 62-699.311 | 33/20 | | | 63G-2.005 | 33/4 | 33/18 | 33/28 |
| | | | | 63G-2.006 | | 32/34 | |
| | JUVENILE. | JUSTICE | | | 33/4 | 33/18 | 33/28 |
| 62D 5 001 | 22/20 | | | 63G-2.011 | 33/4 | 33/18 | 33/28 |
| 63D-5.001 63D-5.002 | 33/20 | | | | | 33/21 | |
| | 33/20 | | | 63H-2.003 | 33/31 | | |
| 63D-5.003 | 33/20 | | | | | T I I | |
| 63D-5.004 63D-5.005 | 33/20 33/20 | | | | HEAL | ΙH | |
| 63D-5.005 | 33/20 | | | 64-1 | 30/29c | | |
| | | | | 64-3.010 | | | |
| 63D-5.007 63D-6.001 | 33/20 | | | 64-3.020 | 33/11 | | |
| | 33/25 | | | | 33/11 | | |
| 63D-6.002 63D-6.003 | 33/25 33/25 | | | 64-3.030 64-3.040 | 33/11 33/11 | | |
| | | | | | | | |
| 63D-6.004 63D-6.005 | 33/25 | | | 64-3.050 64-3.060 | 33/11 | | |
| | 33/25 | | | 64-3.060 64-3.070 | 33/11 | | |
| 63D-6.006 | 33/25 | | | 64-3.070 64-3.080 | 33/11 | | |
| 63D-6.007 | 33/25 | | | 64-3.080 64 A 1 205 | 33/11 | | |
| 63D-6.008 63D-7.001 | 33/25 33/26 | | | 64A-1.205 64B-1.009 | 33/22c 25/39 | 26/1 | |
| 05D-7.001 | 33/26 | | | 04D-1.009 | 25/37 | 20/1 | |

Florida Administrative Weekly

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|--------------|-------------------|---------------------|------------------|---------------|----------------------|---------------------|---------------------|
| 64B-5.003 | 31/21 | 32/21 | | 64B14-3.001 | 33/19 | | 33/31 |
| 64B2-11.001 | 33/20 | | | 64B14-4.100 | 33/19 | | 33/26 |
| 64B2-12.009 | 33/23 | | 33/30 | 64B15-6.015 | 33/19 | | 33/27 |
| 64B2-12.017 | 33/20 | | 33/27 | 64B15-7.013 | 33/22 | | 33/29 |
| 64B2-15.002 | 31/49 | | | 64B15-9.007 | 32/47 | | 33/26w |
| 64B2-16.0075 | 33/30 | | | | 33/26 | | |
| 64B2-18.001 | 33/20 | | 33/28 | 64B15-14.011 | 33/17 | | 33/24 |
| 64B2-18.002 | 33/20 | | 33/27 | 64B15-19.009 | 32/42 | | 33/24w |
| 64B2-18.005 | 33/20 | | 33/27 | | 33/14 | 33/24 | 33/30 |
| 64B3-5.002 | 33/10 | 33/17 | 33/27 | 64B16-26.103 | 33/21 | | |
| | | 33/19 | 33/27 | 64B16-26.2031 | 33/21 | | 33/31 |
| 64B3-5.003 | 33/10 | 33/17 | 33/27 | 64B16-26.402 | 30/52 | | |
| | | 33/20 | | 64B16-26.600 | 33/21 | | |
| 64B3-11.001 | 33/10 | | | 64B16-26.601 | 33/21 | | |
| 64B3-11.005 | 33/10 | | | 64B16-26.6011 | 30/52 | | |
| 64B3-12.002 | 33/10 | | | 64B16-27.100 | 30/50 | 31/20 | |
| 64B4-6.001 | 33/30 | | | 64B16-27.1001 | 30/50 | 32/52 | |
| 64B4-7.007 | 33/30 | | | 64B16-27.1003 | 30/50 | 31/20 | |
| 64B4-11.007 | 33/15 | 33/26 | | 01210 2/11000 | 00,00 | 32/52 | |
| 012111007 | 00,10 | 33/28 | | 64B16-27.103 | 30/50 | 32/52 | |
| 64B4-21.007 | 33/15 | 33/26 | | 64B16-27.104 | 30/50 | 31/20 | |
| 012121.007 | 55/15 | 33/28 | | 64B16-27.210 | 30/50 | 31/20 | |
| 64B4-22.110 | 33/30 | 55/20 | | 64B16-27.211 | 30/50 | 51/20 | |
| 64B4-31.007 | 33/15 | 33/26 | | 64B16-27.220 | 30/50 | 31/2 | |
| 0121 51.007 | 55/15 | 33/28 | | 64B16-27.300 | 30/50 | 5112 | |
| 64B5-2.013 | 33/18 | 55/20 | 33/28 | 64B16-27.410 | 30/50 | | |
| 64B5-14.005 | 33/14 | | 33/25 | 64B16-27.530 | 30/50 | | |
| 64B5-15.008 | 33/14 | 33/20 | 33/24 | 64B16-27.615 | 30/50 | | |
| 64B5-15.009 | 33/14 | 33/20 | 33/24 | 64B16-27.700 | 30/50 | | |
| 64B5-15.010 | 27/30 | 55/20 | 55/21 | 64B16-27.797 | 33/15 | | |
| 64B6-5.002 | 33/29 | | | 64B16-27.831 | 30/50 | | |
| 64B8-3.003 | 33/19 | | 33/26 | 64B16-28.451 | 32/45 | 33/15 | |
| 64B8-9.009 | 33/26 | | | 64B16-28.900 | 31/23 | 31/30 | |
| 64B8-30.011 | 33/19 | | 33/27 | 64B16-28.902 | 31/23 | 31/30 | |
| 64B8-30.0111 | 33/19 | | 33/27 | 64B17-3.002 | 33/18 | | 33/25 |
| 64B8-31.0051 | 33/22 | | 33/29 | 64B17-4.002 | 33/18 | | 33/25 |
| 64B9-2.002 | 32/19 | | 00/2/ | 64B17-7.001 | 33/18 | | 33/25 |
| 64B9-5.007 | 32/42 | | 33/29w | 64B18-18.001 | 33/29 | | 00/20 |
| 0129 01007 | 33/29 | | 00/2/ | 64B18-18.003 | 33/29 | | |
| 64B9-8.009 | 32/23 | | | 64B18-18.004 | 33/29 | | |
| 64B9-9.015 | 32/24 | 32/51 | | 64B18-18.005 | 33/29 | | |
| 64B9-15.003 | 31/44 | | 33/30w | 64B19-18.008 | 33/13 | 33/17 | |
| 64B9-15.004 | 31/44 | | | 64B20-7.001 | 33/26 | | |
| 64B9-15.009 | 32/20 | 32/26 | | 64B20-7.004 | 33/26 | | |
| 0.257 10.005 | 33/30 | 02,20 | | 64B23-6.001 | 33/11 | 33/23 | 33/31 |
| 64B9-17.001 | 33/8c | | | 64B23-7.001 | 33/16 | 33/29 | 33/30 |
| 64B9-17.002 | 33/8c | | | 64B23-7.006 | 33/16 | 33/29 | 33/30 |
| 64B9-17.002 | 33/8c | | | 64B32-6.001 | 33/9 | | 20,00 |
| 64B12-8.008 | 33/19 | | 33/27 | 64B32-6.006 | 33/15 | | 33/24 |
| 64B12-9.001 | 33/19 | | 33/27 | 64B32-6.007 | 33/18 | | 33/24 |
| 64B12-9.017 | 33/16 | | 33/26 | 64D-3.046 | 33/20 | | 33/24 |
| 64B12-15.003 | 33/29 | | 55,20 | 64D-4.002 | 33/31 | | 55,20 |
| 64B13-4.001 | 33/30c | | | 64E-2.007 | 33/27 | | |
| 64B14-1.004 | 32/45 | | 33/30w | 64E-2.007 | 33/27 | | |
| | 5445 | | 55/50W | 071-2.000 | 55141 | | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|--------------------------|----------------------|---------------------|-----------------------|-------------------------|----------------------|---------------------|---------------------|
| 64E-2.0094 | 33/27 | | | 65A-1.712 | 33/8 | 33/18 | |
| 64E-2.036 | 33/27 | | | | | 33/24 | |
| 64E-5.1003 | 33/22 | | 33/27w | | | 33/30 | |
| 64E-5.101 | 33/22 | | | 65A-1.713 | 33/26 | | |
| 64E-5.1508 | 33/22 | | | 65A-4.203 | 33/20 | | |
| 64E-5.204 | 33/22 | | | 65A-4.213 | 25/32 | | |
| 64E-5.210 | 33/22 | | | 65A-4.2131 | 33/20 | 33/29 | |
| 64E-5.502 | 33/22 | | | 65A-4.216 | 25/32 | | |
| 64E-5.506 | 33/22 | | | 65A-15.005 | 32/9 | | |
| 64E-5.511 | 33/22 | | | 65A-15.0095 | 26/4 | | |
| 64E-6.030 | 33/31 | | | 65A-15.062 | 32/9 | | |
| 64E-14.002 | 33/29 | | | 65B-27.017 | 32/9 | | |
| 64E-14.003 | 33/29 | | | 65C-5.001 | 32/29 | 32/37 | |
| 64E-14.004 | 33/29 | | | 65C-5.002 | 32/29 | 32/37 | |
| 64E-14.005 | 33/29 | | | 65C-5.003 | 32/29 | 32/37 | |
| 64E-14.006 | 33/29 | | | 65C-5.004 | 32/29 | 32/37 | |
| 64E-14.007 | 33/29 | | | 65C-5.005 | 32/29 | 32/37 | |
| 64E-14.009 | 33/29 | | | 65C-5.006 | 32/29 | 32/37 | |
| 64E-14.0095 | 33/29 | | | 65C-5.007 | 32/29 | 32/37 | |
| 64E-14.010 | 33/29 | | | 65C-5.008 | 32/29 | 32/37 | |
| 64E-14.013 | 33/29 | | | 65C-5.009 | 32/29 | 32/37 | |
| 64E-14.015 | 33/29 | | | 65C-5.010 | 32/29 | 32/37 | |
| 64E-14.016 64E-14.017 | 33/29 33/29 | | | 65C-5.011 65C-13.001 | 32/29 32/48 | 32/37 | |
| 64E-14.017 | 33/29 | | | 65C-13.002 | 32/48 | | |
| 64E-14.020 | 33/29 | | | 65C-13.002 | 32/48 | | |
| 64E-14.020 | 33/29 | | | 65C-13.004 | 32/48 | | |
| 64E-14.023 | 33/29 | | | 65C-13.004 | 32/48 | | |
| 64E-14.025 | 33/29 | | | 65C-13.006 | 32/48 | | |
| 64F-12.001 | 33/31 | | | 65C-13.007 | 32/48 | | |
| 64F-12.011 | 33/7 | | | 65C-13.008 | 32/48 | | |
| 64F-12.012 | 33/31 | | | 65C-13.009 | 32/48 | | |
| 64F-12.013 | 33/31 | | | 65C-13.010 | 32/48 | | |
| 64F-12.018 | 33/15 | 33/27 | | 65C-13.011 | 32/48 | | |
| 64F-12.025 | 33/15 | 33/27 | | 65C-13.012 | 32/48 | | |
| 64F-12.026 | 33/13 | 33/25 | 33/31 | 65C-13.013 | 32/48 | | |
| 64F-20.001 | 33/20 | | | 65C-13.014 | 32/48 | | |
| 64F-20.002 | 33/20 | | | 65C-13.015 | 32/48 | | |
| 64I-1.001(1)(c) | 33/13c | | 33/27x | 65C-13.016 | 32/48 | | |
| CUU DD | | | 25.2 | 65C-13.017 | 32/48 | | |
| CHILDR | EN AND FA | MILY SERVI | CES | 65C-13.018 | 32/48 | | |
| 65 1 | 20/6- | | | 65C-13.019 | 32/48 | | |
| 65-1 | 30/6c | | | 65C-13.020 | 32/48 | | |
| | 30/9c 30/15c | | | 65C-13.021 | 32/48 | | |
| | 30/13c 32/2c | | | 65C-13.022 | 32/48 | 33/20 | |
| | 32/2c 32/2c | | | 65C-13.023 | 32/48 | 33/20 | |
| 65A-1.205 | 52/20 | 31/30 | 33/30d | 65C-13.024 | 32/48 | 33/20 | |
| 0511-1.205 | 33/24c | 51/50 | 33/30d | 65C-13.025 | 32/48 | 33/20 | |
| 65A-1.400 | 33/24c 31/27c | | <i>55,50</i> u | 65C-13.026 | 32/48 | 33/20 | |
| 65A-1.601 | 28/11 | 28/23 | | 65C-13.027 | 32/48 | 33/20 | |
| | -0.11 | 28/31 | | 65C-13.028 | 32/48 | 33/20 | |
| | | 28/41 | | 65C-13.029 | 32/48 | 33/20 | |
| 65A-1.708 | 33/26 | | | 65C-13.030 | 32/48 | 33/20 | |
| | | | | 65C-13.031 | 32/48 | 33/20 | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|-------------|----------------------|---------------------|---------------------|-----------------------|----------------------|---------------------|---------------------|
| 65C-13.032 | 32/48 | 33/20 | | Ν | AVIGATION | DISTRICTS | |
| 65C-13.033 | 32/48 | 33/20 | | | | | |
| 65C-13.034 | 32/48 | 33/20 | | 66B-1.001 | 31/50 | | |
| 65C-15.001 | 32/48 | 33/20 | | | | | |
| 65C-15.002 | 32/48 | 33/20 | | FLORIDA H | OUSING FINA | ANCE CORPO | ORATION |
| 65C-15.003 | 32/48 | 33/20 | | (7FD 07 1 | | | 22/16 |
| 65C-15.0035 | 32/48 | 33/20 | | 67ER07-1 | | | 33/16 |
| 65C-15.004 | 32/48 | 33/20 | | 67ER07-2 | | | 33/16 33/16 |
| 65C-15.005 | 32/48 | 33/20 | | 67ER07-3 67ER07-4 | | | 33/16 |
| 65C-15.006 | 32/48 | | | 67ER07-4 67ER07-5 | | | 33/16 |
| 65C-15.010 | 32/48 | 33/20 | | 67ER07-5 67ER07-6 | | | |
| 65C-15.011 | 32/48 | 33/20 | | 67ER07-6 67ER07-7 | | | 33/16 33/16 |
| 65C-15.012 | 32/48 | 33/20 | | 67ER07-8 | | | 33/16 |
| 65C-15.013 | 32/48 | 33/20 | | | | | |
| 65C-15.014 | 32/48 | 33/20 | | 67ER07-9 67ER07-10 | | | 33/16 |
| 65C-15.015 | 32/48 | 33/20 | | 67-4.032 | 29/9 | 29/45 | 33/16 |
| 65C-15.016 | 32/48 | 33/20 | | 67-18.005 | 28/42 | 29/43 | |
| 65C-15.017 | 32/48 | 33/20 | | 67-21.019 | 24/46 | 24/46 | |
| 65C-15.018 | 32/48 | 33/20 | | 67-32.009 | 24/40 | 24/40 | |
| 65C-15.019 | 32/48 | 33/20 | | 67-38.002 | 33/31 | | |
| 65C-15.020 | 32/48 | 33/20 | | 67-38.002 | 33/31 | | |
| 65C-15.021 | 32/48 | 33/20 | | 67-38.0020 | 33/31 | | |
| 65C-15.022 | 32/48 | | | 67-38.003 | 33/31 | | |
| 65C-15.023 | 32/48 | | | 67-38.004 | 33/31 | | |
| 65C-15.024 | 32/48 | | | 67-38.005 | 33/31 | | |
| 65C-15.025 | 32/48 | | | 67-38.007 | 33/31 | | |
| 65C-15.026 | 32/48 | | | 67-38.010 | 33/31 | | |
| 65C-15.027 | 32/48 | 33/20 | | 67-38.010 | 33/31 | | |
| 65C-15.028 | 32/48 | | | 67-38.014 | 33/31 | | |
| 65C-15.029 | 32/48 | 33/20 | | 67-48.002 | 30/39 | | |
| 65C-15.030 | 32/48 | | | 67-57.001 | 33/28 | | |
| 65C-15.031 | 32/48 | 33/20 | | 67-57.005 | 33/28 | | |
| 65C-15.032 | 32/48 | 33/20 | | 67-57.010 | 33/28 | | |
| 65C-15.033 | 32/48 | 33/20 | | 67-57.030 | 33/28 | | |
| 65C-15.034 | 32/48 | 33/20 | | 67-57.040 | 33/28 | | |
| 65C-15.035 | 32/48 | | | 67-57.050 | 33/28 | | |
| 65C-15.036 | 32/48 | 33/20 | | 67-57.060 | 33/28 | | |
| 65C-15.037 | 32/48 | 33/20 | | 67-57.070 | 33/28 | | |
| 65C-15.038 | 32/48 | 33/20 | | 67-57.080 | 33/28 | | |
| 65C-16.008 | 32/4 | | | 07 57.000 | 55/20 | | |
| 65C-21.001 | 23/20 | | | FISH AND WIL | DLIFE CONSI | ERVATION C | OMMISSION |
| 65C-22.007 | 29/9 | | | | | | |
| 65C-32.001 | 33/19 | | | 68A-6.0022 | 33/1 | 33/11 | |
| 65C-32.002 | 33/19 | | | 68A-15.004 | 33/19 | | 33/30 |
| 65C-32.003 | 33/19 | | | 68A-17.004 | 33/19 | | 33/30 |
| 65C-32.004 | 33/19 | | | 68A-20.004 | 33/19 | | 33/30 |
| 65C-32.005 | 33/19 | | | 68A-23.005 | 30/1 | | |
| 65C-32.006 | 33/19 | | | 68A-24.003 | 28/17 | | |
| 65C-32.007 | 33/19 | | | 68A-24.004 | 28/17 | | |
| 65C-32.008 | 33/19 | 26/26 | | 68A-24.0055 | 30/1 | | |
| 65E-2.003 | 26/20 | 26/28 | | 68A-24.006 | 28/17 | | |
| 65G-1.010 | 33/5 | 33/26 | | | 30/1 | | |
| 65G-1.046 | 33/5 | 33/26 | | 68A-24.009 | 30/1 | | |
| 65G-1.047 | 33/5 | 33/26 | | 68BER07-1 | | | 33/27 |
| | | | | 68B-13.008 | 27/31 | 26/13 | |

| Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|------------------|----------------------|---------------------|---------------------|-----------------|----------------------|---------------------|---------------------|
| 68B-21.0015 | 33/19 | 33/20 | 33/27 | 69J-7.004 | 32/45 | | |
| 68B-21.003 | 33/19 | 33/20 | 33/27 | 69J-8.001 | 33/13 | | |
| 68B-21.004 | 33/19 | 33/20 | 33/27 | 69J-8.002 | 33/13 | | |
| 68B-21.005 | 33/19 | 33/20 | 33/27 | 69J-8.003 | 33/13 | | |
| 68B-21.006 | 33/19 | 33/20 | 33/27 | 69J-8.004 | 33/13 | | |
| 68B-21.007 | 33/19 | 33/20 | 33/27 | 69J-8.005 | 33/13 | | |
| 68B-23.101 | 32/18 | | | 69J-8.006 | 33/13 | | |
| 68B-23.103 | 32/18 | | | 69J-8.007 | 33/13 | | |
| 68B-23.104 | 32/18 | | | 69J-8.008 | 33/13 | | |
| 68B-23.106 | 32/18 | | | 69J-8.009 | 33/13 | | |
| 68B-23.107 | 32/18 | | | 69J-8.010 | 33/13 | | |
| 68B-23.108 | 32/18 | | | 69J-8.011 | 33/13 | | |
| 68B-23.109 | 32/18 | | | 69K-1.001 | 33/24 | | |
| 68B-23.110 | 32/18 | | | 69K-5.1010 | 33/24 | | |
| 68B-23.112 | 32/18 | | | 69L-6.027 | 33/30 | | |
| 68B-45.004 | 33/19 | | 33/27w | 69L-6.032 | 33/14 | 33/22 | 33/31 |
| 68B-45.007 | 33/19 | 33/27 | 33/30 | 69L-6.035 | 33/25 | | |
| 68E-1.002 | 33/6 | | | 69L-7.020 | 33/30 | | |
| 68E-1.004 | 33/6 | | | 69L-7.100 | 33/3 | 33/18 | |
| 68E-1.0041 | 33/6 | | | 69L-7.100(1)(c) | 33/13c | | 33/24d |
| 68E-1.005 | 33/6 | | | 69L-7.501 | 33/3 | 33/26 | |
| | | | | 69L-7.501(1)(c) | 33/13c | | |
| | FINANCIAL S | SERVICES | | | 33/13c | | |
| | | | | 69L-7.602 | 31/23 | | |
| 69-1 | 30/42c | | | 69L-7.602(5)(q) | 32/45c | | |
| 69A-38.019 | 33/2 | | 33/30 | 69L-56.530 | 31/3 | | |
| 69A-38.020 | 33/2 | | 33/30 | 69M-1 | 29/52c | | |
| 69A-38.021 | 33/2 | | 33/30 | 690ER07-3 | | | 33/26 |
| 69A-38.024 | 33/2 | | 33/30 | 69O-1 | 31/37c | | |
| 69A-38.026 | 33/2 | | 33/30 | | 31/37c | | |
| 69A-38.028 | 33/2 | | 33/30 | 690-125.003 | 33/24 | | |
| 69A-38.029 | 33/2 | | 33/30 | 69O-125.005 | 31/6 | | |
| 69A-38.030 | 33/2 | | 33/30 | | 31/26 | 32/7 | |
| 69A-38.032 | 33/2 | 33/21 | 33/30 | | 33/26 | | |
| 69A-38.033 | 33/2 | | 33/30 | 69O-125.006 | 33/26 | | |
| 69A-38.034 | 33/2 | | 33/30 | 690-137.013 | 32/26 | 33/25 | |
| 69A-38.035 | 33/2 | 33/21 | 33/30 | 69O-139.019 | 33/10 | | |
| 69A-38.036 | 33/2 | | 33/30 | 69O-142.200 | 33/27 | | |
| 69A-38.037 | 33/2 | 22/24 | 33/30 | 69O-149.002 | 33/11 | | 33/31w |
| 69A-38.038 | 33/2 | 33/21 | 33/30 | | 33/31 | | |
| 69A-46.010 | 33/10 | | | 69O-149.005 | 32/51 | 33/10 | 33/24 |
| 69A-46.015 | 33/10 | | | 69O-149.205 | 33/12 | | |
| 69A-46.016 | 33/10 | | | 69O-149.206 | 33/12 | | |
| 69A-46.0165 | 33/10 | | | 69O-149.207 | 33/12 | | |
| 69A-46.017 | 33/10 | | | 69O-157.1100 | 33/15 | | 33/30 |
| 69A-46.040 | 33/10 | | | 690-157.1155 | 33/15 | | 33/30 |
| 69A-46.041 | 33/10 | | | 690-157.201 | 33/15 | | 33/30 |
| 69A-60.006 | 33/9 | | | 690-157.301 | 33/23 | | |
| 69A-60.012 | 33/21 | 20/16 | | 690-157.302 | 33/23 | | |
| 69A-62.001 | 29/44 | 29/46 | | 690-157.303 | 33/23 | | |
| 69A-62.002 | 29/44 | 29/46 | | 690-157.304 | 33/23 | | |
| 69B-33.005(3)(a) | 32/32c | | | 690-162.203 | 33/30 | | |
| | 32/32c | | | 69O-164.030 | 33/30 | | |
| 69B-41.002(19) | 32/32c | | | 69O-167.014 | 33/7 | | 33/28 |
| (0D 011 01) | 32/32c | | 22/2-5 | 69O-167.015 | 33/21 | | |
| 69B-211.320 | 33/11 | | 33/26 | | | | |

| | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. | Rule No. | Proposed Vol./No. | Amended Vol./No. | Adopted Vol./No. |
|----------------------------|-------------------|-------------------------|---------------------|-------------|----------------------|---------------------|---------------------|
| 69O-170.005 | 30/46 | 31/2 | | 690-171.009 | 32/8 | 32/32 | |
| | 30/46 | 31/15 | | | | 33/20 | |
| | 31/26 | 33/5 | | | 32/23c | | |
| 59O-170.006 | 30/46 | | | 69O-175.001 | 31/2c | | |
| | 31/26 | | | 690-175.003 | 30/46 | 31/2 | |
| | 31/32c | | | | 30/46 | 31/15 | |
| 90-170.007 | 30/46 | 31/2 | | | 31/26 | | |
| | 30/46 | 31/15 | | 69O-176.013 | 33/8 | | |
| | 31/26 | | | 69O-186.003 | 31/22 | | |
| 90-170.013 | 30/46 | 31/2 | | | 33/25 | | |
| | 30/46 | 31/15 | | 69O-186.005 | 31/24 | | |
| | 31/26 | 32/6 | | | 33/25 | | |
| 90-170.0135 | 30/46 | 31/2 | | 69O-186.013 | 32/40 | | |
| | 30/46 | 31/15 | | | 33/2c | | 33/30d |
| | 31/26 | | | | 33/8c | | |
| 59O-170.014 | 30/46 | 31/15 | | 69O-191.054 | 32/51 | 33/10 | 33/24 |
| | 31/26 | | | 69O-203.202 | 33/18 | | |
| 90-170.0141 | 30/46 | 31/15 | | 690-203.204 | 33/18 | | |
| | 31/26 | | | 690-203.205 | 33/18 | 33/29 | |
| 590-170.0142 | 30/46 | 31/2 | | 690-203.210 | 32/33 | | |
| | 30/46 | 31/15 | | 690-207.003 | 33/18 | | |
| | 31/26 | 33/5 | | 69V-560.102 | 33/8 | 33/20 | 33/26 |
| 90-170.0143 | 30/46 | 31/2 | | 69V-560.103 | 33/8 | 33/20 | 33/26 |
| | 31/26 | | | 69V-560.201 | 33/8 | 33/20 | 33/26 |
| 59O-170.0155 | 30/46 | 31/15 | | 69V-560.302 | 33/8 | 33/20 | 33/26 |
| | 31/26 | 33/5 | | 69V-560.402 | 33/8 | 33/20 | 33/26 |
| | 33/17 | 33/22 | 33/28 | 69V-560.602 | 33/8 | 33/20 | 33/26 |
| | 00/1/ | | | | | | |
| 590-170.020 | 32/5 | 32/12 | | 69V-560.606 | 33/8 | 33/20 | 33/26 |
| 590-170.020 590-171.003 | | 32/12 33/10 33/14 | | 69V-560.606 | 33/8 | 33/20 | 33/26 |

32/23c