

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

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.: RULE TITLE
33-602.210 Use of Force

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the procedures for reporting and recording use of force incidents and to amend Form DC4-711A for clarity.

SUBJECT AREA TO BE ADDRESSED: Use of Force.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 776.07, 944.09, 944.35 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.210 Use of Force.

(1) through (4) No change.

(5) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. Utilization of the custodial touch, with the hand firmly grasped around the inmate's triceps or elbow, during internal transport of restrained inmates shall not be considered a use of force when the transport hold is for the safety of the inmate and resistance is not met.

(a) through (d) No change.

(6) through (7) No change.

(8) The warden or, in his absence, the duty warden will be consulted and give ~~her or his~~ permission prior to use of physical force. In spontaneous use of force incidents when circumstances do not permit prior approval, the warden or, in his absence, the duty warden will be notified immediately following any use of force incident. Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (2) shall prepare, date and sign Form DC6-232, Authorization for Use of Force Report, either during, or immediately after, the tour of duty when force was used. If the authorization for force is given after normal working hours, the person authorizing the force shall complete and sign Form DC6-232 within one working day (Monday through Friday) following the incident. Form DC6-232 is incorporated by reference in subsection ~~(29)~~(25) of this rule.

(9) Whenever force is used the employee initially using force shall complete Form DC6-230, Institutions Report of Force Used. The, and the completed form shall include a detailed written report of force used providing exact circumstances leading to the use of force (i.e., who, what, when, where, how, and why), the officer's personal behavior in the use of force, specific information regarding the type, brand, and amount of any chemical agents used (number and length of bursts), as well as the dispenser and method of disbursement. If more than one employee was involved in the initial use of force, the highest ranking official involved or the most senior employee shall complete the report. Each additional employee involved in the use of force who agrees with the facts and circumstances as reported on Form DC6-230 Section I shall prepare Form DC6-231, Institutions Report of Force Used Staff Supplement. The report shall describe in detail the type and amount of force used by him or her. Each employee shall individually write his or her own report, then submit the completed report to the clerical personnel designated by the warden to type all the reports onto one form to be signed by each employee. Any additional employee who does not agree with the facts and circumstances as reported in Form DC6-230 Section I shall prepare a separate Form DC6-230, Institutions Report of Force Used. Forms DC6-230 and DC6-231 are incorporated by reference in subsection ~~(29)~~(25) of this rule.

(10) No change.

(11) The warden or acting warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation. If signs of excessive force or procedural deviation are noted by the warden or assigned inspector, she or he will notify the Office of the Inspector General directly, so that there is no undue delay in initiating an investigation. The warden shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information and required documentation. This information will include the reports of all involved staff and the statements of

staff witnesses, inmate witnesses, the inmate subject, and the completed Form DC1-813, Use of Force File Checklist. Form DC1-813 is incorporated by reference in subsection (29) of this rule. All inmate statements (subject and witnesses) shall be made in writing using Form DC6-112C, Witness Statement. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. All employees who witness but do not participate in the use of force shall complete, Form DC6-210, Incident Report. Form DC6-210 is incorporated by reference in subsection (29) of this rule. This process will be completed within 5 working days (Monday through Friday). The warden shall review the information and note any inappropriate actions. The warden shall review Form DC1-813, Use of Force File Checklist and shall forward the videotape(s) and associated reports on the use of force and the warden's review to the institutional inspector within five working days. The warden shall keep a copy of the completed Form DC6-230 pending the response from the Office of the Inspector General. The institutional inspector will ensure that all documentation is complete, note any preliminary finding, including anything missing from the documentation and the reason why, complete the appropriate sections on Form DC1-813, and then will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The Use of Force Unit within the OIG, following its review, will either approve the use of force action or disapprove it. If necessary, it will be referred for investigation before final approval or disapproval. If the Use of Force Unit finds that the use of force was appropriate, the OIG's written determination of the appropriateness of the force used and the reasons therefor, shall be forwarded to the circuit administrator or warden upon completion of the review. If the Use of Force Unit finds that the use of force was inappropriate, the OIG shall conduct a complete investigation into the incident and forward the findings of fact to the appropriate regional director. The OIG shall also advise the warden in writing of the reason for the disapproval so that the warden can take any needed corrective action. If employee disciplinary action appears warranted, the warden shall prepare Form DC6-296, Disapproved Use of Force/Disposition Report, and forward the materials to the ~~service center~~ employee relations supervisor in the servicing personnel office. Form DC6-296 is incorporated by reference in subsection (29) of this rule. The warden shall document all corrective action taken. Copies of the employee's report, the warden's summary and the inspector general's review and determination shall be kept in the inmate's file. Form DC2-802, Use of Force Log, shall be placed in every employee's personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The warden or his designee shall be responsible for submitting accurate information to the personnel office in order to maintain Form DC2-802. Any use of force reports

completed prior to April 15, 1998 shall remain in the file. Form DC2-802 is incorporated by reference in subsection (29) of this rule.

(12) Based on the use of force review data system, the Inspector General will notify the warden and regional director of any officer involved in eight or more use of force incidents in an eighteen month period. The regional director will review the circumstances for possible reassignment.

(13) Any incident that necessitates the drafting of Form DC6-230, Institutions Report of Force Used, will be reported to the Emergency Action Center (EAC). The following information will be provided to the EAC the:

(a) Name of the institution at which the incident occurred,
(b) Name of staff members reporting to the emergency action center,

(c) Name of the inmate(s) involved,
(d) Names of staff members involved,
(e) Category of force used as determined by subsection (14) below,

(f) Injuries to staff members, and
(g) Injuries to inmates.

(14) The applicable category of or reason for the use of force shall be determined by the warden or shift supervisor based on whether the force was used to:

(a) Defend her/himself or another against an inmate using unlawful force;

(b) Prevent the escape from a state correctional institution or facility of an inmate or aid in the recapture of an escaped inmate;

(c) Prevent the escape of an inmate during transporting or while outside a correctional institution or facility;

(d) Prevent damage to property;

(e) Quell a disturbance;

(f) Overcome an inmate's physical resistance to a lawful command;

(g) Prevent an inmate from inflicting further injury to her/himself (suicide attempt);

(h) Restrain the inmate when ordered to allow medical treatment; or

(i) Complete a cell extraction.

(15) The designation of multiple categories of or reasons for use of force may be required depending on the use of force incident. Additional information that is reportable to the emergency action center that may accompany a use of force, such as battery of a law enforcement officer or escape, shall also be reported.

~~(16)~~ (12) Any employee who witnesses, or has reasonable cause to suspect, that an inmate has been unlawfully abused shall immediately prepare, date and sign Form DC6-210, Incident Report, pursuant to Section 944.35(3)(d), F.S., specifically describing the nature of the force used, the location and time of the incident and the persons involved. The report

shall be delivered to the inspector general of the department with a copy delivered to the warden of the institution. The inspector general shall conduct an appropriate investigation and, if probable cause exists that a crime has been committed, notify the state attorney in the circuit in which the institution is located.

~~(17)(13)~~ Force or restraint may be used to administer medical treatment when ordered by a physician or clinical associate, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or clinical associate shall prepare Form DC6-232, Authorization for Use of Force Report, documenting the reasons that force or restraint was authorized. The physician's or clinical associate's report shall be attached to Form DC6-230, Institutions Report of Force Used, when actual force is used, or Form DC6-210, Incident Report, when restraints are applied without the use of force as described above. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign Form DC4-711A, Refusal of Health Care Services, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-711A, DC4-701C and DC4-708 are incorporated by reference in subsection ~~(29)(25)~~ of this rule. When the use of four-point or five-point psychiatric restraints is authorized and the inmate does not offer resistance to the application of the restraints, the completion of Form DC6-230, Institutions Report of Force Used, or Form DC6-231, Institutions Report of Force Used Staff Supplement, will not be required. In these situations, where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped and Form DC6-210, Incident Report, will be completed. The videotape, the completed Incident Report, and the completed Form DC6-232, Authorization for Use of Force Report, will be forwarded to the warden or acting warden for review within one working day. The warden will forward the videotape and associated reports to the institutional inspector within five working days. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Office of the Inspector General, as outlined in

subsection (11) above, for review. If at any time prior to or during the application of the psychiatric restraints the inmate offers resistance to the application, the steps outlined in subsection (9) above will be followed.

(14) through (15) renumbered (18) through (19) No change.

~~(20)(16)~~ Use of EIDs. EIDs shall not be used on anyone other than an inmate during an authorized use of force.

(a) through (e) No change.

(f) When in a close management or confinement setting, prior to utilizing EIDs, the officer shall review Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, to determine whether the inmate has a medical condition which may be exacerbated by use of EIDs. If no form is available, and where time and circumstances permit, medical staff shall be consulted to determine if the inmate has any medical condition that would make the use of an EID dangerous to that inmate's health. Form DC4-650B is incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(g) No change.

(h) As soon as possible following each use of an EID, the inmate shall be afforded medical examination and treatment. Medical staff shall, upon completing the medical examination, make a mental health referral for each inmate who is classified S-2 or S-3 on the health profile. The referral shall be made by completing Form DC4-529, Staff Request/Referral, and sending it to mental health staff. Form DC4-529 is incorporated by reference in subsection ~~(29)(25)~~ of this rule. Mental health staff shall evaluate the inmate not later than the next working day to determine whether a higher level of mental health care (isolation management, transitional, or crisis stabilization) is indicated. For the purposes of this rule, the following definitions shall apply:

1. through 2. No change.

(i) through (m) No change.

~~(21)(17)~~ Use of Chemical Agents. Chemical agents shall not be used on anyone other than an inmate during an authorized use of force.

(a) through (j) No change.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until its use is authorized. Each stored chemical agent dispenser will be numbered. Form DC6-216, Chemical Agent Accountability Log, will be kept in all areas in which chemical agents are stored and will be utilized to record the weight of each numbered chemical agent dispenser prior to issue and again when it is returned to the secure inventory storage area. The weighing process will be conducted and a verifying entry will be made in the log, including the signature of the shift supervisor authorizing the use of the chemical agent. The chief

of security shall monitor the canister weights following each use of chemical agents to ensure the amounts used are consistent with that expected by reviewing and initialing Form DC6-216. Form DC6-216 is incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(1) Issuance of chemical agents.

1. No change.

2. Certified officers assigned to major institutions and posted to internal security, recreation field, shift supervisor posts, or designated as "A" team response members are authorized by the Secretary to be issued one MK-9, or equivalent, dispenser of OC in addition to the dispenser issued in accordance with subparagraph ~~(21)(1)1.~~ ~~(47)(1)1.~~ These officers are authorized to administer the chemical agents listed in this subparagraph in spontaneous disturbance situations involving multiple inmates in locations where large numbers of inmates are present, such as recreation fields, canteen, and meal lines. This option shall only be utilized in disturbance situations rising to the level of inmate involvement where this enhanced option is deemed necessary and shall not be used indoors.

3. The chemical agent dispenser shall be securely encased and attached to the officer's belt. Each chemical agent dispenser will be secured within a pouch or to a holstering device by a numbered, breakable seal. Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned as well as the seal number on the dispenser she or he received. Form DC6-213 is incorporated by reference into subsection ~~(29)(25)~~ of this rule. Upon receiving the dispenser and pouch, the officer will examine the safety seal to ensure that it is intact. If the seal is broken, the Shift Supervisor will be notified immediately and Form DC6-210, Incident Report, will be written. The arsenal sergeant shall maintain a master inventory of all individual chemical agent dispensers complete with the weight of the dispenser at the time the original seal is attached. Whenever a dispenser is returned with a broken seal, the arsenal sergeant shall document the weight of the dispenser on Form DC6-216, Chemical Agent Accountability Log, and attach a new seal. Any discrepancies in the weight of the dispenser will be reported to the chief of security, and Form DC6-210, Incident Report, shall be completed.

(m) through (q) No change.

(r) Upon request, appropriate health services staff shall provide the following completed forms to Department inspectors or legal staff: Form DC4-701C, Use of Force Exam; Form DC4-708, Diagram of Injury; and Form DC4-701, Chronological Record of Health Care. Form DC4-701 is incorporated by reference in subsection ~~(29)(25)~~ of this rule.

(18) through (19) renumbered (22) through (23) No change.

~~(24)(20)~~ Pepperball Launching System (PLS). The PLS shall be used primarily by restricted labor squad supervisors and exercise officers for designated confinement, close management, maximum management, and death row populations. The PLS is intended for the dispersal of chemical agents in situations where the use of aerosol type agents would not be effective due to weather conditions or when their use could subject the officer or uninvolved inmates to injury. The PLS shall only be employed by officers trained in their use and effects.

(a) through (f) No change.

(g) All subsequent reports, medical requirements and reviews required for the use of chemical agents as outlined in subsection ~~(21)(47)~~ above shall be completed after the use of the PLS.

(h) No change.

(21) through (24) renumbered (25) through (29) No change.

~~(30)(25)~~ The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) DC1-813, Use of Force File Checklist, effective September 18, 2006.

(b) DC2-802, Use of Force Log, effective February 7, 2000.

(c) DC4-529, Staff Request/Referral, effective January 6, 2009.

(d) DC4-701C, Emergency Room Record, effective October 4, 2007.

(e) DC4-708, Diagram of Injury, effective October 4, 2007.

(f) DC4-711A, Refusal of Health Care Services, effective ~~January 6, 2009.~~

(g) DC6-210, Incident Report, effective March 3, 2008.

(h) DC6-213, Individual Chemical Agent Dispenser Accountability Log, effective September 18, 2006.

(i) DC6-216, Chemical Agent Accountability Log, effective July 25, 2002.

(j) DC6-230, Institutions Report of Force Used, effective August 25, 2003.

(k) DC6-231, Institutions Report of Force Used Staff Supplement, effective August 25, 2003.

(l) DC6-232, Authorization for Use of Force Report, effective July 25, 2002.

(m) DC6-296, Disapproved Use of Force/Disposition Report, effective July 25, 2002.

(n) DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, effective August 4, 2008.

(o) DC4-701, Chronological Record of Health Care, effective 4-8-10.

Rulemaking Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History--New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, 8-4-08, 1-6-09, 5-26-09, 4-8-10, _____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-2.025	Processing of Water Use Permit Applications
40B-2.901	Forms and Instructions

PURPOSE AND EFFECT: The purpose of the proposed rule is to update Chapter 40B-2, F.A.C., based on staff review. Proposed changes will provide clarification for procedures for reviewing unsolicited information, and repeal an existing rule that is no longer valid.

SUBJECT AREA TO BE ADDRESSED: This proposed rule will clarify procedures for reviewing unsolicited information with regard to application review, and repeal the rule for forms and instructions. Forms and instructions are now incorporated into the appropriate corresponding rule.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.60, 373.116, 373.229, 373.239 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: Linda Welch, Rules & Contracts Coordinator, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-4.1070	Exemptions
40B-4.3030	Conditions for Issuance of Works of the District Development Permits

PURPOSE AND EFFECT: The purpose of the proposed rule is to update these sections of Chapter 40B-4, F.A.C., based on staff review. Proposed changes to Rule 40B-4.1070, F.A.C., will amend incorrect language, and proposed changes to Rule 40B-4.3030, F.A.C. will provide clarification for determination of diseased vegetation in paragraph (12)(a).

SUBJECT AREA TO BE ADDRESSED: This proposed rule will amend incorrect language and clarify requirements for clearing within the regulatory floodway.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086, 373.416, 373.426 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: Linda Welch, Rules & Contracts Coordinator, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-3.600	Special Well Construction Standards

PURPOSE AND EFFECT: To expand the areas designated by the District as the North Dover and South Dover areas, located in the Dover-Plant City area of Hillsborough County, and for which the District has established special water well construction standards consisting of minimum well casing depths.

SUBJECT AREA TO BE ADDRESSED: Water Well Construction.

RULEMAKING AUTHORITY: 373.044, 373.113, 373, 171, 373.308 FS.

LAW IMPLEMENTED: 373.308, 373.309 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dianne Lee, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657 (OGC#20100011)

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
 40D-8.041 Minimum Flows
 PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the estuarine reach of the lower Peace River located within the District's Peace River Basin pursuant to Section 373.042, F.S.
 SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the lower Peace River.
 RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dianne Lee, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657 (OGC#2007102)

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
 40D-8.041 Minimum Flows
 PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the Anclote River System located within the District's Pinellas-Anclote Basin, pursuant to Section 373.042, Florida Statutes. For purposes of this rule, the Anclote River system includes the watercourse from the headwaters to the Gulf of Mexico.
 SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Anclote River System.
 RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Dianne.Lee@watermatters.org, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657 (OGC#2008071)

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-13.081	Developmental Disabilities Waiver Provider Rate Table
59G-13.084	Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table
59G-13.091	Family and Supported Living Waiver Provider Rate Table

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.081, F.A.C., is to incorporate by reference the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, July 1, 2010. The purpose of the amendment to Rule 59G-13.084, F.A.C., is to incorporate by reference the Developmental Disabilities Home and Community-Based Services Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, July 1, 2010. The purpose of the amendment to Rule 59G-13.091, F.A.C., is to incorporate by reference the Family and Supported Living Waiver Provider Rate Table, July 1, 2010.

SUBJECT AREA TO BE ADDRESSED: Developmental Disabilities Waiver Provider Rate Table, Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, and Family and Supported Living Waiver Provider Rate Table.

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday June 25, 2010, 2:30 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

Pursuant to the provisions of 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: Pamela Kyllonen at the Bureau of Medicaid

Services, (850)412-4261. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: pamela.kyllonen@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT 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 Home and Community-Based Services Waiver Provider Rate Table, July 1, 2010 ~~2008~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web site ~~Portal~~ at <http://mymedicaid-florida.com>. ~~Select Click on~~ Public Information for Providers, then ~~on~~ Provider Support, and then ~~on~~ Fee Schedules. 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.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS. History--New 5-29-06, Amended 11-15-07, 10-13-08, _____.

59G-13.084 Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility 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 Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, July 1, 2010 ~~2008~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web site ~~Portal~~ at <http://mymedicaid-florida.com>. ~~Select Click on~~ Public Information for Providers, then ~~on~~ Provider Support, and then ~~on~~ Fee Schedules. 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.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS. History--New 10-13-08, Amended _____.

59G-13.091 Family and Supported Living Waiver Provider Rate Table.

(1) No change.

(2) All family and supported living waiver services providers enrolled in the Medicaid program must be in compliance with the Family and Supported Living Waiver Provider Rate Table, July 1, 2010 ~~January 1, 2008~~, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web site ~~website~~ at <http://mymedicaid-florida.com>. ~~Select Public Information for Providers, then Provider Support, and then Fee Schedules. Click on Provider Support, and then on Fee Schedules.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.908, 409.912, 409.913 FS. History--New 10-18-07, Amended 7-29-08, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-3.001 RULE TITLE: Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule development is to specify kitchen requirements and exemptions for public lodging establishments.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address minimum kitchen requirements in public lodging establishments and the types of establishments exempt from the requirements.

RULEMAKING AUTHORITY: 509.032, 509.2112 FS.

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

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.002 RULE TITLE: Temporary License

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to determine whether there are circumstances in which a CPA, licensed in another state, would not be required to obtain a temporary license to perform a specific engagement in Florida.

SUBJECT AREA TO BE ADDRESSED: Temporary License.
 RULEMAKING AUTHORITY: 473.304, 473.305, 413.314 FS.

LAW IMPLEMENTED: 473.314, 473.315 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."

**Section II
 Proposed Rules**

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-3.002 RULE TITLE: Application and Payment Procedures

PURPOSE AND EFFECT: To clarify procedures and documentation for payment of forensic sexual assault examinations.

SUMMARY: This rule provides the documentation requirements and procedures for claims for payment of the initial forensic medical examination for victims of alleged sexual offenses.

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

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

RULEMAKING AUTHORITY: 960.045(1)(b) FS.

LAW IMPLEMENTED: 960.28 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gwen Roache, Chief, Bureau of Victim Compensation, Office of the Attorney General, PL-01, The Capitol, Tallahassee, FL 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-3.002 Applicant and Payment Procedures.
~~Application and payment procedures for sexual assault examinations are provided on the form entitled "Sexual Battery Claim Form," DVS 201, (Rev. 07/07), effective 1/16/08, which is incorporated in this rule by reference.~~

(1) Application for payment of the initial forensic sexual assault examination shall include the following:

(a) Patient Information: Name, date of birth, and gender of the individual being examined.

(b) Forensic Facility Information: Name of facility, federal identification number, mailing address and telephone number.

(c) Date of the offense (if known), and

(d) Date of the examination.

(2) The examination must be administered by a person authorized in Section 960.28(2), F.S., for whom the following must be provided:

(a) Typed or legible printed name of the forensic examiner,

(b) Examiner's title and license number,

(c) Examiner's signature, and

(d) Date of signature.

(3) The application must be witnessed (signed and dated) by another individual employed with the facility as verification the examination was performed. The witness' name should be typed or printed below their signature.

(4) Application for payment must be accompanied by an itemized bill (CMS, HCFA, or UB health insurance form or other standardized invoice). The itemized bill must include the following:

(a) Name of the facility used for the examination,

(b) Date of the examination,

(d) Patient's name,

(e) Examination code V71.5 and any of the CPT codes noted below.

(5) Payment for the examination is limited to the International Classification of Disease (ICD-9) code for examination of the victim of sexual battery (V71.5), and some or all of the following:

(a) Physician/ARNP office or other outpatient services; emergency department services – CPT codes 99201, 99202, 99203, 99204, 99205, 99211, 99212, 99213, 99214, 99215, 99281, 99282, 99283, 99284, 99285.

(b) Venipuncture for the collection of whole blood samples – CPT codes 36406, 36415.

(c) Laboratory tests for baseline sexually transmitted disease and pregnancy – CPT codes, 81025, 84702, 84703, 86280, 86317, 86592, 86593, 86631, 86781, 87070, 87081, 87110.

(d) Use of medical facility for the initial forensic physical evidence collection examination – CMS/HCFA Revenue Code 450 or 510.

(e) Forensic evidence collection kit – CMS/HCGA Revenue Code 270.

(6) Applications must be mailed to the Office of the Attorney General, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, Florida 32399-1050 or faxed to (850)487-1595, (850)487-2625, or (850)414-5779 within 120 days after the date of the initial forensic physical examination.

(7) Corrections or technical defects in an application shall not result in a change to the original filing date for purposes of complying with the filing deadline.

(8) A victim shall not be required to file a claim for the initial physical examination with a health or disability insurance carrier.

Rulemaking Specific Authority 960.045(1) FS. Law Implemented 960.28 FS. History–New 11-1-92, Amended 9-13-94, 9-26-95, 6-19-96, 9-24-97, 2-3-00, 3-17-03, 1-16-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gwen Roache

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Attorney General Bill McCollum

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2010

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-90.002	Definitions
14-90.004	Bus Transit System Operational Standards
14-90.0041	Medical Examinations for Bus Transit System Drivers
14-90.006	Operational and Driving Requirements
14-90.007	Vehicle Equipment Standards and Procurement Criteria
14-90.009	Bus Safety Inspections
14-90.010	Certification
14-90.012	Safety and Security Inspections and Reviews

PURPOSE AND EFFECT: Rule Chapter 14-90, F.A.C., is being amended to incorporate updated federal standards, as well as clarify safety and procedural requirements for bus transit systems. Guidelines for the use of wireless communications devices are established.

SUMMARY: Definitions, medical examination certificates, and driver safety issues for bus transit systems are being amended.

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

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

RULEMAKING AUTHORITY: 334.041(3), 334.031, 334.044(2), 334.061 FS.

LAW IMPLEMENTED: 119.071(3), 334.044(12), 334.044(28), 341.041(3), 341.061 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deanna R. Hurt, Assistant General Counsel and 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 RULES IS:

14-90.002 Definitions.

Terms used in this Rule Chapter shall mean as defined in Section 341.031, F.S. In addition:

(1) “Bus” means any motor vehicle, other than a taxicab, ~~which is designed or constructed, and used for the public transport of persons for compensation and~~ ~~For purposes of this rule chapter, a bus means a public sector bus which is owned, operated, leased, or controlled by a bus transit system.~~ Buses are designated in two categories:

(a) Type I ~~means:~~ Over 22 feet in length, including bumpers.

(b) Type II ~~means:~~ 22 feet or less in length, including bumpers ~~and. This category shall include~~ paratransit type vehicles, such as minibuses, standard vans, modified vans, station wagons, and sedans.

(2) “Bus Transit System” means a community transportation coordinator; a public transit provider; or a private contract transit provider which owns, operates, leases, or controls buses or taxicabs where such transportation consists of continuous or recurring transportation under the same contract; or a privately owned or operated transit provider that receives operational or capital funding from the Department

and owns, operates, leases, or controls buses, other than nonpublic sector buses, ~~defined in Section 316.003, F.S., that provides~~ provide transportation services available for use by the general riding public.

(3) "Community Transportation Coordinator" means a provider of transportation services or an entity that ensures such services are provided by another bus transit system.

(4) "Department" means the ~~State of Florida~~ Department of Transportation.

(5) "Drive" or "Operate" means are terms which include all time spent at the controls of a bus in operation.

(6) "Driver" means any person trained and designated to drive a bus on a street or highway ~~which is~~ being used for the public transport of persons for compensation.

(7) "FMVSS" means the Federal Motor Vehicle Safety Standards in effect at the time the bus or component is manufactured.

(8) "For Compensation" means for money, property, or ~~of anything else~~ of value whether paid, received, or realized, directly or indirectly.

(9) "Manufacturer" means the original producer of the chassis, the producer of any type of bus, or the producer of equipment installed on any bus for the purpose of transporting individuals with disabilities.

(10) "Off-Duty" means any time the driver is not on duty, required to be in readiness to work, or under any responsibility to perform work. Such time shall not be counted towards the maximum allowed on-duty hours within a 24-hour period.

~~(11)(10)~~ "On-Duty" means the status of the driver from the time he or she begins work, or is required to be in readiness to work, until the time the driver is relieved from work and all responsibility for performing work. "On-Duty" includes all time spent by the driver as follows:

(a) Waiting to be dispatched at bus transit system terminals, facilities, or other private or public property, unless the driver has been completely relieved from duty by the bus transit system.

(b) Inspecting, servicing, or conditioning any vehicle.

(c) Driving.

(d) Remaining in readiness to operate a vehicle (stand-by).

(e) Repairing, obtaining assistance, or remaining in attendance in or about a disabled vehicle.

~~(12)(11)~~ "Passenger" means a person who is on board, boarding, or alighting from a bus for the purposes of public transport.

(13) "Paratransit" means those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service. Paratransit service is provided by taxis,

limousines, "dial-a-ride" buses, and other demand-responsive operations that are characterized by their nonscheduled, non-fixed route nature.

~~(14)(12)~~ "Safe Condition" means a condition where hazards are reduced to the lowest level feasible and through the most effective use of available resources and where substantial compliance exists with all safety rules, regulations, and requirements.

~~(15)(13)~~ "Safety Review" means an on-site assessment to determine if a bus transit system has adequate safety management controls in place and functioning in accordance with the that meet safety standards provided and incorporated by reference in this rule chapter.

~~(16)(14)~~ "Security" means freedom from harm resulting from intentional acts against passengers, employees, equipment, and facilities.

~~(17)(15)~~ "Security Program Plan" or "~~SPP~~" ("~~SPP~~") means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures for the protection and defense of the system and persons from intentional acts of harm.

~~(18)(16)~~ "Security Review" means an on-site assessment to determine if a bus transit system has security management controls in place and functioning in accordance with the that meet security requirements provided in this rule chapter.

~~(19)(17)~~ "System Safety Program Plan" or "~~SSPP~~" ("~~SSPP~~") means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures against injuries or damage.

~~(20)(18)~~ "Taxicab" means any motor vehicle of nine passenger capacity or less, including the driver, engaged in the general transportation of persons for compensation ~~on occasional trips,~~ not on a regular schedule, ~~or~~ between fixed termini, or over regular routes, where such vehicle does not provide transportation services as a result of a contractual agreement with a bus transit system.

~~(21)(19)~~ "Trailer Bus" means a trailing or towed vehicle designed or used for the transportation of more than 10 persons, e.g., tram buses.

(22) "Twenty-four Hour Period" or "24-Hour Period" means the consecutive time beginning at 12:00.01 a.m. to 12:00.00 a.m.

~~(23)(20)~~ "Unsafe Condition" means anything ~~or~~ circumstance which endangers human life or property.

(24) "Personal wireless communications device" means an electronic or electrical device that was not provided by the bus transit system for business purposes.

(25) "Use of a wireless communications device" means use of a mobile telephone or other electronic or electrical device, hands-on or hands-free, to conduct an oral communication; to place or receive a telephone call; to send or read electronic mail or a text message; to play a game; to navigate the Internet; to play, view, or listen to a video; to play,

view, or listen to a television broadcast; to play or listen to music; or to execute a computational function. Use of an electronic or electrical device that enhances the individual's physical ability to perform, such as a hearing aid, is not included in this definition.

(26) "Wireless communication device" means an electronic or electrical device capable of remote communication. Examples include cell phones, personal digital assistants (PDAs) and portable computers (commonly called laptop computers).

Rulemaking Specific Authority 334.044(2), 341.061(2)(a), 341.041(3), 341.031 FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-7-05.

14-90.004 Bus Transit System Operational Standards.

(1) Each bus transit system shall develop and adopt an SSPP that complies with or exceeds the, at a minimum, with established safety standards set forth in this rule chapter.

(a) The SSPP shall address the following safety elements and requirements:

1. Safety policies and responsibilities.
2. Vehicle and equipment standards and procurement criteria.
3. Operational standards and procedures.
4. Bus driver and employee selection.
5. Driving requirements.
6. Bus driver and employee training. As part of the driver training program, specific procedures and training shall be implemented to instruct the driver on how to safely approach and depart from a transit bus stop to avoid contact with pedestrians and other hazards.
7. Vehicle maintenance.
8. Investigations of events described under subsection 14-90.004(5), F.A.C.
9. Hazard identification and resolution.
10. Equipment for transporting wheelchairs.
11. Safety data acquisition and analysis.

12. A wireless communication plan and procedure that provides for the safe operation of the bus transit vehicle. The wireless communication plan and procedure shall assure that:

- a. The use of a personal wireless communication device is prohibited while the transit vehicle is in motion, and
- b. All personal wireless communications devices are turned off with any earpieces removed from the operator's ear while occupying the driver's seat.

13. A policy on the use of a wireless communications device issued to the operator by the bus transit system for business related purposes. Policies developed shall assure that:

- a. Guidelines are developed that allow for the use of a wireless communications device in emergency situations, and
- b. The use of a wireless communications device does not interfere with the operator's safety related duties.

14. The Bus Transit System shall develop a driver educational training program addressing:

- a. The proper use of a wireless communications device issued to the operator by the Bus Transit System while in the performance of their safety related duties, and
- b. The hazards associated with driving and utilizing a wireless communications device.

15.1-2. Safety standards for private contract bus transit system(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

(b) Each bus transit system shall implement and comply with the SSPP during the operation of the system.

(c) Each bus transit system shall require that all operable transit buses be inspected at least once per year annually in accordance with established standards.

(d) Each bus transit system shall annually submit an annual a safety certification to the Department verifying the following:

1. Adoption of an SSPP, which meets or exceeds the in accordance, at a minimum, with established standards set forth in this rule chapter.

2. Compliance with its adopted SSPP and that safety inspections have been performed at least once a year annually on all buses operated by the bus transit system, by persons meeting the requirements set forth in of Rule 14-90.009, F.A.C.

(e) Bus transit systems shall immediately suspend affected system service operations if, at any time, continued operation of the system, or a portion thereof, is unsafe for passenger service or poses an immediate a potential danger to public safety.

(2) Each bus transit system shall develop and adopt an SPP that meets or exceeds the complies, at a minimum, with security requirements set forth in this rule chapter. The SPP shall be adopted separately from the SSPP.

(a) The SPP shall address the following security requirements:

1. Security policies, goals, and objectives.
2. Organization, roles, and responsibilities.
3. Emergency management processes and procedures for mitigation, preparedness, response, and recovery.
4. Procedures for investigation of events described under subsection 14-90.004(5), F.A.C.
5. Procedures for the establishment of interfaces with emergency response organizations.
6. Procedures for interagency coordination with local law enforcement jurisdictions.
7. Employee security and threat awareness training programs.
8. Security data acquisition and analysis.
9. Conduct and participate in Emergency preparedness drills and exercises.

10. ~~Security R~~requirements for private contract transit providers ~~provider(s)~~ that ~~engage in provide(s)~~ continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

11. Procedures for SPP maintenance and distribution.

(b) Each bus transit system shall implement and comply with the SPP during the operation of the system.

(c) Bus transit systems that engage in a contract with a private contract transit ~~provider provider(s)~~ shall:

1. Establish minimum security requirements which apply to private contract transit ~~providers provider(s)~~.

2. Monitor and assure ~~that~~ each private contract transit provider complies with established security requirements during the term of the contract.

(d) ~~Disclosure.~~ Bus transit systems are prohibited by Section 119.071(3)(a), Florida Statutes, from publicly disclosing the SPP or the security portion of the SSPP, as applicable, under any circumstance.

(3) Bus transit systems shall establish criteria and procedures for ~~the~~ selection, qualification, and training of all drivers. The criteria shall include the following:

(a) Driver qualifications and background checks ~~meeting with~~ minimum hiring standards.

(b) Driving and criminal background checks for all new drivers.

(c) Verification and documentation of valid driver licenses for all employees who drive buses.

(d) Training and testing to demonstrate and ensure adequate skills and capabilities to safely operate each type of bus or bus combination before driving on a street or highway unsupervised. ~~As a minimum requirement. At a minimum,~~ drivers shall be given explicit instructional and procedural training and testing in the following areas:

1. Bus transit system safety and operational policies and procedures.

2. Operational bus and equipment inspections.

3. Bus equipment familiarization.

4. Basic operations and maneuvering.

5. Boarding and alighting passengers.

6. Operation of wheelchair lifts and other special equipment ~~and driving conditions.~~

7. Defensive driving.

8. Passenger assistance and securement.

9. Handling of emergencies and security threats.

10. Security and threat awareness.

11. Driving conditions.

(e) Bus transit systems shall provide written operational and safety procedures to all bus drivers before driving on ~~streets or highways a street or highway~~ unsupervised. ~~At a minimum, t~~These procedures and instructions shall address, ~~at a minimum,~~ the following:

1. Communication and handling of unsafe conditions, security threats, and emergencies.

2. Familiarization and operation of safety and emergency equipment, wheelchair lift equipment, and restraining devices.

3. Application and compliance with all applicable federal and state laws, rules, and regulations.

(f) The provisions in paragraphs (d) and (e), above, shall not apply to personnel licensed and authorized by the bus transit system to drive, move, or road test a bus in order to perform repairs or maintenance services ~~when where~~ it has been determined that such temporary operation does not create ~~an~~ unsafe operating conditions condition or create a hazard to public safety.

(g) Bus transit systems shall maintain the following records for at least four years:

1. Records of bus driver background checks and qualifications.

2. Detailed descriptions of training administered and completed by each bus driver.

3. A record of each bus driver's duty status which shall include total days worked, on-duty hours, driving hours, and time of reporting on and off duty each day.

(h) Each bus transit system shall establish a drug-free workplace policy statement in accordance with 49 C.F.R. Part ~~32 29~~ and a substance abuse management and testing program in accordance with 49 C.F.R. Parts 40 and 655, October 1, ~~2009 2004~~, hereby incorporated by reference.

(i) Bus transit systems shall require that drivers write and submit a daily bus inspection report pursuant to Rule 14-90.006, F.A.C.

(4) ~~Bus Maintenance.~~ Bus transit systems shall establish a maintenance plan and procedures for preventative and routine maintenance for all buses operated. The maintenance plan and procedures shall assure that:

(a) ~~That A~~All buses operated, and all parts and accessories on such buses, including those specified in Rule 14-90.007, F.A.C., and any additional parts and accessories which may affect safety of operation, including frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems, are regularly and systematically inspected, maintained, and lubricated to standards that meet or exceed in accordance with the standards developed and established, at a minimum, according to the bus manufacturer's recommendations and requirements.

(b) ~~That a~~ recording and tracking system is established for the types of inspections, maintenance, and lubrication intervals documenting including the date or mileage when these services are due. Required maintenance inspections shall be more comprehensive than daily inspections performed by the driver.

(c) ~~That P~~proper preventive maintenance is performed when a bus is assigned away from the system's regular maintenance facility, or when maintenance services are performed under contract.

(d) ~~That R~~records are maintained and provide written documentation of preventive maintenance, regular maintenance, inspections, lubrication, and repairs performed for each bus under their control. Such records shall be maintained by the bus transit system for at least four years and, at a minimum, provide include at a minimum, the following information:

1. Identification of the bus, the ~~including~~ make, model, and license number, or other means of positive identification and ownership.

2. Date, mileage, description, and each type of inspection, maintenance, lubrication intervals, or repair performed.

~~3. Date, mileage, and description of each inspection, maintenance, and lubrication intervals performed.~~

~~3.4.~~ If not owned by the bus transit system, the name of any person ~~or lessor~~ furnishing a any bus.

~~4.5.~~ The name and address of any entity or contractor performing an inspection, maintenance, lubrication, or repair.

(5) Each bus transit system shall investigate, or cause to be investigated, any event involving a bus or taking place on bus transit system controlled property resulting in a fatality, injury, or property damage as follows:

(a) A fatality, where an individual is confirmed dead within 30 days of a bus transit system related event, excluding suicides and deaths from illnesses.

(b) Injuries requiring immediate medical attention away from the scene for two or more individuals.

(c) Property damage to bus transit system buses bus(es), non-bus transit system vehicles, other bus system property or facilities, or any other property, ~~except T~~ the bus transit system shall have the discretion to investigate events resulting in property damage less than \$1,000.

(d) Evacuation of a bus due to a life safety event where there is imminent danger to passengers on the bus, excluding evacuations due to operational issues.

(6) Each investigation shall be documented in a final report that includes a description of investigation activities, identified causal factors, and any identified corrective action plan.

(a) Each corrective action plan shall identify the action to be taken by the bus transit system and the schedule for its implementation.

(b) The bus transit system ~~shall must~~ monitor and track the implementation of each corrective action plan.

(7) Investigation reports, corrective action plans, and related supporting documentation shall be maintained by the bus transit system for a minimum of four years from the date of completion of the investigation.

Rulemaking Authority 334.044(2), ~~341.061(1)(a), 341.061(2)~~ FS. Law Implemented 119.071, 341.041(3), ~~341.061(1)(b), 341.061(2), 341.061(2)(a)~~ FS. History—New 9-7-87, Amended 11-10-92, 8-7-05, 6-24-08, _____.

14-90.0041 Medical Examinations for Bus Transit System Drivers.

(1) Bus transit systems shall establish medical examination requirements for all applicants to for driver positions and for existing drivers. The medical examination requirements shall include a pre-employment examination for applicants, an examination at least once every two years for existing drivers, and a return to duty examination for any driver prior to returning to duty after having been off duty for 30 or more days due to an illness, medical condition, or injury.

(2) Medical examinations ~~shall may~~ be performed and recorded according to qualification standards adopted by the bus transit system, provided the medical examination qualification standards adopted by the bus transit system meet or exceed those provided in Department Form Number 725-030-11, Medical Examination Report for Bus Transit System Driver, Rev. 05/09 Rev. 07/05, hereby incorporated by reference. Copies of Form Number 725-030-11 are available from the Florida Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450 or on-line at: www.dot.state.fl.us/transit.

(3) Medical examinations shall be performed by a Doctor of Medicine or Osteopathy, Physician Assistant, or Advanced Registered Nurse Practitioner licensed or certified by the State of Florida. If medical examinations are performed by a Physician Assistant or Advanced Registered Nurse Practitioner, they must be performed under the supervision or review of a Doctor of Medicine or Osteopathy.

(a) An ophthalmologist or optometrist licensed by the State of Florida may perform as much of the medical examination as pertains to visual acuity, field of vision, and color recognition.

(b) Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination certificate and maintain the original at his or her office report.

(c) Upon completion of the medical examination, the examiner shall complete, sign, and date the medical examination certificate and provide a copy to the driver's employer. If the transit agency decides to adopt qualification standards other than those listed in Department form 725-030-11, the adopted standard's medical examination

certificate or a signed letter from the medical examiner attesting to the completion of a medical examination, shall be given to the transit agency in lieu of the Department's medical examination certificate. The adopted standards medical certification or letter must provide all information as required on the Department's medical examination certificate.

(d) Upon completion of the medical examination the driver shall provide their driver license number, signature, and date on the medical examination certificate.

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

(a) Medical examination certificates of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(b) Bus Transit Systems shall not allow a driver to operate a transit bus without having on file a completed medical examination certificate dated within the past 24 months.

Rulemaking Authority 334.044(2), ~~341.061(1)(a), 341.061(2)(a)~~ FS. Law Implemented 334.044(12), 341.041(3), ~~341.061(1)(a), 341.061(1)(b), 341.061(2)~~ FS. History—New 11-10-92, Amended 8-7-05, 6-24-08, _____.

14-90.006 Operational and Driving Requirements.

(1) Bus transit systems shall not permit a driver to drive a bus when such driver's license has been suspended, cancelled, or revoked. Bus transit systems shall require a driver who receives a notice that his or her license to operate a motor vehicle has been suspended, cancelled, or revoked to notify his or her employer of the contents of the notice immediately, no later than the end of the business day following the day he or she received the notice.

(2) Buses shall be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated.

(3) A driver shall not be permitted or required to drive more than 12 hours in ~~a any~~ 24-hour period, or drive after having been on duty for 16 hours in ~~a any~~ 24-hour period. A driver shall not be permitted to drive until the requirement of a minimum eight consecutive hours of off-duty time has been fulfilled. A driver's work period shall begin from the time he or she first reports for duty to his or her employer. A driver is permitted to exceed his or her regulated hours in order to reach a regularly established relief or dispatch point, provided the additional driving time does not exceed one hour.

(4) To ensure uniform interpretation of subsections 14-90.002(10), 14-90.002(11), 14-90.002(22), and 14-90.006(3), F.A.C., the following practical applications are provided:

(a) A driver is required to drive from 4 a.m. – 8 a.m., off-duty from 8 a.m. – 3 p.m., then required to drive from 3 p.m. – 11 p.m. Driving hours and on-duty hours are the same. 4 hours + 8 hours = 12 hours driving. This driver has met the maximum allowed driving hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(b) A driver is required to drive from 4 a.m. – 8 a.m., off-duty from 3 p.m. – 11 p.m., then required to be on-duty, not driving, from 11 a.m. – 11 p.m. Driving hours = 4 hours and on-duty not driving hours = 12 hours for a total of 16 hours on-duty. This driver has met the maximum allowed on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(c) A driver is required to be on-duty, not driving, from 4 a.m. – 8 a.m., off-duty from 8 a.m. – 11 a.m., then on-duty, not driving from 11 a.m. – 11 p.m. On-duty not driving hours = 4 hours + 12 hours for a total of 16 hours on-duty. This driver has met the maximum allowed on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. The driver cannot be permitted or allowed to drive before 7 a.m.

(d) A driver is required to be on-duty, not driving, from 4 a.m. – 8 a.m., then off-duty from 8 a.m. – 11 a.m., then on-duty, driving, from 11 a.m. – 11 p.m. On-duty, not driving hours = 4 hours and on-duty driving hours = 12 hours for a total of 16 hours on-duty. This driver has met the maximum allowed driving and on-duty hours within a 24-hour period and cannot be permitted or required to drive until a minimum eight consecutive hours off-duty has been fulfilled. This driver cannot be permitted or allowed to drive before 7 a.m.

(5) A driver shall not be permitted or required to be on-duty more than 72 hours in any period of seven consecutive days; however, any 24 consecutive hours of off-duty time shall constitute the end of any such period of seven consecutive days. A driver who has reached the maximum 72 hours of on-duty time during the seven consecutive days shall be required to have a minimum 24 consecutive hours off-duty prior to returning to on duty status.

(6) A driver is permitted to drive for more than the regulated hours for the safety and protection of the public when ~~due to~~ conditions such as adverse weather, disaster, security threat, a road or traffic condition, medical emergency, or an accident occur.

(7) Bus transit systems shall not permit or require any driver to drive a bus when his or her ability is impaired, or likely to be impaired, by fatigue, illness, or other causes, likely as to create an make it unsafe condition for the driver to begin or continue driving.

(8) Bus transit systems shall require pre-operational or daily inspection and reporting of all defects and deficiencies likely to affect safe operation or cause mechanical malfunctions.

(a) An inspection or test shall be made of the following parts and devices to ascertain that they are in safe condition and in good working order:

1. Service brakes.
2. Parking brakes.
3. Tires and wheels.
4. Steering.
5. Horn.
6. Lighting devices.
7. Windshield wipers.
8. Rear vision mirrors.
9. Passenger doors.
10. Exhaust system.
11. Equipment for transporting wheelchairs.
12. Safety, security, and emergency equipment.

(b) Bus transit systems shall review daily inspection reports and document corrective actions taken as a result of any deficiencies identified by daily inspections.

(c) Bus transit systems shall retain records of daily bus inspections and any corrective action documentation a minimum of two weeks.

(9) A bus with any passenger doors in the open position shall not be operated with passengers aboard. The doors shall not be opened until the bus is stopped. A bus with any inoperable passenger door doors shall not be operated with passengers aboard, except to move a bus to a safe location.

(10) During darkness, interior lighting and lighting in stepwells on buses shall be sufficient for passengers to enter and exit safely.

(11) Passengers ~~Passenger(s)~~ shall not be permitted in the stepwells ~~stepwell(s)~~ of any bus while the bus is in motion, or to occupy an area forward of the standee line.

(12) Passengers ~~Passenger(s)~~ shall not be permitted to stand on buses not designed and constructed for that purpose.

(13) Buses shall not be refueled in a closed building. The fueling of buses when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

(14) ~~The~~ Bus transit systems ~~system~~ shall require the driver to be properly secured to the driver's seat with a restraining belt at all times while the bus is in motion.

(15) Buses shall not be left unattended with passenger(s) aboard for longer than 15 minutes. The parking or holding brake device shall ~~must~~ be properly set at any time the bus is left unattended.

(16) Buses shall not be left unattended in an unsafe condition with passengers ~~passenger(s)~~ aboard at any time.

Rulemaking Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2) FS. History—New 9-7-87, Amended 5-31-89, 11-10-92, 8-7-05, 6-24-08, _____.

14-90.007 Vehicle Equipment Standards and Procurement Criteria.

(1) Every bus transit system shall ensure that buses procured and operated meet the following minimum standards; ~~at a minimum, as applicable~~:

(a) The capability and strength to carry the maximum allowed load and not exceed the manufacturer's gross vehicle weight rating (GVWR), gross axle weighting, or tire rating.

(b) Structural integrity that mitigates or minimizes the adverse effects of collisions.

(c) Federal Motor Vehicle Safety Standards (FMVSS), 49 C.F.R. Part 571, Sections 102, 103, 104, 105, 108, 207, 209, 210, 217, ~~220, 221, 225~~, 302, 403, and 404, October 1, 2008 ~~2004~~, hereby incorporated by reference.

(2) Proof of strength and structural integrity tests on new buses procured shall be submitted by manufacturers or bus transit systems to the Department.

(3) In addition to the above, every bus operated in this state shall be equipped as follows:

(a) Mirrors. There shall ~~must~~ be two exterior rear vision mirrors, one at each side. The mirrors shall be firmly attached to the outside of the bus and ~~se~~ located as to reflect to the driver a view of the highway to the rear along both sides of the vehicle. Each exterior rear vision mirror, on Type I buses, shall have a minimum reflective surface of 50 square inches. Neither the mirror nor the mounting shall protrude farther than the widest part of the vehicle body except to the extent necessary to produce a field of view meeting or exceeding the requirements of this section. All Type I buses shall, in addition to the above requirements, be equipped with an inside rear vision mirror capable of giving the driver a clear view of seated and ~~or~~ standing passengers. Buses having a passenger exit door that is located inconveniently for the driver's visual control shall be equipped with additional interior mirror(s) to enable enabling the driver to view the passenger exit door. ~~The exterior right (curbside) rear vision mirror and its mounting on Type I buses may be located lower than 80 inches from the ground, provided such buses are used exclusively for paratransit services, as defined in Section 341.031, Florida Statutes.~~ In lieu of interior mirrors, trailer buses and articulated buses may be equipped with closed circuit video systems or adult monitors in voice control with the driver.

(b) Wiring and Batteries ~~Battery~~. Electrical wiring shall be maintained so as not to come in contact with moving parts, ~~or~~ heated surfaces, or be subject to chafing or abrasion which may cause insulation to become worn. Every Type I bus manufactured on or after February 7, 1988, shall be equipped with a storage battery ~~battery(ies)~~ electrical power main disconnect switch. The disconnect switch shall be practicably located in an accessible location adjacent to or near to the

~~battery~~ battery(ies) and be legibly and permanently marked for identification. Every storage battery on ~~a~~ each public-sector bus shall be mounted with proper retainment devices in a compartment which provides adequate ventilation and drainage.

(c) Brake Interlock Systems. All Type I buses having a rear exit door shall be equipped with a rear exit door/brake interlock that automatically applies the ~~brake~~ brake(s) upon driver activation of the rear exit door to the open position. ~~Brake~~ ~~interlock~~ ~~brake~~ application shall remain activated until ~~deactivated~~ ~~deactivation~~ by the driver and the rear exit door returns to the closed position. The rear exit door ~~brake~~ interlock on such buses shall be equipped with an identified override switch enabling emergency release of the ~~brake~~ interlock function. ~~The override switch, which~~ shall not be located within reach of the seated driver. Air pressure application to the ~~brake~~ brake(s) during ~~brake~~ interlock operation, on buses equipped with rear exit door/brake interlock, shall be regulated at the ~~equipment's~~ original ~~equipment~~ manufacturer's specifications.

(4) Standee Line and Warning. Every bus designed and constructed to allow standees shall be plainly marked with a line of contrasting color at least two inches wide, or be equipped with some other means to indicate that ~~all any~~ ~~passengers are~~ passenger is prohibited from occupying a space forward of a perpendicular plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. A sign shall be posted at or near the front of the bus stating that it is a violation for a bus to be operated with passengers occupying an area forward of the line.

(5) Handrails and Stanchions. Every bus designed and constructed to allow standees shall be equipped with overhead ~~handrails~~ ~~grab rails~~ for standee passengers. Overhead ~~handrails~~ ~~handgrab rails~~ shall be continuous, except for a gap at the rear exit door, and terminate into vertical stanchions or turn up into a ceiling fastener. Every Type I and Type II bus designed for carrying more than 16 passengers shall be equipped with ~~handrails~~ ~~grab handles~~, stanchions, or bars at least 10 inches long and installed to permit safe on-board circulation, seating and standing assistance, and boarding and ~~alighting~~ ~~unboarding~~ by elderly and handicapped persons. Type I buses shall be equipped with a safety bar and panel directly behind each entry and exit stepwell.

(6) Flooring, Steps, and Thresholds. Flooring, steps, and thresholds on all buses shall have slip resistant surfaces without protruding or sharp edges, lips, or overhangs, ~~in order~~ to prevent tripping hazards. All step edges and thresholds shall have a band of color(s) running the full width of the step or edge which contrasts with the step tread and riser, either light-on-dark or dark-on-light.

(7) Doors. Power activated doors on all buses shall be equipped with a manual device designed to release door closing pressure.

(8) Emergency Exits. All buses shall have an emergency exit door, or in lieu thereof, shall be provided with emergency escape push-out windows. Each emergency escape window shall be in ~~the~~ ~~a~~ form of a parallelogram with dimensions of not less than 18" by 24", and each shall contain an area of not less than 432 square inches. There shall be a sufficient number of ~~such~~ push-out or kick-out windows in each vehicle to provide a total escape area equivalent to 67 square inches per seat, including the driver's seat. No less than 40% of the total escape area shall be on one side of the vehicle. Emergency escape kick-out or push-out windows and emergency exit doors shall be conspicuously marked ~~with~~ ~~by~~ a sign or light and shall always be kept in good working order so that they may be readily opened in an emergency. All such windows and doors shall not be obstructed, ~~by bars or other such means~~ ~~located~~ either inside or outside, so as to hinder escape. Buses equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm and light indicating to the driver when a door is ajar or opened while the engine is running. Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation.

(9) Tires and Wheels. Tires shall be properly inflated in accordance with manufacturer's recommendations.

(a) No bus shall be operated with a tread groove pattern depth:

1. Less than 4/32 (1/8) of an inch, measured at any point on a major tread groove for tires on the steering axle of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

2. Less than 2/32 (1/16) of an inch, measured at any point on a major tread groove for all other tires of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

(b) No bus shall be operated with recapped, regrooved, or retreaded tires on the steering axle.

(c) Wheels shall be visibly free from cracks and ~~distortions~~ ~~distortion~~ and shall not have missing, cracked, or broken mounting lugs.

(10) Suspension. The suspension system of all buses, including springs, air bags, and all other suspension parts ~~as applicable~~, shall be free from cracks, leaks, or any other defect which ~~would or~~ may cause its impairment or failure to function properly.

(11) Steering and Front Axle. The steering system of all buses shall have no indication of leaks which ~~would or~~ may cause its impairment to function properly, and shall be free from cracks and excessive wear of components that ~~would or~~ may cause excessive free play or loose motion in the steering system or above normal effort in steering control.

(12) Seat Belts. Every bus shall be equipped with an adjustable driver's restraining belt in compliance with the requirements of FMVSS 209, "Seat Belt Assemblies" (49 C.F.R. 571.209), October 1, 2008, and FMVSS 210, "Seat Belt Assembly Anchorages" (49 C. F. R. 571.210), October 1, 2008, hereby incorporated by reference.

(13) Safety Equipment. Every bus shall be equipped with one fully charged dry chemical or carbon dioxide fire extinguisher, having at least a 1A:BC rating, and bearing the label of Underwriter's Laboratory, Inc. The fire extinguishers shall be maintained as follows:

(a) Each fire extinguisher shall be securely mounted on the bus in a conspicuous place or in a clearly marked compartment and be readily accessible.

(b) Each fire extinguisher shall be maintained in efficient operating condition and be equipped with some means of determining if it is fully charged.

(c) Every Type I bus shall be equipped with portable red reflector warning devices in compliance with Section 316.300, F.S.

(14) Persons with Disabilities. Buses used for the purpose of transporting persons with disabilities shall meet the requirements set forth in 49 C.F.R. Part 38, October 1, 2008 ~~2004~~, hereby incorporated by reference, as well as ~~and~~ the following:

(a) Installation of a wheelchair lift or ramp shall not cause the manufacturer's GVWR, gross axle weight rating, or tire rating to be exceeded.

(b) Except in locations within 3 1/2 inches of the bus floor, all readily accessible exposed edges or other hazardous protrusions of parts of wheelchair lift assemblies or ramps that are located in the passenger compartment shall be padded with energy absorbing material to mitigate injury in normal use and in case of a collision. This requirement shall also apply to parts of the bus associated with the operation of the lift or ramp.

(c) The controls for operating the lift shall be at a location where the bus driver or lift attendant has a full view, unobstructed by passengers, of the lift platform, its entrance and exit, and the wheelchair passenger, either directly or with partial assistance of mirrors. Lifts located entirely to the rear of the driver's seat shall not be operable from the driver's seat, but shall have an override control at the driver's position that can be activated to prevent the lift from being operated by the other controls (except for emergency manual operation upon power failure).

(d) The installation of the wheelchair lift or ramp and its controls and the method of attachment in the bus body or chassis shall not diminish the structural integrity of the bus nor cause a hazardous imbalance of the bus. No part of the assembly, when installed and stowed, shall extend laterally beyond the normal side contour of the bus, nor vertically beyond the lowest part of the rim of the wheel closest to the lift.

(e) Each wheelchair lift or ramp assembly shall be legibly and permanently marked by the manufacturer or installer with the following ~~minimum~~ information:

1. The manufacturer's name and address.

2. The month and year of manufacture.

3. A certificate that the wheelchair lift or ramp securement devices, and their installation, conform to State of Florida requirements applicable to accessible buses.

(15) Wheelchairs. Wheelchair lifts, ramps, securement devices, and restraints shall be inspected and maintained as required by ~~in~~ this rule chapter. Instructions for normal and emergency operation of the lift or ramp shall be carried or displayed in every bus.

Rulemaking Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2)(a) FS. History—New 9-7-87, Amended 11-10-92, 8-2-94, 8-7-05, 6-24-08, _____.

14-90.009 Bus Safety Inspections.

(1) Each bus transit system shall require that all buses operated by such bus transit system, and all buses operated by a private contract transit provider, be inspected at least annually in accordance with bus inspection procedures set forth in this rule.

(2) It shall be the bus transit system's responsibility to ensure that each individual performing a bus safety inspection is qualified as follows:

(a) Understands the requirements set forth in this rule chapter, and can identify defective components.

(b) Is knowledgeable of and has mastered the methods, procedures, tools, and equipment used when performing an inspection.

(c) Has at least one year of training and/or experience as a mechanic or inspector in a vehicle maintenance program, and has sufficient general knowledge of buses owned and operated by the bus transit system to recognize deficiencies or mechanical defects.

(3) Each bus receiving a safety inspection shall be checked for compliance with the ~~safety devices and equipment~~ requirements for safety devices and equipment, as referenced or specified herein. Specific operable equipment and devices as required by this rule chapter, include the following (as applicable to Type I and II buses ~~bus(es)~~):

(a) Horn.

(b) Windshield wipers.

(c) Mirrors.

(d) Wiring and ~~batteries~~ battery(ies).

(e) Service and parking brakes.

(f) Warning devices.

(g) Directional signals.

(h) Hazard warning signals.

(i) Lighting systems and signaling devices.

(j) Handrails and stanchions.

- (k) Standee line and warning.
- (l) Doors and brake interlock devices.
- (m) Stepwells and flooring.
- (n) Emergency exits.
- (o) Tires and wheels.
- (p) Suspension system.
- (q) Steering system.
- (r) Exhaust system.
- (s) Seat belts.
- (t) Safety equipment.
- (u) Equipment for transporting wheelchairs.
- (v) Working speedometer.

(4) A safety inspection report shall be prepared by the individual(s) performing the inspection and ~~which~~ shall include the following:

- (a) Identification of the individual(s) performing the inspection.
- (b) Identification of the bus transit system operating the bus.
- (c) The date of the inspection.
- (d) Identification of the bus inspected.
- (e) Identification of the equipment and devices inspected, including the identification of equipment and devices found deficient or defective.
- (f) Identification of corrective action(s) for any deficient or defective items found and date(s) of completion of corrective action(s).

(5) Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system for compliance review.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented ~~341.041(3)~~, 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-7-05, _____.

14-90.010 Certification.

(1) Each bus transit system shall annually submit a safety and security certification to the Department. The certification shall be submitted no later than February 15, ~~annually~~ for the prior calendar year period. The certification shall attest to the following:

- (a) The adoption of an SSPP and an SPP in accordance, ~~at a minimum,~~ with established standards set forth in this rule chapter.
 - (b) Compliance with its adopted SSPP and SPP.
 - (c) Performance of safety inspections on all buses operated by the system in accordance with this rule chapter.
 - (d) Reviews of the SSPP and SPP have been conducted to ensure they are up to date.
- (2) The certification shall include:

(a) The name and address of the bus transit system; and the name and address of the entity(ies) ~~performing the~~ who performed ~~(have) which has (have) performed~~ bus safety inspections and security assessments during the prior calendar year, if different from that of the bus transit system.

(b) A statement signed by an officer or person directly responsible for management of the bus transit system attesting to compliance with this rule chapter.

Rulemaking Specific Authority 334.044(2), 341.041(3), 341.061(1)(a)(2)(a) FS. Law Implemented 334.044(28), ~~341.041(3)~~, 341.061(1), 341.061(2) FS. History—New 9-7-87, Amended 8-7-05, _____.

14-90.012 Safety and Security Inspections and Reviews.

(1) The Department, or its contractor, shall ~~or its designee, is authorized to~~ conduct safety and security reviews of bus transit systems to ascertain compliance with the provisions of this rule chapter.

(2) The Department, or its contractor, shall ~~or its designee, is authorized to may~~ conduct a safety and security reviews ~~review(s)~~ of any bus transit system ~~which~~ the Department believes to be in noncompliance with its SSPP or SPP, ~~and~~ or providing passenger service operations in an unsafe manner, or if there is evidence of an immediate danger to public safety. The Department shall prepare and submit a report of the review to the affected bus transit system. The report shall be submitted to the bus transit system within three business days of completion of the review and shall contain the following:

- (a) Identification of the findings, including a detailed description of any deficiency ~~the deficiency(ies)~~.
- (b) Required corrective action ~~action(s)~~ and a schedule for implementation of the corrective action ~~to be taken for each~~ deficiency ~~action(s)~~.
- (c) Any required ~~requirements~~ for suspension of bus transit system service, should the Department determine the continued operation of the service, or a portion thereof, poses an immediate danger to public safety.

(3) The Department shall initiate the following actions to suspend the affected bus transit system service if any ~~deficiency specific~~ deficiency(ies) or unsafe condition ~~condition(s)~~ exists, to the extent that the continued operation of the system, or a portion thereof, poses an immediate ~~is not safe~~ for passenger service ~~or is posing a potential~~ danger or threat to public safety.

(a) Immediately notify the affected bus transit system of the unsafe condition ~~condition(s)~~, followed by a certified letter describing the deficiency ~~specific~~ deficiency(ies) or unsafe condition ~~conditions~~. The notification shall include the following:

- 1. The ~~required~~ corrective actions for the deficiency ~~specific~~ deficiency(ies) or unsafe condition ~~condition(s)~~.

2. ~~The r~~Requirements for the bus transit system to certify, in writing to the Department, ~~the~~ of completion of ~~the~~ required corrective ~~action~~ ~~action(s)~~ in accordance with an established implementation schedule.

(b) Conduct an on-site review of the bus transit system to verify ~~the~~ correction of ~~the deficiency~~ ~~specific deficiency~~(ies) in accordance with this rule and the established implementation schedule.

(c) Suspend affected passenger service operations if the bus transit system fails to correct ~~the deficiency~~ ~~specific deficiency~~(ies) in accordance with this rule and the established implementation schedule.

~~Rulemaking Specific~~ Authority 334.044(2), 341.041(3), 341.061(2)(a) FS. Law Implemented 334.044(28), 341.041(3), 341.061(1)(d), 341.061(2)(c), ~~316.640~~ FS. History—New 11-10-92, Amended 8-7-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marion Hart, State Public Transportation and Modal Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2010

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-4.021	Definitions
40D-4.051	Exemptions

PURPOSE AND EFFECT: The purpose of the proposed revisions is to create a new environmental resource permitting (ERP) exemption for activities that involve less than 4,000 square feet of impervious or semi-impervious surface subject to vehicular traffic in uplands and activities that involve less than 9,000 square feet of total impervious or semi-impervious surface in uplands. Concurrent with these rule revisions, the District is proposing revisions to Rule 40D-400.475, F.A.C. that delete the 4,000 and 9,000 square foot threshold requirements from the permit criteria of this NGP. The revisions also incorporate a new definition for "semi-impervious" to clarify the types of surfaces that will contribute to the new exemption threshold area. The effect of the proposed revisions, if adopted, will allow the regulated

public to conduct minor activities that the District has determined have minimal individual or cumulative impacts to the water resources without applying to the District for confirmation that a proposed activity qualifies for either an exemption or NGP and paying the applicable fee.

SUMMARY: The proposed revision creates a new ERP exemption that incorporates the 4,000 and 9,000 square foot threshold requirements included in Rule 40D-400.475, F.A.C., that the District is concurrently amending, and adds a new definition of semi-impervious to the District's list of definitions in Rule 40D-4.021, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule revisions will add an additional ERP exemption that should reduce the number of case-by-case exemption determinations and exempt some activities that would otherwise require a Noticed General Permit. There will be no increase in the number of individuals or entities required to obtain an Environmental Resource Permit (ERP) and certain Noticed General Permit applicants could instead avail themselves of the proposed exemption. The proposed rule revisions should reduce the District's processing costs for Noticed General Permits and case-by-case exemption confirmations and should not result in any increases in implementation and enforcement costs or reductions in revenues to state or local governments. There will be no increase in transactional costs and those who can avail themselves of the new exemption will save a minimum of \$100 to \$250 in transaction costs. There will be no adverse impacts on small businesses, cities or counties. Small businesses, cities and counties will benefit from the same transaction cost reductions as other entities and individuals if they qualify for the proposed exemption.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.414(9) FS.

LAW IMPLEMENTED: 373.079(4)(a), 373.083(5), 373.403, 373.406, 373.413, 373.414, 373.414(9), 373.416 FS.

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

Pursuant to the provisions of 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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Martinez, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC #2009059)

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-4.021 Definitions.

When used in this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) through (14) No change.

(15) "Semi-impervious" means land surfaces which partially restrict the penetration of water; included as examples are porous pavements, limerock, and other compacted materials.

(15) through (21) renumbered (16) through (22) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.403, 373.413 FS. History--Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04, 2-6-07, 1-8-08, 9-29-08, 11-2-09,_____.

40D-4.051 Exemptions.

The District will exempt from regulation under Section 373, Part IV, F.S., those activities that the District determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the District.

The following activities are exempt from permitting under this chapter:

(1) through (14) No change.

(15) Construction, alteration, operation or abandonment of a stormwater management system meeting the following criteria:

(a) The proposed activities are not conducted within twenty-five feet of wetlands or other surface waters;

(b) The proposed activities include no more than 4,000 square feet of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways, and loading zones;

(c) The proposed activities include no more than 9,000 square feet of total impervious or semi-impervious area;

(d) The proposed activities, including placement of fill, encompass no more than one-half acre of total project area;

(e) The proposed activities do not include filling in floodways, 100-year floodplains or water conveyance features such as ditches or swales and do not adversely affect offsite properties by altering overland sheetflow;

(f) The system does not directly discharge into an Outstanding Florida Water, as listed in Rule 62-302-700, F.A.C.;

(g) The proposed activities are not conducted as part of a larger common plan of development or sale regulated under Part IV of Chapter 373, F.S.;

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

(i) The proposed activities, considered separately or in combination with other activities conducted pursuant to this exemption, do not cumulatively exceed any of the thresholds indicated above.

(16)(15) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.414(9) FS. Law Implemented 373.406, 373.413, 373.414(9), 373.416 FS. History--Readopted 10-5-74, Formerly 16J-4.05, Amended 10-1-84, 10-1-86, 3-1-88, 1-24-90, 10-3-95, 4-18-01, 5-17-01, 4-9-02, 2-19-04, 6-30-05, 11-26-07, 9-29-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: H. Clark Hull, Jr., ERP Program Director, Resource Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 2010

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-400.475
 RULE TITLE: General Permit for Minor Activities

PURPOSE AND EFFECT: The purpose and effect of the proposed revision to Rule 40D-400.475, Florida Administrative Code (F.A.C.), is to delete the 4,000 and 9,000 square foot threshold requirements from the permit criteria of this Noticed General Permit. These threshold requirements are included in revisions the District is proposing to Rule 40D-4.051, F.A.C., to create a new environmental resource permitting (ERP), exemption for minor activities. The effect of the amendments to Rule 40D-400.475, F.A.C., together with the amendments of Rules 40D-4.051 and 40D-4.021, F.A.C., will allow the regulated public to conduct minor activities that the District has determined have minimal individual or cumulative impacts to the water resources without applying to the District for confirmation that a proposed activity qualifies for either an exemption or NGP and paying the applicable fee. SUMMARY: The proposed revision to Rule 40D-400.475, Florida Administrative Code (F.A.C.), deletes the 4,000 and 9,000 square foot threshold requirements from the permit criteria of this Noticed General Permit. These threshold

requirements are included in revisions the District is proposing to Rule 40D-4.051, F.A.C., to create a new environmental resource permitting (ERP), exemption for minor activities. The District is also proposing to amend Rule 40D-4.021, F.A.C., to add a definition of "semi-impervious" to clarify the types of surfaces that will contribute to the new exemption threshold area. The new exemption will include activities that involve less than 4,000 square feet of impervious or semi-impervious surface subject to vehicular traffic in uplands and activities that involve less than 9,000 square feet of total impervious or semi-impervious surface in uplands.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule revisions will add an additional ERP exemption that should reduce the number of case-by-case exemption determinations and exempt some activities that would otherwise require a Noticed General Permit. There will be no increase in the number of individuals or entities required to obtain an Environmental Resource Permit (ERP) and certain Noticed General Permit applicants could instead avail themselves of the proposed exemption. The proposed rule revisions should reduce the District's processing costs for Noticed General Permits and case-by-case exemption confirmations and should not result in any increases in implementation and enforcement costs or reductions in revenues to state or local governments. There will be no increase in transactional costs and those who can avail themselves of the new exemption will save a minimum of \$100 to \$250 in transaction costs. There will be no adverse impacts on small businesses, cities or counties. Small businesses, cities and counties will benefit from the same transaction cost reductions as other entities and individuals if they qualify for the proposed exemption.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 FS.

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

Pursuant to the provisions of 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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Martinez, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC #2009059)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-400.475 General Permit for Minor Activities.

(1) A general permit is hereby granted for the construction, alteration, maintenance, operation, abandonment and removal of the following minor systems:

(a) Piling supported structures of less than 1,000 square feet over wetlands or other surface waters which are not designated Outstanding Florida Waters;

(b) Piling supported structures of less than 500 square feet over wetlands or other surface waters in an Outstanding Florida Water;

(c) Dredging or filling of less than 100 square feet of wetlands or other surface waters; or

~~(d) Less than 4,000 square feet of impervious surface in uplands, that is subject to vehicular traffic such as roads, parking lots and driveways and less than 9,000 square feet total of impervious surface in uplands;~~

~~(d)(e)~~ Maintenance dredging of 50 cubic yards or less of material from surface waters other than wetlands; provided the dredged material is placed in uplands and turbidity control measures are employed to prevent return water from causing a violation of water quality standards; or

~~(e)(f)~~ A single family residence that is not part of a larger plan of common development proposed by the applicant, including the associated residential improvements such as a driveway, garage and an on-site sewage disposal system, provided:

1. This paragraph shall not apply to property which was part of a tract of land that was divided into two or more parcels after July 1, 1994;

2. This paragraph shall not apply to construction or alteration in surface waters other than isolated wetlands or any wetlands in an Area of Critical State Concern;

3. Dredging and filling of isolated wetlands shall be limited to only those areas required for siting the portions of the residence and associated residential improvements which cannot be sited in uplands because there is an insufficient unrestricted area of uplands within the contiguous ownership of the applicant on which the residence and associated residential improvements can be located. On-site sewage disposal systems shall be constructed in uplands unless there is an insufficient unrestricted area of uplands within the contiguous ownership of the applicant on which such disposal

system can be located. For the purposes of this paragraph, "unrestricted area of uplands" means an area of uplands which is not restricted by easement, deed restriction, local government regulation, or similar restriction which would prevent the activities authorized under this paragraph and which is configured such that all or part of the residence and associated residential improvements can be constructed in the uplands. An area of uplands will only be considered restricted if all available variance or waiver procedures have been exhausted; and

4. The total area of dredging or filling in isolated wetlands for the residence and associated residential improvements shall not exceed 4000 square feet; and the total area of clearing in wetlands (including the dredging and filling for the residence and associated residential improvements) shall not exceed 6000 square feet on the contiguous property owned by the applicant.

(2) through (7) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 10-3-95, Amended 2-19-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: H. Clark Hull, Jr., ERP Program Director, Resource Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 2010

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

PURPOSE AND EFFECT: To amend Rule 40E-3.035, Florida Administrative Code, to incorporate by reference, the following documents: 1) the water well delegation agreements with Lee County and the Broward, Glades, Highlands, Miami-Dade, Orange, Osceola, Polk, and Palm Beach County Health Departments to delegate the implementation of the water well regulatory program; 2) the first amendments to the delegation agreements with the City of Cape Coral, Collier County, and the Hendry, Martin, Okeechobee, Osceola, and St. Lucie County Health Departments to reaffirm and update the permitting, compliance and enforcement responsibilities; and, 3) the second amendments to the delegation agreements with the Martin, Okeechobee, and St. Lucie County Health Departments to include a provision concerning legal support.

SUMMARY: To incorporate by reference the Delegation Agreements of the Water Well Regulatory 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.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.103, 373.308, 373.309, 373.323, 373.324, 373.326, 373.329, 373.333 FS.

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

DATE AND TIME: July 15, 2010, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Pursuant to the provisions of 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 South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Harmon, Director, Water Use Regulation Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, Telephone 1(800)432-2045, ext. 6777 or (561)682-6777, email: jharmon@sfwmd.gov, or Lindy Cerar, Senior Hydrogeologist, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, Telephone 1(800)432-2045, ext. 2886 or (561)682-2886, email: lcerar@sfwmd.gov. For procedural questions or to obtain copies of the materials incorporated by reference, contact: Kathie Ruff, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, Telephone 1(800)432-2045, ext. 6320 or (561)682-6320, email: kruff@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents, which are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 2087, or (561)682-2087:

(1) “Delegation Agreement between South Florida Water Management District and Lee County,” dated September 13, 2005. “Agreement between Lee County and South Florida Water Management District dated January 9, 1985.

(2) “Delegation Agreement between South Florida Water Management District and Miami-Dade County Health Department,” dated August 10, 2005. “Agreement between Dade County and South Florida Water Management District,” dated January 31, 1985.

(3) “Agreement between Collier County and South Florida Water Management District,” dated February 5, 1985; “Amendment to the Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Collier County,” dated May 11, 2005.

(4) “Agreement between the City of Cape Coral and South Florida Water Management District,” dated October 10, 1986; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and the City of Cape Coral,” dated August 10, 2005.

(5) “Agreement between the Martin County Health Department and South Florida Water Management District,” dated June 12, 1998; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Martin County Health Department,” dated April 18, 2005; “Second Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Martin County Health Department,” dated May 13, 2010.

(6) “Agreement between the Osceola County Health Department and South Florida Water Management District,” dated February 11, 1999; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Osceola County Health Department,” dated April 18, 2005.

(7) “Agreement between the St. Lucie County Health Department and South Florida Water Management District,” dated April 13, 2000; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and St. Lucie County Health Department,” dated May 11, 2005; “Second Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and St. Lucie County Health Department,” dated May 13, 2010.

(8) “Agreement between the Hendry County Health Department and South Florida Water Management District,” dated September 14, 2000; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Hendry County Health Department,” dated April 18, 2005.

(9) “Agreement between the Okeechobee County Health Department and South Florida Water Management District,” dated April 11, 2002; “Amendment to the Water Well Construction Permit Program Delegation Agreement between South Florida Water Management District and Okeechobee County Health Department,” dated April 18, 2005. “Second Amendment to the Water Well Permit Program Delegation Agreement between South Florida Water Management District and Okeechobee County Health Department,” dated May 13, 2010.

(10) “Water Well Construction Permit Program Delegation Agreement between the South Florida Water Management District and Glades County Health Department,” dated May 11, 2005.

(11) “Delegation Agreement between the South Florida Water Management District and Orange County Health Department,” dated May 11, 2005.

(12) “Delegation Agreement between South Florida Water Management District and Osceola County and Polk County Health Departments,” dated May 11, 2005.

(13) “Delegation Agreement between South Florida Water Management District and Palm Beach County Health Department,” dated May 11, 2005.

(14) “Delegation Agreement between South Florida Water Management District and State of Florida Department of Health, Broward County Health Department,” dated June 8, 2005.

(15) “Delegation Agreement between South Florida Water Management District and Highlands County Health Department,” dated May 13, 2010.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.308, 373.309, 373.323, 373.324, 373.326, 373.329, 373.333 FS. History—New 3-16-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Harmon, Director, Water Use Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 2010

INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

RULE NO.: 54C-1.001 RULE TITLE: Tariff

PURPOSE AND EFFECT: The purpose is to amend existing Rule 54C-1.001, F.A.C., the tariff of Lake Apopka Natural Gas District (District), modifying the rate schedules for residential sales service, commercial sales service, interruptible sales service, and transportation service by increasing the fees and

charges of the District, and updating the District’s address and contact information. All classes of customers will experience an increase in the cost of gas. Otherwise, the tariff will remain as it currently exists.

SUMMARY: The rate schedules for all gas sales and transportation service are modified by increasing the fees and charges of the District, and the District’s address and contact information is updated, in Rule 54C-1.001, 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.

RULEMAKING AUTHORITY: Section (12), Chapter 99-454, Laws of Florida, 1999.

LAW IMPLEMENTED: Chapter 99-454, Laws of Florida, 1999.

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: June 28, 2010, 10:00 a.m.

PLACE: The office of Lake Apopka Natural Gas District at 1320 Winter Garden-Vineland Road (CR 535), Winter Garden, Florida 34787

Pursuant to the provisions of 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: Mr. Samuel Davis, Jr., General Manager, Lake Apopka Natural Gas District, 1320 Winter Garden-Vineland Road (CR 535), Winter Garden, Florida 34787; Telephone: (407)656-2734, Facsimile: (407)656-9371. If you are 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: Mr. Samuel Davis, Jr., General Manager, Lake Apopka Natural Gas District, 1320 Winter Garden-Vineland Road (CR 535), Winter Garden, Florida 34787; Telephone: (407)656-2734, Facsimile: (407)656-9371

THE FULL TEXT OF THE PROPOSED RULE IS:

54C-1.001 Tariff.

The full text of the ~~tariff proposed rule~~ is set forth in Resolution number 2010-02 0606 adopted by the Board of Commissioners of Lake Apopka Natural Gas District on April 26, 2010, June 26, 2006, which is hereby incorporated herein in its entirety by reference.

Rulemaking Specific Authority Section (12), Chapter 99-454, Laws of Florida, 1999 Law Implemented Chapter 99-454, Laws of Florida, 1999 History–New 8-11-99, Amended 5-13-01, 2-11-04, 10-2-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: The Board of Commissioners of Lake Apopka Natural Gas District

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Board of Commissioners of Lake Apopka Natural Gas District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2010

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 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 2010.

SUMMARY: The amendment updates the Florida Medicaid Durable Medical Equipment and Supply Services Coverage and Limitations Handbook. The handbook is intended for use by Durable Medical Equipment (DME) and medical suppliers who provide services to Medicaid recipients. Florida Medicaid is expanding coverage of disposable incontinence supplies that were not previously covered under the DME program. The rule will set policy and criteria to qualify for this new coverage.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A SERC has been prepared by the Agency. The Agency has determined that this rule will have an impact on small business. Florida Medicaid’s Durable Medical Equipment program intends to expand coverage to include medically necessary diapers, briefs, protective underwear, pull-ons, liners, shields, guards, pads, and undergarments for children ages 4 to 20. It is estimated there will be no cost to the Agency and no transactional costs are likely to be incurred by individuals and local government entities. The impact on small business will be a result of the expansion in services provided by businesses enrolled as Durable Medical Equipment providers that provide services to Medicaid enrolled children. There will be a reduction in services provided by businesses enrolled as Florida Medicaid waiver providers that provide disposable incontinence supplies to children enrolled in Medicaid waivers, as these services will now be provided to children 4 to 20 only through the Durable Medical Equipment program. Some businesses may provide services under both the

Durable Medical Equipment program and the waiver programs. In that situation, there would be minimal impact to the small businesses.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 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:

DATE AND TIME: Monday, June 28, 2010, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

Pursuant to the provisions of 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: Dan Gabric at the Bureau of Medicaid Services, (850)412-4209. If you are 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: Dan Gabric, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4209, e-mail: dan.gabric@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.070 Durable Medical Equipment and Medical Supplies.

(1) No change.

(2) All durable medical equipment and medical supply providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010 ~~2008~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(3) No change.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 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, 10-1-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Gabric

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 29, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-16.005

RULE TITLE: Duration of Validity

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language for the duration of validity of a passing grade.

SUMMARY: The rule amendment will modify the language for the duration of validity of a passing grade.

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

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

RULEMAKING AUTHORITY: 455.217(2) FS.

LAW IMPLEMENTED: 455.217(2), 489.113(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-16.005 Duration of Validity.

For the purpose of certification, a passing grade shall be valid only for a period of four (4) ~~three (3)~~ years from the date the list of successful candidates is approved by the Board.

Rulemaking Specific Authority 455.217(2) FS. Law Implemented 455.217(2), 489.113(1) FS. History–New 1-6-80, Formerly 21E-16.05, Amended 12-17-85, 8-11-92, Formerly 21E-16.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 12, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 7, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Accountancy

RULE NO.: 61H1-36.004
RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify violations and penalties.

SUMMARY: Violations and penalties will be clarified.

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

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

RULEMAKING AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273, 473.323(1)(m) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1)(a) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 473, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 473, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. The brief description of each violation is provided for quick reference and is not meant to convey all elements of any given statutory provision; the full language of each statutory provision cited must be

consulted in order to determine the conduct involved. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the board's discretion.

(b) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MAXIMUM	MINIMUM

(a) through (d) No change.

(e) Fraudulent, false, deceptive or misleading advertising (Section 473.323(1)(f), F.S., Rule 61H1-24.001, F.A.C.)	\$250 fine. Letter of Guidance	Reprimand, one (1) year probation and \$5000 fine.
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(f) through (g) No change.

(h) Negligence or misconduct	\$250 fine. Letter of Guidance	Reprimand and one (1) year probation (continuing education and review of practice at licensee's expense and limited areas of practice)
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1. through 3. No change.

4. Client records disposition (Rule 61H1-23.002, F.A.C.)	\$250 fine. Letter of Guidance	Suspension until records are returned.
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(i) through (z) No change.

(aa) <u>Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (more than 30 days late) (455.227(1)(t), F.S.</u>	Reprimand.	<u>Suspension and \$5,000 fine.</u>
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(3) No change.

Rulemaking Specific Authority 455.2273 FS. Law Implemented 455.2273, 473.323(1)(m) FS. History—New 1-7-87, Amended 9-16-87, 8-25-88, 6-18-91, 12-30-91, Formerly 21A-36.004, Amended 12-7-93, 5-23-94, 8-16-99, 1-31-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 13, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

(a) through (e) No change.

<u>(f) Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (up to 30 days late) (455.227(1)(t), F.S.)</u>	\$250 fine.
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(4) through (5) No change.

Rulemaking Specific Authority 455.224, 455.225, 473.304 FS. Law Implemented 455.224 FS. History—New 12-30-91, Formerly 21A-36.005, Amended 12-7-93, 5-23-94, 8-16-99, 5-11-03, 7-23-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-36.005
RULE TITLE: Citations
PURPOSE AND EFFECT: The Board proposes the rule amendment to update statutory references and to clarify violations and fines.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 13, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

SUMMARY: Violations and fines will be clarified. Statutory references will be updated.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-36.0055
RULE TITLE: Minor Violation, Notice of Non-Compliance

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

RULEMAKING AUTHORITY: 455.224, 455.225, 473.304 FS.

LAW IMPLEMENTED: 455.224 FS.

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

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

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

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

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

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

RULEMAKING AUTHORITY: 455.225(3), 473.304 FS.

LAW IMPLEMENTED: 455.225, 473.3101 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.005 Citations.

(1) Pursuant to Section 455.224, F.S. (~~4991~~), the Board sets forth in subsection (3) of this rule those violations for which there is no substantial threat to the public health, safety and welfare; or, if there is a substantial threat to the public health, safety and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the fine to be imposed.

(2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.0055 Minor Violation, Notice of Non-Compliance.

(1) Pursuant to Section 455.225(3), F.S., the Department may issue a notice of non-compliance to a certified public accountant licensee for an initial offense of a minor violation. Failure of the person to whom a notice of non-compliance is issued to take corrective action which is set forth in the notice of violation within 15 days of the receipt of the notice may result in further disciplinary action.

(2) through (3) No change.

Rulemaking Specific Authority 455.225(3), 473.304 FS. Law Implemented 455.225, 473.3101 FS. History–New 10-15-97, Amended 7-16-98, 8-16-99, 7-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 13, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.0155 RULE TITLE: Fee for Registered Chiropractic Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form.

SUMMARY: An updated application form will be incorporated into the rule.

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

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

RULEMAKING AUTHORITY: 460.405, 460.4166 FS.

LAW IMPLEMENTED: 460.4166 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: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.0155 Fee for Registered Chiropractic Assistants.

(1) Any person desiring to become a registered chiropractic assistant (RCA) shall make application to the Board on board approved form DH-MQA 1150 (Rev 04/10 ~~11/08~~), Application for Registered Chiropractic Assistant (RCA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(2) through (5) No change.

Rulemaking Authority 460.405, 460.4166 FS. Law Implemented 460.4166 FS. History–New 9-24-96, Formerly 59N-12.0155, Amended 5-10-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.022 RULE TITLE: Medical Faculty Certificate Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form.

SUMMARY: An updated application form will be incorporated into the rule.

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

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

RULEMAKING AUTHORITY: 456.013(2), 460.405, 460.4062(1), (3) FS.

LAW IMPLEMENTED: 456.013(2), 460.4062(1), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.022 Medical Faculty Certificate Fees.

64B2-18.002 Application for Certification as a Chiropractic Physician's Assistant.

(1) Any chiropractic physician desiring to obtain a chiropractic medicine faculty certificate shall make application to the Board on board approved form DH-MQA 1146, (Rev 04/10 ~~11/08~~), Application for Chiropractic Medical Faculty Certificate which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(1) Any person desiring to be certified as a chiropractic physician's assistant shall file an application with the Department on board approved form DH-MQA 1148, (Rev 04/10 ~~11/08~~), Application for Certified Chiropractic Physicians Assistant (CCPA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, and submit the required fees.

(2) through (4) No change.

(2) through (7) No change.

Rulemaking Authority 456.013(2), 460.405, 460.4062(1), (3) FS. Law Implemented 456.013(2), 460.4062(1), (3) FS. History--New 12-4-07, Amended 5-10-09,_____.

Rulemaking Authority 460.405, 460.4165(6), (9) FS. Law Implemented 460.4165(3), (5), (6), (9) FS. History--New 11-25-81, Formerly 21D-18.02, 21D-18.002, 61F2-18.002, 59N-18.002, Amended 6-7-98, 4-25-05, 7-11-07, 4-23-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DEPARTMENT OF HEALTH

Board of Chiropractic

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B2-18.002
 RULE TITLE: Application for Certification as a Chiropractic Physician's Assistant

RULE NO.: 64B16-26.1032
 RULE TITLE: Influenza Immunization Administration Certification Application

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide an application for influenza immunization certification.

SUMMARY: An updated application form will be incorporated into the rule.

SUMMARY: An application for influenza immunization certification will be included in the rule.

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

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

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

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

RULEMAKING AUTHORITY: 460.405, 460.4165(6), (9) FS. LAW IMPLEMENTED: 460.4165(3), (5), (6), (9) FS.

RULEMAKING AUTHORITY: 465.005 FS. LAW IMPLEMENTED: 465.189 FS.

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

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 R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.1032 Influenza Immunization Administration Certification Application.

All applications for immunization certification shall be made on board approved form DH-MQA 1125, "Immunization Administration Certification Application," effective 02/10, which is hereby incorporated by reference. To obtain an application, contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254, or (850)488-0595, or download the application from the board's website at <http://www.doh.state.fl.us/mqa/pharmacy>. The application must be accompanied with a non-refundable application fee as set forth in Rule 64B16-26.1001, F.A.C.

Rulemaking Authority 465.005 FS. Law Implemented 465.189 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.:	RULE TITLE:
69W-600.0011	Effect of Law Enforcement Records on Applications for Registration as Dealer, Issuer/Dealer, or Investment Adviser

PURPOSE AND EFFECT: Section 517.1611(2), F.S., requires the Financial Services Commission to adopt registration disqualifying periods for applicants and their relevant persons based upon criminal convictions, pleas of nolo contendere, or pleas of guilt, regardless of whether adjudication was withheld. The statute imposes a disqualifying period of 15 years for certain felonies and 5 years for certain misdemeanors. The statute provides that the rule may also address mitigating factors, an additional waiting period based upon dates of imprisonment or community supervision, an additional waiting period based upon commitment of multiples crimes, and other factors reasonably related to the consideration of an applicant's

criminal history. The proposed rule implements these requirements for dealers, issuer/dealers, and investment advisers, including their relevant persons. Relevant persons include: any member, principal, or director of the applicant or any person having similar status or performing similar functions; any person directly or indirectly controlling the applicant; direct owners, principals, or indirect owners that are required to be reported on behalf of the applicant on Form BD (Uniform Application for Broker-Dealer Registration) or Form ADV (Uniform Application for Investment Registration) pursuant to Section 517.12(15), F.S.

SUMMARY: The rule makes a general classification of crimes into two classes: Class A and Class B. Class A crimes address felonies involving fraud, dishonesty or any other act of moral turpitude; and Class B crimes address misdemeanors involving those same issues. Under the proposed rule, the disqualification period for a Class A crime is 15 years. For Class B crimes, the disqualification period is 5 years. The rule provides that the disqualification period will be extended if the applicant or relevant person has multiple Class A or B crimes, and it provides that mitigating factors may be considered to reduce disqualifying periods. The disqualifying periods established in the rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by the rule, the burden to prove entitlement to registration remains on the applicant. Other factors related to the consideration of the applicant's or relevant person's criminal history are also addressed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The possible impact associated with the implementation of this rule is that certain relevant persons associated with an applicant firm may cause the applicant firm to be disqualified from approval for registration due to the existence of a criminal history. There are no transactional costs associated with the implementation of this rule. The rule does not impose any additional costs on the Office. No other state or local agencies will be impacted by the proposed rule. There are no anticipated effects on state or local revenues.

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

RULEMAKING AUTHORITY: 517.1611(2) FS.

LAW IMPLEMENTED: 517.12, 517.161 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: Pam Epting, Chief, Bureau of Regulatory Review, Division of Securities, Office of Financial

Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399-0375, (850)410-9500, pam.epting@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69W-600.0011 Effect of Law Enforcement Records on Applications for Registration as Dealer, Issuer/Dealer, or Investment Adviser.

(1) General Procedure Regarding Law Enforcement Records. For purposes of this rule, an “applicant” is any Dealer, Issuer/Dealer or Investment Adviser seeking registration in Florida. Any member, principal, or director of the applicant or any person having similar status or performing similar functions; any person directly or indirectly controlling the applicant; direct owners, principals, or indirect owners that are required to be reported on behalf of the applicant on Form BD or Form ADV pursuant to subsection 517.12(15), F.S. shall be referred to collectively as “relevant persons”. As part of the application review process for each Dealer, Issuer/Dealer, or Investment Adviser, submitted on Form BD or Form ADV, the Office is required to consider all relevant persons law enforcement records when deciding whether to approve an application for registration. When conducting this review, the Office reviews the criminal history information derived from the fingerprint check, any responses made by the applicant or relevant person, and information from other resources such as the Financial Industry Regulatory Authority. In the event of a question regarding the relevant person’s criminal history, the Office may request additional information from the applicant to determine the status of a criminal event, the specific facts and circumstances surrounding a criminal event, or to address other issues determined relevant to the review of the law enforcement record. The Office will notify the applicant of any specific documents that it requires in order to complete its review of the relevant person’s law enforcement record. Documentation that is typically requested includes:

(a) A copy of the police arrest affidavit, arrest report or similar document.

(b) A certified copy of the charges.

(c) A certified copy of the plea, judgment, and sentence where applicable.

(d) A certified copy of an order of entry into pre-trial intervention, and the order of termination of pre-trial intervention showing dismissal of charges where applicable.

(e) A certified copy of an order of termination of probation or supervised release, if applicable.

If the requested documentation cannot be obtained, the applicant shall submit evidence of that fact in order for the application to be deemed complete. Evidence that documentation cannot be obtained shall consist of a written statement on the letterhead of the agency that would be the custodian of the documents, signed by a representative of that

agency, stating that they have no record of such matter, or that the record is lost or was damaged or destroyed, or otherwise stating why the document cannot be produced.

(2) Effect of Failure to Fully Disclose Law Enforcement Record on Application.

(a) The omission of any part of a law enforcement record required to be disclosed is a material misrepresentation or material misstatement on the application and the application shall be denied pursuant to Section 517.161(1)(b), Florida Statutes.

(b) If the Office discovers the applicant’s failure to disclose any part of a law enforcement record required to be disclosed regarding a relevant person on the application after a registration has been granted, the Office will suspend or revoke each registration currently held by the applicant as follows:

1. Suspension for 12 months if, had the application been accurate, the application would have been granted, based upon the statutes and rules applicable to the application at the time the Office granted registration.

2. Revocation if, had the application been accurate, the application would have been denied, based upon the statutes and rules applicable to the application at the time the Office granted registration.

(3) Classification of Crimes.

(a) The Office makes a general classification of crimes into two classes: A and B, as listed in subsections (14) and (15), of this rule.

(b) These classifications reflect the Office’s evaluation of various crimes in terms of moral turpitude and the seriousness of the crime as such factors relate to the prospective threat to public welfare typically posed by a person who would commit such a crime.

(c) The names or descriptions of crimes, as set out in the classification of crimes, are intended to serve only as generic names or descriptions of crimes and shall not be read as legal titles of crimes, or as limiting the included crimes to crimes bearing the exact name or description stated.

(d) For purposes of this rule, “trigger date” means the date on which an applicant was found guilty, or pled guilty, or pled nolo contendere to a crime.

(e) A charge in the nature of attempt or intent to commit a crime, or conspiracy to commit a crime, is classified the same as the crime itself.

(4) Relevant Person(s) With a Single Crime. The Office finds it necessary to implement the following standards for an applicant with relevant person(s) whose law enforcement record includes a single crime, subject to the mitigating factors set forth elsewhere in this rule before registration. All disqualifying periods referenced in this rule run from the trigger date.

(a) Class A Crime. The applicant will not be granted a registration until 15 years have passed since the trigger date.

(b) Class B Crime. The applicant will not be granted a registration until 5 years have passed since the trigger date.

(5) Relevant Person(s) With Multiple Crimes.

(a) The Office construes Section 517.161, Florida Statutes, to require that an applicant with relevant person(s) whose law enforcement record includes multiple Class A or Class B crimes, or any combination thereof, wait longer than those whose law enforcement record includes only a single crime before becoming eligible for registration in order to assure that such relevant person's greater inability or unwillingness to abide by the law has been overcome. Therefore, the Office finds it necessary that a longer disqualifying period be utilized in such instances before registration can safely be granted. Accordingly, where the relevant person has been found guilty or pled guilty or pled nolo contendere to more than one crime, the Office shall add 5 years to the disqualifying period for each additional crime.

(b) The additional periods are added to the basic disqualifying period for the one most serious crime, and the combined total disqualifying period then runs from the trigger date of the most recent crime.

(c) Classification as "Single Crime" versus "Multiple Crimes." For purposes of this rule, two (2) or more offenses are considered a single crime if they are based on the same act or transaction or on two (2) or more connected acts or transactions.

(6) Mitigating Factors.

(a) The disqualifying period for a Class "A" or "B" crime or crimes shall be shortened upon proof of one or more of the following factors. Where more than one factor is present the applicant is entitled to add together all the applicable mitigation amounts and deduct that total from the usual disqualifying period, provided that an applicant shall not be permitted an aggregate mitigation of more than three (3) years for the following factors:

1. One year is deducted if the relevant person's probation officer or prosecuting attorney in the most recent crime states in a signed writing that the probation officer or prosecuting attorney believes the relevant person would pose no significant threat to public welfare if registered.

2. One year is deducted if restitution or settlement has been made for all crimes in which restitution or settlement was ordered by the court, and proof of such restitution or settlement is shown in official court documents or as verified in a signed writing by the relevant person's prosecuting attorney or probation officer.

3. One year will be deducted if the relevant person was under age 21 when the crime was committed and there is only one crime in the relevant person's law enforcement record.

4. One year is deducted if the applicant furnishes proof that the relevant person was at the time of the crime addicted to drugs or suffering active alcoholism. The proof must be accompanied by a written letter from a properly licensed

doctor, psychologist, or therapist licensed by a duly constituted state licensing body stating that the licensed person has examined or treated the relevant person and that in his or her professional opinion the addiction or alcoholism is currently in remission and has been in remission for the previous 12 months. The professional opinion shall be dated within 45 days of the time of application.

5. Other Mitigating Factors. An applicant is permitted to submit any other evidence of facts that the applicant believes should decrease the disqualifying period before registration is allowed and one additional year shall be deducted if the Office agrees the facts have a mitigating effect on the registration decision.

(b) The burden is upon the applicant to establish these mitigating factors. Where the mitigating factor relates to or requires evidence of government agency or court action, it must be proved by a certified true copy of the agency or court document.

(7) Circumstances Not Constituting Mitigation. The Office finds that no mitigating weight exists, and none will be given, for the following factors:

(a) Type of Plea. The Office draws no distinction among types of pleas, e.g., found guilty; pled guilty; pled nolo contendere.

(b) Collateral Attack on Criminal Proceedings. The Office will not allow or give any weight to an attempt to re-litigate, impeach, or collaterally attack judicial criminal proceedings or their results wherein the relevant person was found guilty or pled guilty or nolo contendere. Thus the Office will not hear or consider arguments such as: the criminal proceedings were unfair; the judge was biased; the witnesses or prosecutor lied or acted improperly; the defendant only pled guilty due to financial or mental stress; the defendant was temporarily insane at the time of the crime; or the defendant had ineffective counsel.

(c) The Office finds that subjective factors involving state of mind have no mitigating weight.

(8) Effect of Pending Appeal in Criminal Proceedings: Reversal on Appeal.

(a) The Office interprets the statutory grounds for denial of registration as arising immediately upon a finding of guilt, or a plea of guilty or nolo contendere, regardless of whether an appeal is or is not allowed to be taken. The Office will not wait for the outcome of an appeal to deny registration, unless a Florida court specifically stays the Office's adverse action.

(b) If on appeal the conviction is reversed, the Office shall immediately drop the said crime as grounds for denial of registration.

(9) Pre-Trial Intervention. If at the time of application a relevant person is participating in a pre-trial intervention program based upon a charge of criminal conduct that would authorize denial of a registration under Section 517.161(1), F.S., the Office will deny the application for registration. The

Office considers participation in a pre-trial intervention program to be a pending criminal prosecution under Section 517.161(6), F.S., and finds it necessary to the public welfare to wait until final disposition of all charges of criminal conduct that would authorize denial of a registration under Section 517.161(1), F.S., before an application for registration may be considered.

(10) Effect of Sealing or Expunging of Criminal Record.

(a) An applicant is not required to disclose or acknowledge, and is permitted in fact to affirmatively deny, any arrest or criminal proceeding for a relevant person, the record of which has been legally and properly expunged or sealed by order of a court of competent jurisdiction prior to the time of application, and such denial or failure to disclose is not grounds for adverse action by the Office.

(b) Matters Sealed or Expunged Subsequent to Application. Occasionally a relevant person will have a matter sealed or expunged after the applicant submits an application, but before an application decision is made by the Office. In such situations the Office policy is as follows:

1. If the applicant properly revealed the law enforcement record relating to the relevant person on the application, and thereafter the record is sealed or expunged, the Office will not consider the matter in the application decision.

2. However, if the applicant did not reveal the law enforcement record relating to the relevant person on the application and the matter had not been sealed or expunged at the time of making the application, the Office will construe the failure to disclose the matter on the application as a material misrepresentation or material misstatement, and the application shall be denied pursuant to Section 517.161(1)(b), Florida Statutes.

(11) Effect of Varying Terminology.

(a) With regard to the following six subparagraphs, the Office treats each phrase in a particular subparagraph as having the same effect as the other phrases in that same subparagraph:

1. Adjudicated guilty; convicted.

2. Found guilty; entered a finding of guilt.

3. Pled guilty; entered a plea of guilty; admitted guilt; admitted the charges.

4. Nolo contendere; no contest; did not contest; did not deny; no denial.

5. Adjudication of guilt withheld; adjudication withheld; no adjudication entered; entry of findings withheld; no official record to be entered; judgment withheld; judgment not entered.

6. Nolle prosequi; nolle prosequi; charges withdrawn; charges dismissed; charges dropped.

(b) In all other instances the Office will look to the substantive meaning of the terminology used in the context in which it was used under the law of the jurisdiction where it was used.

(12) Imprisoned Persons and Community Supervision.

(a) Imprisonment. Notwithstanding any provision to the contrary in this rule, the Office shall not register any applicant under Chapter 517, Florida Statutes, while any relevant person of the applicant is imprisoned, under arrest, or serving a sentence for any crime. Further, the Office shall not register any applicant with a relevant person who has been released from imprisonment until the later of the period otherwise set out in these rules or five (5) years after the date of release. The Office finds it necessary that the person be released from imprisonment and thereafter demonstrate an ability to abide by the law by passage of at least five (5) years on good behavior, before registration can be granted without undue risk to the public welfare.

(b) Community Supervision. The Office shall not grant registration to an applicant who at the time of application or at any time during the pendency of the application has a relevant person who is under supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of the courts, paroling authorities, correctional agencies, or other criminal justice agencies for any felony crime or any misdemeanor crime involving fraud, dishonest dealing, or moral turpitude.

(13) Effect of Disqualifying Periods. The disqualifying periods established in this rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by these rules, the burden to prove entitlement to registration remains on the applicant.

(14) Class "A" Crimes include felonies involving an act of fraud, dishonesty, or a breach of trust, or money laundering, and the Office finds that such crimes constitute crimes of moral turpitude. The Office finds the following list of crimes are Class "A" crimes. Crimes similar to the crimes on this list may also be considered Class "A" crimes, and no inference should be drawn from the absence of any crime from this list.

(a) Any type of fraud, including but not limited to Fraud, Postal Fraud, Wire Fraud, Securities Fraud, Welfare Fraud, Defrauding the Government, Credit Card Fraud, Defrauding an Innkeeper, Passing worthless check(s) with intent to defraud.

(b) Perjury.

(c) Armed robbery.

(d) Robbery.

(e) Extortion.

(f) Bribery.

(g) Embezzlement.

(h) Grand theft.

(i) Larceny.

(j) Burglary.

(k) Breaking and entering.

(l) Identity Theft.

(m) Any type of forgery or uttering a forged instrument.

(n) Misuse of public office.

- (o) Racketeering.
- (p) Buying, receiving, concealing, possessing or otherwise dealing in stolen property.
- (q) Treason against the United States, or a state, district, or territory thereof.
- (r) Altering public documents.
- (s) Witness tampering.
- (t) Tax evasion.
- (u) Impersonating or attempting to impersonate a law enforcement officer.
- (v) Money laundering.
- (w) Murder in all degrees.
- (x) Arson.
- (y) Sale, importation, or distribution of controlled substances (drugs); or possession for sale, importation or distribution.
- (z) Aggravated Assault (e.g., as with a deadly weapon).
- (aa) Aggravated Battery (e.g., as with a deadly weapon).
- (bb) Rape.
- (cc) Sexually molesting any minor.
- (dd) Sexual battery.
- (ee) Battery of or threatening a law enforcement officer or public official in the performance of his/her duties.
- (ff) Kidnapping.
- (15) Class "B" Crimes any misdemeanor that involves fraud, dishonest dealing or any other act of moral turpitude.
- (16) Foreign Law Enforcement Records. If a law enforcement record includes convictions, charges, or arrests outside the United States, the Office shall consider the following factors to reduce, eliminate, or apply a disqualifying period:
 - (a) Whether the crime in the criminal record would be a crime under the laws of the United States or any state within the United States;
 - (b) The degree of penalty associated with the same or similar crimes in the United States; and
 - (c) The extent to which the foreign justice system provided safeguards similar to those provided criminal defendants under the Constitution of the United States; for example, the right of a defendant to a public trial, the right against self-incrimination, the right of notice of the charges; the right to confront witnesses, the right to call witnesses, and the right to counsel.
- (17) Form BD and Form ADV are incorporated by reference in subsection 69W-301.002(7), F.A.C.
- (18) For purposes of this rule, "certified" means that there must be a certification or attestation by the issuer of the record that the document is a true copy of a record contained in the issuer's office and the issue's seal, if any.

Rulemaking Authority 517.1611(2) FS. Law Implemented 517.12, 517.161 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Pam Epting, Chief, Bureau of Regulatory Review, Division of Securities, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399-0375, (850)410-9500, pam.epting@flofr.com
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 24, 2009

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.:	RULE TITLE:
1S-2.0091	Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

The changes have been made in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and the provider of information technology services to the supervisors of elections.

1. Subsection (2)(a)3. shall now read:
 - 3.4. Had not ever previously signed a petition form containing the identical initiative which had been verified as valid.
2. Subsection (2)(b) shall now read:
 - (b) The Supervisor shall not verify as valid a signature on an initiative petition form unless all of the following information is contained on the petition form:
 1. The voter's name,
 2. The voter's ~~residential~~ street address (including city and county),
 3. The voter's date of birth or voter registration number,
 4. The voter's original signature, and
 5. The date the voter signed the petition, as recorded by the voter.
3. Subsections (6) and (7) shall now read:
 - (6)(7) Limitation on Use of Verified Signatures. Verified signatures used successfully to place a proposed amendment by initiative on the ballot that subsequently fails to be approved by the electors at the general election shall not be used again in

support of any future identical initiative petition. An identical initiative petition means an initiative petition that is circulated on an initiative petition form which contains the same serial number assigned to it pursuant to Rule 1S-2.009, F.A.C.

(7) Nothing in this rule prohibits a voter from signing a successive initiative petition form containing the text of a former petition if the successive petition form has a different serial number assigned to it pursuant to Rule 1S-2.009, F.A.C.

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

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-16.001	Definitions
59B-16.002	Universal Patient Authorization Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 13, April 2, 2010 issue of the Florida Administrative Weekly.

The above referenced proposed rules are being changed to address comments from staff of The Florida Legislature Joint Administrative Procedures Committee (JAPC). The proposed rules were originally published in Vol. 36, No. 13, Florida Administrative Weekly, April 2, 2010. JAPC has indicated that the proposed definition of "electronic format" in Rule 59B-16.001, F.A.C., is vague and should be clarified. JAPC indicated that Rule 59B-16.002, F.A.C., does not contain any provisions related to electronic forms as required by Section 408.051, Florida Statutes and that the electronic versions of the forms should be incorporated by reference. JAPC commented that Florida Statutes prohibits an agency from collecting social security numbers unless it is imperative for the performance of that agency's duties and responsibilities. JAPC requested that the Agency review and revise the proposed forms. Accordingly, these sections have been changed so that when adopted they will read as follows:

59B-16.001 Definitions.

As used in Rules 59B-16.001 through 59B-16.003, F.A.C.:

(1) "Health care provider" means any other person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(2) "Electronic format" means an electronic copy of the forms provided in Rule 59B-16.002, F.A.C., in a Portable Document Format (PDF). "Electronic format" means a form as provided in Rule 59B-16.002, F.A.C., that is completed, signed

~~electronically and transmitted electronically to the health care provider if the signature is validated by the provider or third party on behalf of the provider through an authentication process consistent with national standards recognized by the Office of the National Coordinator for Health Information Technology.~~

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History-New _____.

59B-16.002 Universal Patient Authorization Forms.

(1) The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care dated 3.1.10 is incorporated by reference as AHCA Form FC4200-004.

(2) The Universal Patient Authorization Form for Limited Disclosure of Health Information including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Limited Disclosure of Health Information dated 3.1.10 is incorporated by reference as AHCA Form FC4200-005.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History-New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NO.:	RULE TITLE:
59B-16.003	Rebuttable Presumption and Civil Liability

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 13, April 2, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Pilotage Rate Review Board

RULE NO.:	RULE TITLE:
61E13-2.012	Determination of Disputed Issues of Material Fact; Formal or Informal Hearings

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 9, March 5, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-5.0061
 RULE TITLE: Registration of Additional New Business Entity or Transfers
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

The change is in response to a vote by the Board at the meeting held May 20 and 21, 2010.

Subsection (2) shall now read as follows:

(2) The Application for registration is form number DBPR ECLB 4452-1, effective May 2010, titled Application for Registered Electrical, Alarm System or Specialty Contractor, which is hereby incorporated by reference, copies of which may be obtained from the Board office, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771 or via the internet at http://www.myfloridalicense.com/dbpr/pro/elboard/documents/registered_electrical_package_enterable.pdf.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

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

Residential Services

RULE NO.: 63E-7.011
 RULE TITLE: Delinquency Intervention and Treatment Services
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

63E-7.011 Delinquency Intervention and Treatment Services.

A residential commitment program shall provide delinquency intervention and treatment services that are gender-specific pursuant to Section 985.02, F.S., and that focus on preparing youth to live responsibly in the community upon release from the program. The program shall design its services and service delivery system based on the common characteristics of its primary target population, including age, gender, and special

needs, and their impact on youths' responsivity to intervention or treatment. However, in accordance with Rule 63E-7.010, F.A.C., the program shall individualize and coordinate the provision of delinquency intervention and treatment services based on each youth's prioritized risk and needs as identified through the RPACT and document services delivered in the youth's individual management record.

(1) through (2) No change.

(3) Treatment Services. Treatment services shall be provided in accordance with the following provisions:

(a) Authority for Evaluation and Treatment.

1. through 8. No change.

9. The AET does not authorize or provide consent for substance abuse services. The youth's consent for substance abuse services must be obtained as specified in paragraph (b) below.

(b) Youth Consent for Substance Abuse Evaluation and Treatment.

1. A youth must consent to substance abuse evaluation and treatment unless such treatment is ordered by the court.

2. Youth consent for substance abuse services is addressed in ~~must be documented and obtained in accordance with Chapter 397, F.S., and Chapter 65D-30 F.A.C.~~

3. If a youth refuses to provide consent for necessary substance abuse evaluation and treatment, the department shall determine the need for a court order for the provision of such services.

4. Substance abuse records of service providers pertaining to the identity, diagnosis, and prognosis of and service provision to a youth may not be disclosed without the written consent of the youth to whom they pertain. However, appropriate disclosure may be made without written consent as specified in Section 397.501(7), Florida Statutes.

5. Any written consent for disclosure may be given only by the youth. This restriction on disclosure includes any disclosure of youth identifying information to the parent, legal guardian or custodian for the purpose of obtaining financial reimbursement.

6. Youth consent for release of substance abuse information and records is addressed in ~~must be documented and obtained in accordance with Chapter 397, F.S., Chapter 65D-30 F.A.C and 42 Code of Federal Regulations, Part 2.~~

(b) through (c) renumbered (c) through (d) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History--New 12-9-08, Amended 12-21-09, 5-4-10,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

NOTICE OF PUBLIC HEARING

The Board of Osteopathic Medicine announces a public hearing regarding the above proposed rules, as noticed in Vol. 36, No. 16, April 23, 2010 Florida Administrative Weekly.

DATE AND TIME: Friday, June 18, 2010, 4:00 p.m.

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Boulevard, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: public hearing on Rules 64B15-14.0051 and 14.0052, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.:	RULE TITLE:
64J-1.020	Training Programs

NOTICE OF WITHDRAWAL

Notice is hereby given that subsection (8) of the above rule, as noticed in Vol. 35, No. 52, December 31, 2009 issue of the Florida Administrative Weekly has been withdrawn and the remaining subsections are renumbered accordingly.

**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 THE LOTTERY

RULE NO.:	RULE TITLE:
53ER10-17	Extension of Retailer POWERBALL® with Power Play® Bonus Commission Retailer Incentive

SUMMARY: The Department of the Lottery will extend the Retailer POWERBALL® with Power Play® Bonus Commission Retailer Incentive in Rule 53ER10-13, F.A.C., through June 12, 2010.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-17 Extension of Retailer POWERBALL® with Power Play® Bonus Commission Retailer Incentive.

The end date of the POWERBALL® with Power Play® Retailer Bonus Sales Commission Program described in Rule 53ER10-13, F.A.C. is extended from May 19, 2010 to June 9, 2010.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 5-19-10.

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

EFFECTIVE DATE: May 19, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER10-18	FLORIDA LOTTO™ with XTRA® Retailer Bonus Sales Commission

SUMMARY: The Florida Lottery will pay double the sales commissions to retailers that sell FLORIDA LOTTO™ with XTRA® tickets.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-18 FLORIDA LOTTO™ with XTRA® Retailer Bonus Sales Commission.

(1) Beginning May 20, 2010 through June 9, 2010, the Florida Lottery will conduct, as a retailer sales incentive, a FLORIDA LOTTO™ with XTRA® Retailer Bonus Sales Commission program in which the Florida Lottery will double the sales commissions to retailers.

(2) The Florida Lottery will pay retailers 5% bonus sales commission on each XTRA sale in addition to the regular commission set forth in Rule 53ER05-14, F.A.C., for a total of \$.15 for each \$2.00 Florida LOTTO with Xtra sale.

(3) The bonus commission will be reflected on the retailer's weekly Settlement Report.

(4) Retailers whose Florida Lottery contracts are terminated or inactivated prior to payment of the bonus commissions shall be paid the commissions earned provided said termination or inactivation was not due to noncompliance with Chapter 24, F.S., Chapter 53, F.A.C., or contract terms.

(5) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the commission(s), if any.

(6) FLORIDA LOTTO™ with XTRA bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 5-19-10.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: May 19, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-19
RULE TITLE: Firecracker MILLIONAIRE RAFFLE™

SUMMARY: This emergency rule describes the on-line game "Firecracker MILLIONAIRE RAFFLE," for which the Department of the Lottery will sell tickets beginning May 21, 2010.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-19 Firecracker MILLIONAIRE RAFFLE™.

(1) How to Play Firecracker MILLIONAIRE RAFFLE.

(a) Firecracker MILLIONAIRE RAFFLE is an on-line number match game.

(b) Each Firecracker MILLIONAIRE RAFFLE ticket costs \$20.

(c) Firecracker MILLIONAIRE RAFFLE tickets will go on sale Friday, May 21, 2010. Sales of Firecracker MILLIONAIRE RAFFLE tickets will cease immediately after the 750,000th ticket is sold or at midnight on July 5, 2010, whichever occurs first.

(d) Each Firecracker MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the Firecracker MILLIONAIRE RAFFLE drawing. Firecracker MILLIONAIRE RAFFLE tickets will automatically print from the terminal with ticket numbers issued in sequential order from 1 to 750000 as they are sold around the state. Each Firecracker MILLIONAIRE RAFFLE ticket will contain only one ticket number. Players cannot select their own ticket numbers.

(e) The overall odds of winning a prize in the Firecracker MILLIONAIRE RAFFLE drawing depend upon the number of tickets sold and are 1 in 295 if all 750,000 tickets are sold.

(f) Firecracker MILLIONAIRE RAFFLE tickets cannot be cancelled.

(2) Firecracker MILLIONAIRE RAFFLE Drawing and Prizes.

(a) A random computerized drawing from among all Firecracker MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on July 6, 2010. A total of 2,540 prizes will be awarded. Prizes will be awarded in the order drawn. The 1st through 5th numbers drawn will win \$1 million cash, less applicable tax withholding. The 6th through 15th numbers drawn will win \$100,000, less applicable tax withholding, and will be alternates, in the order drawn, for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period. The 16th through 40th numbers drawn will win \$10,000. The 41st through 2,540th numbers drawn will win \$500.

(b) The Firecracker MILLIONAIRE RAFFLE drawing will be held on July 6, 2010 and shall be public and witnessed by an accountant employed by an independent certified public accounting firm, as required by Section 24.105(10), Florida Statutes.

(c) The results of the drawing will be revealed on July 6, 2010 and will be available after the drawing on the Lottery's website at www.flalottery.com, by phone at 1(850)487-7777, or at a lottery retailer.

(3) How to Claim a Firecracker MILLIONAIRE RAFFLE Prize.

(a) Firecracker MILLIONAIRE RAFFLE prizes must be claimed by submitting the winning ticket for validation at a Lottery office or retailer within 180 days from the date of the drawing (by January 2, 2011) and, if the prize is not paid at that time, by submitting the winning ticket for payment at a Lottery office, as required by the Lottery's rule governing payment of prizes. Winning Firecracker MILLIONAIRE RAFFLE tickets of \$500 can be claimed at a retailer or at a Lottery office. Winning tickets of \$10,000 and \$100,000 must be presented to

a Lottery office for payment. Tickets winning \$1 million must be submitted for payment at Lottery Headquarters. Failure of a prizewinner to claim a Firecracker MILLIONAIRE RAFFLE prize by submitting the winning ticket for validation and payment in accordance with the Lottery's rule governing payment of prizes shall result in forfeiture of the prize. Information about procedures for filing a claim can be obtained by calling (850)487-7777 [TDD (850)487-7784]. Firecracker MILLIONAIRE RAFFLE tickets are the only valid receipts to redeem a prize.

(b) A claim filed for a \$100,000 prize shall also be a contingent claim for a \$1 million prize. If a winning Firecracker MILLIONAIRE RAFFLE ticket bearing any of the first five winning numbers is not submitted for validation and payment in accordance with the Lottery's rule governing payment of prizes, the 6th through 15th prizewinners who have submitted their tickets for validation and payment in accordance with the Lottery's rule governing payment of prizes constitute contingent winners for the \$1 million prize and will be used in the order in which they were drawn to select a winner for the \$1 million top prize. The contingent winner will be awarded the cash difference between the \$100,000 prize and the \$1 million prize.

If applicable, the Lottery will attempt to notify, for a period of two weeks, the first contingent winner drawn in the \$100,000 prize category. If the Lottery is unable to contact the first contingent winner, the Lottery will attempt to notify, for a period of two weeks, the second contingent winner drawn. This process will continue until a contingent winner is contacted or the Lottery has exhausted the list of available contingent winners, in which case the \$1 million prize will not be awarded.

(c) Payment of all federal, state and/or local taxes will be the responsibility of the winner. Federal withholding taxes will be deducted from the \$1 million, \$100,000 and \$10,000 cash payments.

(4) Instant Win Prizes.

(a) Players who purchase a Firecracker MILLIONAIRE RAFFLE ticket early may be an instant winner of cash and Universal Orlando® prizes. A total of ninety-two (92) instant win prizes will be given away randomly from May 21 through June 17, 2010, including:

1. Forty (40) Hotel Prizes each consisting of \$1,000 cash plus two (2) 2-night hotel accommodations, room and tax only, for two (2) adults in a maximum of one (1) standard or garden view room at an on-site hotel at Universal Orlando Resort as selected by Universal and two (2) 2-day 2-park passes for admission for two (2) adults to Universal Studios Florida and Universal's Islands of Adventure theme parks. Hotel accommodations do not include meals, incidentals, tips, telephone calls, or any other personal expenses incurred during the trip, not specified here. The approximate retail value of each hotel prize is \$1,818.00.

2. Fifty-two (52) Ticket Prizes each consisting of \$500 cash plus one (1) pair of 2-day 2-park passes for admission for two (2) adults to Universal Studios Florida and Universal's Islands of Adventure theme parks, one park per day. The approximate retail value of each ticket prize is \$770.00.

(b) If a Firecracker MILLIONAIRE RAFFLE ticket is an instant winner, the terminal will play a tune and an Instant Win Prize Voucher will automatically print after issuance of the Firecracker MILLIONAIRE RAFFLE ticket. Firecracker MILLIONAIRE RAFFLE instant winning tickets will contain a Lottery Prize Alert symbol and a message that the ticket holder is an instant winner. Should any issues arise concerning the transaction and/or prize, it is the player's responsibility to seek resolution of these issues with the retailer and the Lottery prior to leaving the retail location.

(c) Instant prize winners must file a claim for their Instant Win Vouchers at a Lottery office by September 3, 2010. The instant win prize winners will be required to execute a Florida Lottery Release and Authorization Form DOL-474. Form DOL-474, Eff. 10/08, is hereby incorporated by reference and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at www.flalottery.com, or by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The cash portion of all instant prizes will be paid by the Florida Lottery at the time the claim is filed, subject to subsection (8) below. The pair of Universal Orlando 2-day park tickets will be mailed to prize winners within two weeks following Universal Orlando's receipt of prize winner's name from the Florida Lottery. A member of Universal Orlando's Promotion Fulfillment Department will contact the prize winner, who will in turn be responsible for making the necessary travel arrangements.

(d) Hotel prize winners of a Universal Orlando Resort 2-night hotel stay will also be contacted by a member of Universal Orlando's Promotion Fulfillment Department within two weeks following Universal Orlando's receipt of prize winner's name from the Florida Lottery. The prize winner will be responsible for making the necessary travel arrangements directly with Universal Orlando Resort.

(e) All Universal Orlando Resort instant win prizes must be claimed by September 3, 2010 and travel must be completed no later than December 31, 2010. Blockout dates or other restrictions may apply as directed by hotel. Winner travel arrangements must be made a minimum of fourteen (14) days prior to winner travel and are subject to availability. All elements of the Universal Orlando instant win prizes must be redeemed at the same time, and no changes will be permitted after confirmation of a reservation. If the winner is unable to fulfill his or her hotel prize during above-referenced time period, the winner forfeits the non-cash portion of the prize package. Winners of hotel prizes must be 21 years of age or older unless accompanied by a parent or legal guardian, who is at least 21 years of age, in order to check in to on-site hotel.

Minor traveling companion(s), if any, must be accompanied by a parent or legal guardian. Trips are non-transferable and have no cash value. All unclaimed and/or unused Universal Orlando prize packages will remain the property of Universal Orlando and may not be sold, exchanged or otherwise transferred by winner. Winner and guests must travel at the same time. Winners who do not meet these specified requirements will forfeit the right to the hotel stay; however, the value of the hotel stay will remain taxable income to the winner. Universal Orlando Resort hotel stays and park tickets cannot be redeemed for cash.

(f) All the Universal Orlando theme park tickets are valid during normal operating hours only. Operating hours and availability of attractions and shows are subject to change without notice. Some special events may be separately ticketed. Universal reserves the right to change the name of all tickets. All tickets specifically exclude admission to special or separately ticketed "hard ticket" entertainment events at either of the theme parks, hotels, or within any of the Universal CityWalk venues such as Hard Rock Live[®] and the Blue Man Group show.

(5) Payment of federal, state and/or local taxes on instant win prizes is the responsibility of the winner. Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident winner.

(6) Universal Orlando Resort Offer Coupon.

(a) All Firecracker MILLIONAIRE RAFFLE tickets that are not instant winners will receive a Resort Offer Coupon for a special offer from Universal Orlando Resort. As purchasers of Firecracker MILLIONAIRE RAFFLE tickets, players can book a Universal Orlando Resort on-site hotel for 3 nights or more from May 21 – July 31, 2010, with travel from August 15 – October 7, 2010, and receive a discounted room rate starting from \$134 per night at Loews Royal Pacific Resort and a \$75 dining credit for all qualified bookings. A minimum 3 night stay is required. The offer is limited to one (1) \$75 food and beverage credit per booking. Consumers must book their hotel room at Universal's website and present their Florida Lottery Firecracker Millionaire Raffle discount coupon upon check-in at the on-site hotel at Universal Orlando Resort to receive the \$75 dining credit. No duplications, replications or facsimiles will be accepted. Credit applies to select hotel restaurants only, and days/hours of operation may vary. The offer is non-transferable and cannot be combined with any other offers, promotions, or discounts. The offer is subject to hotel availability. Any unused portions are non-transferable and non-refundable. Blockout dates or other restrictions may apply as directed by hotel.

(7) Players must be at least 18 years of age. Persons prohibited by Section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to play. A winner's right to a prize cannot be assigned to another person or entity.

(8) If a winner of a prize valued at \$600 or more is identified as owing an outstanding debt to a state agency, child support collected through a court, or spousal support or alimony as provided in subsection 24.115(4), F.S., in an amount less than the cash portion of the prize, the non-cash portion of the prize, if any, and the cash portion of the prize less the amount owed, shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize, the winner's entire cash portion of the prize will be applied toward the outstanding debt as provided in Section 24.115, F.S., and the winner will receive the remaining non-cash portion of the prize, if any.

(9) All Firecracker MILLIONAIRE RAFFLE prizes are subject to the provisions of Chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 5-20-10, Replaces 53ER09-21.

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

EFFECTIVE DATE: May 20, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER10-20	Firecracker MILLIONAIRE RAFFLE™ Retailer Incentive Rules

SUMMARY: The Department of the Lottery will conduct a "Firecracker Millionaire Raffle Retailer Incentive" program from May 21, 2010 through July 5, 2010, in which certain retailers will receive bonus commissions during the promotion period.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-20 Firecracker MILLIONAIRE RAFFLE™ Retailer Incentive Rules.

(1) Firecracker MILLIONAIRE RAFFLE is an on-line number match game. Firecracker MILLIONAIRE RAFFLE tickets will go on sale Friday, May 21, 2010. Sales of

Firecracker MILLIONAIRE RAFFLE tickets will cease immediately after the 750,000th ticket is sold or at midnight on July 5, 2010, whichever occurs first.

(2) There will be five winners of \$1 million, ten winners of \$100,000, twenty-five winners of \$10,000 and 2,500 winners of \$500 in the Firecracker MILLIONAIRE RAFFLE game. The \$100,000 winners will be alternates in the order drawn for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period.

(3) A retailer who sells a winning \$1 million Firecracker MILLIONAIRE RAFFLE ticket will receive a bonus commission of \$5,000 in addition to the regular five percent sales commission set forth in Rule 53ER05-14, F.A.C.

(4) Award of a bonus commission is not dependent upon the winning Firecracker MILLIONAIRE RAFFLE ticket being claimed by the winner. Retailers who sell winning \$100,000 Firecracker MILLIONAIRE RAFFLE tickets that subsequently become alternate winners of a \$1 million prize will not be eligible for a bonus commission.

(5) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission provided the termination or inactivation was not due to non-compliance with Florida Lottery laws, rules or contract terms.

(6) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply the bonus commission earned against a retailer's outstanding debt to the Florida Lottery.

Rulemaking Authority 24.105(9), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9), 24.112(1) FS. History--New 5-20-10. Replaces 53ER09-22.

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

EFFECTIVE DATE: May 20, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT on May 17, 2010, the Department of Community Affairs, Division of Housing and Community Development, received a petition for waiver from

the City of DeFuniak Springs relating to Florida Small Cities Community Block Grant Program subgrant ceilings based on HUD modified census figures summarizing low and moderate income population. The petitioner seeks a waiver of paragraph 9B-43.0041(2)(b), Florida Administrative Code. This waiver is being requested pursuant to the provisions of Section 120.542, Florida Statutes and Section 28-104.002, Florida Administrative Code. It was assigned the number DCA10-WAI-111.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on May 13, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Paula Boyd. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner has cancer which prevents her from completing her firearms qualification. The Petitioner would like to waive the operation of the rule in her case.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Criminal Justice Standards and Training Commission has issued an order.

This matter concerned a request for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Paula Boyd. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner has cancer which prevents her from completing her firearms qualification. The Petitioner requested a waiver of the operation of the rule in her case. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 22, on June 4, 2010.

On May 20, 2010, at its regularly scheduled business agenda meeting held in Ocala, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness resulting in the need to for the Petitioner to qualify while undergoing medical treatment for a serious illness. The Commission found that the purposes of the underlying statute, to ensure that officers are

properly trained, will be met by granting this waiver request. The Commission granted the Petitioner two extra years to complete her firearms requalification.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Criminal Justice Standards and Training Commission has issued an order.

This matter concerned a request for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Vickie Calejo. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner has a serious illness which prevents her from completing her firearms qualification. The Petitioner requested a waiver of the operation of the rule in her case. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 22, on June 4, 2010.

On May 20, 2010, at its regularly scheduled business agenda meeting held in Ocala, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness resulting in the need to for the Petitioner to qualify while undergoing medical treatment for a serious illness. The Commission found that the purposes of the underlying statute, to ensure that officers are properly trained, will be met by granting this waiver request. The Commission granted the Petitioner two extra years to complete her firearms requalification.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 13, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Vicky Calejo. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner has cancer which prevents her from completing her firearms qualification. The Petitioner would like to waive the operation of the rule in her case.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 13, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Derek Canto. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner was in an off-duty automobile accident and cannot complete firearms qualification by the deadline of June 30, 2010. The Petitioner would like to waive the operation of the rule in his case.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Criminal Justice Standards and Training Commission has issued an order.

This matter concerned a request for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by Derek Canto. The rule requires officers to successfully complete firearms qualification every two years unless an officer is injured in the line of duty, which would grant the officer two additional years to complete the qualification. The Petitioner has an injury which prevents him from completing his firearms qualification. The Petitioner requested a waiver of the operation of the rule in his case. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 22, on June 4, 2010.

On May 20, 2010, at its regularly scheduled business agenda meeting held in Ocala, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness resulting in the need to for the Petitioner to qualify while undergoing medical treatment for a serious injury. The Commission found that the purposes of the underlying statute, to ensure that officers are properly trained, will be met by granting this waiver request. The Commission granted the Petitioner two extra years to complete his firearms requalification.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Criminal Justice Standards and Training Commission has issued an order.

On May 11, 2010, the Criminal Justice Standards and Training Commission, received a petition for a waiver of subsection 11B-27.002(4), F.A.C., by Chadler Llyman Lawnsdail. The rule requires candidates to complete basic recruit training, pass the state officer certification examination (SOCE), and obtain employment within four years of beginning basic recruit training in order to maintain active status for certification as a criminal justice professional. The Petitioner wished to waive that portion of the rule which required him to become employed within four years of starting basic recruit training. The petitioner began basic recruit training on August 2, 1999, passed basic recruit training on February 16, 2000, and passed the SOCE on February 17, 2000. He has never been employed as a criminal justice professional.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 20, on May 21, 2010.

On May 20, 2010, at its regularly scheduled business agenda meeting held in Ocala, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner failed to demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that officers are employed within a reasonable time after completing their basic training, will not be met by granting this waiver request. The Commission denied the Petitioner's waiver.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Criminal Justice Standards and Training Commission has issued an order.

On May 16, 2010, the Criminal Justice Standards and Training Commission, received a petition for waiver of subparagraphs 11B-20.0014(3)(d)5. and 6., F.A.C., by Sgt. William Miller of the Sarasota Criminal Justice Academy. Sgt. Miller seeks to waive that portion of the rule requiring breath test instructors to be actively certified prior to instructing a breath test operator renewal course. Sgt. Miller and the SCJA assert that the Petitioner was otherwise qualified at the time he taught the class, and that the Petitioner has, indeed, now received the necessary certification. Receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 22, June 4, 2010.

On May 20, 2010, at its regularly scheduled business agenda meeting held in Ocala, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case

would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that alcohol breath test operator instructors are certified prior to instructing courses, will be met by granting this waiver request. The Commission found that the Petitioner had the knowledge, skills, and abilities required to instruct and, indeed, did become certified soon after instructing the course. The failure of the Petitioner to become certified was an oversight by the Petitioner and was not flagrant. The Commission granted the Petitioner's waiver.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 16, 2010, the Criminal Justice Standards and Training Commission, received a petition for waiver of subparagraphs 11B-20.0014(3)(d)5. and 6., F.A.C., by Sgt. William Miller of the Sarasota Criminal Justice Academy. Sgt. Miller seeks to waive that portion of the rule requiring breath test instructors to be actively certified prior to instructing a breath test operator renewal course. Sgt. Miller and the SCJA assert that the Petitioner was otherwise qualified at the time he taught the class, and that the Petitioner has, indeed, now received the necessary certification.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the The Criminal Justice Standards and Training Commission has issued an order.

William Wall, Director of the Sarasota Criminal Justice Academy, petitioned the Criminal Justice Standards and Training Commission for a waiver of paragraph 11B-21.005(8)(a), Florida Administrative Code. The petition was received by Commission staff on March 8, 2010. Notice of the petition was published in Vol. 36, No. 13, Florida Administrative Weekly, on April 2, 2010. Director Wall petitioned for a waiver of that portion of paragraph 11B-21.005(8)(a), Florida Administrative Code, that requires certified criminal justice training schools to maintain a full-time director employed on a 12-month calendar. Director Wall's training school has been reduced to an eleven-month academic and pay calendar as a result of budget cuts for workforce education funding through the parent organization, the Sarasota County Technical Institute. The Commission granted the waiver at its regularly scheduled and noticed May 20, 2010, meeting which was held in Ocala, Florida.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32327, (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Verizon Florida LLC's petition for waiver variance from Rules 25-4.0185 and 25-4.073, Florida Administrative Code, filed December 28, 2009, in Docket No.: 090550-TL was approved by the Commission by Order No.: PSC-10-0249-PAA-TL, issued April 23, 2010, consummated by Order No.: PSC-10-0321-CO-TL, issued May 18, 2010. Rule 25-4.0185, F.A.C., requires a local exchange company to collect and report call-answer time data. Rule 25-4.073, F.A.C., requires a local exchange company meet certain answer-time intervals. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the F.A.W. on January 22, 2010.

A copy of the Order can be obtained from the: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on May 24, 2010, the Suwannee River Water Management District, received a petition for variance from Michael Streicher, 3101 US Hwy. 90 West, Suite 201, Lake City, FL 32055, pursuant to Section 120.542, F.S. Petitioner is seeking variance from paragraph 40B-4.3030(4)(b), F.A.C., as to the building elevations without the use of fill, and paragraph 40B-4.3030(9)(b), F.A.C., as to the zero rise requirement. Petitioner is seeking to remodel boat garage, in Gilchrist County, in Township 7 South, Range 14 East, Section 13. These rules are intended to set forth criteria for development activities within a Work of the District.

Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP 10-0088, M. Steicher District Floodway Project.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Southwest Florida Water Management District received notification of the withdrawal of a petition for rule waiver from Crystal Bay at Kingsway Condominium Association, Inc. The District received the petition for rule waiver from Crystal Bay at Kingsway Condominium Association, Inc., on February 5, 2010. Petitioner requested a waiver of Section 6.4.1 of the Basis of Review for Environmental Resource Permit Applications incorporated by reference into the District's rules by way of subsection 40D-4.091(1), F.A.C. Notice of the Petition was published in the Florida Administrative Weekly, Vol. 36, No. 8, on February 26, 2010. The petition was withdrawn after the District notified Petitioner that a rule exemption applied and therefore the petition for rule waiver was moot. A copy of the letter withdrawing the Petition for Variance or Waiver may be obtained by contacting: Cathleen C. Kenney, Staff Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from of subsection 59A-1.005(35), Florida Administrative Code, from AXOGEN, INC.; BACTERIN INTERNATIONAL, INC.; BONE BANK ALLOGRAFTS; COMMUNITY TISSUE SERVICES-CALIFORNIA; COMMUNITY TISSUE SERVICES-DAYTON; COMMUNITY TISSUE SERVICES-INDIANA; COMMUNITY TISSUE SERVICES-NORTHWEST OHIO; COMMUNITY TISSUE SERVICES-PENNSYLVANIA; COMMUNITY TISSUE SERVICES-PORTLAND; COMMUNITY TISSUE SERVICES-TEXAS; CRYOLIFE, INC.; INTERPORE CROSS INTERNATIONAL; LIFECELL CORPORATION; LIFELINK FOUNDATION TISSUE BANK; LIFELINK TISSUE BANK-WOODLAND; LIFENET HEALTH; OSTOTECH, INC.; MUSCULOSKELETAL TRANSPLANT FOUNDATION; RTI BIOLOGICS, INC. - RESEARCH CIRCLE; SOUTHEAST TISSUE ALLIANCE, INC.; UNIVERSITY OF MIAMI TISSUE BANK; and WRIGHT MEDICAL TECHNOLOGY, INC. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Shaddrick A. Haston, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from of subsection 59A-1.005(35), Florida Administrative Code, from ISTO Technologies, Inc. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Shaddrick A. Haston, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on May 18, 2010, by Timothy P. Atkinson, Esq., on behalf of Cy R. Adams, seeking a permanent waiver or variance of Rule 61G4-15.001, F.A.C., dealing with qualifications for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G. W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

NOTICE IS HEREBY GIVEN THAT on May 14, 2010, the Board of Accountancy, received a petition for Patrick Callan, seeking a variance or waiver of subsection 61H1-28.0052(2), Florida Administrative Code, which requires the initial licensure fees and all required documents be received within 36 months of the date of certification of examination scores by the Board or the initial license will not be issued.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on May 10, 2010, the Board of Accountancy, received a petition for Coretta James, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on May 7, 2010, the Board of Accountancy, received a petition for John D. Stewart, seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, report on forms prescribed by the Board, compliance with continuing professional education requirements completed during the applicable reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 20, 2010, the Board of Accountancy, received a petition for Baby Varkey, seeking a variance or waiver of paragraph 61H1-27.001(5)(a), Florida Administrative Code, which lists the requirements for an applicant for licensure who holds a degree from a college that is not accredited. The petitioner also seeks a variance of waiver of paragraph 61H1-27.002(2)(b), F.A.C., which requires that the applicant has completed 36 semester or 54 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which shall include coverage of the uniform commercial code, contracts and torts.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on May 21, 2010, the Department of Environmental Protection has issued an order.

On February 23, 2010, the Department received a petition from Mosaic Fertilizer, LLC (Mosaic) requested a variance under Section 120.542, Florida Statutes, from the requirements of paragraphs 62C-16.0051(2)(a), (10)(b) and (e) and (12)(b)2., F.A.C., to allow the Department to modify the maximum slope, percent vegetative cover, use of all indigenous species, and the reclamation schedule requirements so that Mosaic may reclaim upland portions of the Payne Creek Mine to a beneficial final land use as a golf course and associated infrastructure. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 36, No. 10, dated March 12, 2010. No public comment was received. On May 21, 2010, the Department entered a final order (OGC File No.: 10-0922) granting a variance to Mosaic from the requirements of paragraphs 62C-16.0051(2)(a), (10)(b) and (e) and (12)(b)2., F.A.C., provided specific conditions were met.

A copy of the Order may be obtained by contacting: Orlando Rivera, PWS, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Dirac Drive, MS #715, Tallahassee, Florida 32310-3760, (850)488-8217.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on May 21, 2010, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Susan Lander, seeking a variance or waiver of paragraph 64B4-3.003(3)(a), F.A.C., which requires that the minimum passing score for the examination developed by the Association of Social Work Boards (ASWB) is the recommended cut-off score provided by the national vendor established according to a standard-setting method.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08,

Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

The Board of Dentistry hereby gives notice that it has received a petition, filed on May 17, 2010, by Edwin A. Bayo on behalf of Richard Rolle, Jr. D.D.S., seeking a waiver or variance of subsection 64B5-2.021(1) and paragraph 64B5-2.013(1)(c), F.A.C. with respect to the following licensure requirements: with regard to the requirement that any applicant who has failed to pass the clinical examination in three attempts shall not be eligible for reexamination until he or she completes a one year general practice residency and that each applicant for a Florida dental license successfully complete all three examinations as provided for in Section 466.006, Florida Statutes, within a 13 month period in order to qualify for licensure.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on May 20, 2010, the Board of Medicine, Council on Physician Assistants, received a petition for waiver or variance filed by Teresa Hoye Doolittle, PA-C, from Rule 64B8-30.003, F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

The Board of Nursing Home Administrators hereby gives notice that it has received a petition, filed on May 18, 2010, by Marie L. Geary, seeking a variance or waiver for Rule 64B10-11.002, F.A.C. with respect to the following licensure requirement: the applicant must pass the required examinations administered by the National Association of Boards of Examiners of Nursing Home Administrators.

Comments on this petition should be filed with the Nursing Home Administrators Board, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

For a copy of the petition, contact: Sharon Guilford, Acting Executive Director, at the above address or telephone (850)425-4355.

NOTICE IS HEREBY GIVEN THAT on May 18, 2010, the Board of Psychology, received a petition for a permanent waiver filed on behalf of Karina Jefeiz-Zagagi, Ph.D., from Rule 64B19-11.0075, F.A.C., with regard to closing the application file after 24 months if the applicant is unable to document the completion of the required 2,000 hours of post doctoral experience. Comments on this petition should be filed with: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

NOTICE IS HEREBY GIVEN THAT on May 24, 2010, the Department of Health, received a petition for a Variance from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from Melanie Brackett for Pinnacle Academy Private School, 290 Forest Park Circle, Panama City, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. Common toilet facilities for both sexes shall not be allowed above the third grade.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sharon Saulter, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on May 24, 2010, the Department of Health, received a petition for Variance from Rule 64E-11.006, Florida Administrative Code (F.A.C.), from Grandma's Daycare, Inc., 35 Grant Street, Saint Augustine, FL 32084. Portions of this section require approved facilities for manual or mechanical dishwashing of multi-use eating and drinking utensils. When utensils are washed and sanitized by hand, a three compartment sink shall be provided. Cleaning and sanitizing may be done by spray type or immersion dishwashing or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on May 19, 2010, the Department of Health, received a petition for variance from Daniel Hernandez, Esq., representing Infiltrator Systems, Incorporated. Specifically, the petitioner seeks a variance from paragraph 64E-6.013(2)(a), Florida Administrative Code, which requires all receptacle stiffing members such as ribs to be a homogenous part of the structure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on May 4, 2010, the Department of Children and Families, received a petition for wavier of subsection 65C-15.017(3), Florida Administrative Code, from Child & Family Connections and Jerome West, assigned Case No.: 10-030W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 10, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(1), Florida Administrative Code, from Community Partnership for Children and William Babiez, assigned Case No.: 10-031W. Subsection 65C-15.017(1), F.A.C., requires the Director shall have a master's degree in social work or a related area of study from an accredited college or university and at least two years experience in human services or child welfare programs.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notices of Meetings, Workshops and Public Hearings

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: June 3, 2010, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: June 8, 2010, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Task Force.

DATE AND TIME: June 8, 2010, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

DATE AND TIME: June 9, 2010, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: June 9, 2010, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee.

DATE AND TIME: June 10, 2010, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance/Budget Committee.

DATE AND TIME: June 17, 2010, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mentoring Task Force.

DATE AND TIME: June 24, 2010, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

DATE AND TIME: June 24, 2010, 11:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCSW Foundation.

DATE AND TIME: June 12, 2010, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 2nd Quarterly Meeting of 2010 of the Florida Commission on the Status of Women.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women 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 Animal Disease Traceability Working Group, a Subcommittee of the **Animal Industry Technical Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Marriott Hotel-Palms Royal Conference Room, 400 S. Collier Boulevard, Marco Island, FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Animal identification and animal traceability and outreach plans.

A copy of the agenda may be obtained by contacting: Stephen Monroe at (850)410-0944.

Pursuant to the provisions of 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: Stephen Monroe at (850)410-0944. If you are 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 Monroe at (850)410-0944.

The Florida **Department of Agriculture and Consumer Services, Division of Food Safety** announces a public meeting to which all persons are invited.

DATE AND TIME: June 29, 2010, 10:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational and general business meeting of the Florida Food Safety and Food Defense Advisory Council.

A copy of the agenda may be obtained by contacting: Carol Windham at (850)245-5582.

For more information, you may contact: Carol Windham, Division of Food Safety at (850)245-5582.

DEPARTMENT OF EDUCATION

The **Board of Governors**, State University System of Florida, and its Budget and Finance Committee announces a workshop to which all persons are invited.

DATES AND TIMES: Wednesday, June 16, 2010, 1:00 p.m. through Thursday, June 17, 2010, 6:00 p.m.

PLACE: Live Oak Ballroom, Ferrell Commons, University of Central Florida, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Each of the 11 institutions in the State University System, FSU, UNF, FAMU, USF, FGCU, FIU, UWF, UF, FAU, New College of Florida, and UCF, will present its university work plan, its request for a tuition differential fee, and other fee requests, to provide to the Board members an overview of the universities, and to begin discussions of universities in the context of the SUS and the overall strategic plan for the SUS.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Division of Blind Services**, Direct Support Organization announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 17, 2010, 1:30 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(877)347-0176, Conference Code: 720674#; Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Craig Kiser, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Craig Kiser at (850)345-9122. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Strategic Planning Committee, the Budget and Finance Committee, the Facilities Committee and the Academic and Student Affairs Committee of the **Board of Governors**, State University System of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2010, 8:30 a.m. – 12:30 p.m.

PLACE: Live Oak Ballroom, Ferrell Commons, University of Central Florida, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Educational Sites; Consideration of University Requests for Tuition Differential Fees; Consideration of any new fees; Public Notice of Intent to Amend BOG Regulations 7.001, Tuition and Associated Fees; 7.003, Fees, Fines and Penalties; 7.008, Waiver of Tuition and Fees; and 9.009, Preparation of State University System Financial Statements; Public Notice of Intent to Amend BOG Regulation 1.001, Board of Trustees Powers and Duties; Update on BOG Debt Guidelines Workshop and Functional Relationship Review; Consideration of 2011-2012 Legislative Budget Request Guidelines; Facilities Committee Orientation; Consideration for Implementation, Ed.D., Education, FGCU; and Ph.D., Economics, USF; Consideration of Termination, Ph.D., Computer and Information Sciences, UF; Consideration of Limited Access Status, B.A./B.S., Advertising, USF; Public Notice of Intent to Amend BOG Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and Graduation by Students with

Disabilities; Public Notice of Intent to Adopt new BOG Regulation 8.010, Common Prerequisites; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines Street, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, State University System of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Live Oak Ballroom, Ferrell Commons, University of Central Florida, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Confirmation of President Mary Jane Saunders, FAU; Consideration of University Requests for Tuition Differential Fees; Consideration of any new fees; Public Notice of Intent to Amend BOG Regulations 7.001, Tuition and Associated Fees; 7.003, Fees, Fines and Penalties; 7.008, Waiver of Tuition and Fees; 9.009, Preparation of State University System Financial Statements; Public Notice of Intent to Amend BOG Regulation 1.001, Board of Trustees Powers and Duties; Update on BOG Debt Guidelines Workshop; Consideration of 2011-2012 Legislative Budget Request Guidelines; Consideration for Implementation, Ed.D., Education, FGCU; and Ph.D., Economics, USF; Consideration of Termination, Ph.D., Computer and Information Sciences, UF; Consideration of Limited Access Status, B.A./B.S., Advertising, USF; Public Notice of Intent to Amend BOG Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and Graduation by Students with Disabilities; Public Notice of Intent to Adopt new BOG Regulation 8.010, Common Prerequisites; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Bldg., 325 W. Gaines St., Tallahassee, FL 32399-0400.

The Florida **Department of Education** and the **State Board of Education** announces an informal reception for Superintendents, Presidents of the Florida College System, and Business Leaders of small and medium school districts and the corresponding Colleges.

DATE AND TIME: June 14, 2010, 6:00 p.m. – 7:30 p.m.

PLACE: Sheraton Orlando Downtown, 400 West Livingston Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Board of Education and Commissioner Eric J. Smith will host an informal reception for Superintendents, Presidents of the Florida College System, and Business Leaders of small and medium school districts and the corresponding Colleges. Additional receptions targeted for those from the Panhandle and the larger districts will be noticed in a future edition of the F.A.W.

For more information, you may contact: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org.

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

DATE AND TIME: June 15, 2010, 9:00 a.m.

PLACE: Orange County Public Schools Educational Leadership Center, School Board Meeting Room, 445 West Amelia Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held May 18, 2010, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Items for consideration include action relating to the following rules: Rule 6A-1.099811, F.A.C., Differentiated Accountability State System of School

Improvement; Rule 6A-1.09422, F.A.C., Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements; Rule 6A-1.0995, F.A.C., Form of High School Diplomas and Certificates of Completion; Rule 6A-6.0211, F.A.C., Performance-Based Exit Option Model and State of Florida High School Performance-Based Diploma; and Approval of New Rule 6A-14.095, F.A.C., Site Determined Baccalaureate Access. Other items for consideration include: Approval of Baccalaureate Degree proposal by Palm Beach State College for a BAS in Information Management and a BS in Nursing; Approval of Baccalaureate Degree proposal by State College of Florida, Manatee-Sarasota for a BAS in Energy Technology; Approval of the 2010-2011 Differentiated Accountability Plan (Matrix); Approval of Budget Guidelines for Development of 2011-2012 Legislative Budget; Approval of Recommendations for Good Cause Exemptions for Summer VPK Programs; Charter School Appeal Commission Recommendation RE: Kathleen C. Wright Schools vs. School Board of Broward County; Charter School Appeal Commission Recommendation RE: Journey Education vs. Indian River County School District; Charter School Appeal Commission Recommendation RE: Shine! Education Services vs. Palm Beach County School District; Charter School Appeal Commission Recommendation RE: Accelerated High Schools vs. Palm Beach County School District; Dismissal of Charter School Appeal for Lack of Jurisdiction: Shine! Education Services vs. Miami-Dade County School District; Approval of the Transfer of Assets of Radio Station WXEL-FM from Barry University to Classical South Florida, Inc.; Approval of College Reach Out Program Allocations; Approval of Gold Standard Career Pathways Industry Certification to AAS/AS Degree Statewide Articulation Agreements; Adoption of Resolutions Authorizing the Issuance and Sale of State of Florida, Full Faith and Credit, State Board of Education Capital Outlay Bonds, 2010 Series A; and Adoption of Resolutions Authorizing the Issuance and Sale of State of Florida, Full Faith and Credit, State Board of Education Capital Outlay Refunding Bonds, 2010 Series [to be determined]. The Policy Issues for Concurrence will include: 2 + 2 Articulation and Common Core Standards. An update will be presented on Florida SmartNet.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org or by visiting the Department's website at: <http://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: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.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: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida Grants Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 14, 2010, 11:00 a.m. – until business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode: 1918015#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and approve AmeriCorps Formula applications for funding.

A copy of the agenda may be obtained by contacting: Anitra Thomas at (850)921-5172 or anitra@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Anitra Thomas at (850)921-5172 or anitra@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anitra Thomas at (850)921-5172 or anitra@volunteerflorida.org.

The **Office of Drug Control** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 21, 2010, 4:00 p.m. – 5:00 p.m. (EST)

PLACE: Room 2105, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Prescription Drug Monitoring Foundation.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of 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: Claude Shipley at (850)414-8820. If you are 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: Claude Shipley at (850)414-8820.

The **Office of Statewide Suicide Prevention** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 30, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention Coordinating Council.

A copy of the agenda may be obtained by contacting: Erin MacInnes at (850)922-0498.

Pursuant to the provisions of 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: Erin MacInnes at (850)922-0498. If you are 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: Erin MacInnes at (850)922-0498.

REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: Monday, June 21, 2010, 4:00 p.m.; Executive Committee, 3:00 p.m.; Audit Committee, 3:45 p.m.

PLACE: Niceville City Hall, 208 North Partin Drive, Niceville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Council.

A copy of the agenda may be obtained by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at terry.joseph@wfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at terry.joseph@wfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Terry Joseph, Executive Director, WFRPC at terry.joseph@wfrpc.org or (850)332-7976.

The **St. Johns County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 3, 2010, 2:00 p.m.

PLACE: River House Board Room, 179 Marine Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the St. Johns County Transportation Disadvantaged Local Coordinating Board to voice concerns regarding the public transportation system will take place in conjunction with the Board’s Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, NEFRC at (904)279-0880.

Pursuant to the provisions of 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: Ed Lehman, NEFRC at (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Budget Committee, Thursday, June 17, 2010, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council’s Budget for Fiscal Year 2010-2011.

A copy of the agenda may be obtained by contacting: The 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.

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

DATE AND TIME: WRPC Board of Directors Meeting, Thursday, June 17, 2010, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: The 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.

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

DATE AND TIME: Wednesday, June 16, 2010, 10:00 a.m.

PLACE: East Central Florida Planning Council, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council. (visit our website: www.ecfrpc.org for map and directions).

A copy of the agenda may be obtained by contacting: Tuesday Brunsonbyrd-Bowden at tbyrd@ecfrpc.org or (407)262-7772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tuesday Brunsonbyrd-Bowden at tbyrd@ecfrpc.org or (407)262-7772. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2010, 9:30 a.m.

PLACE: Indian River State College (Chastain Campus), Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Treasure Coast Regional Planning Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. If you are hearing or

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

METROPOLITAN PLANNING ORGANIZATIONS

The **Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB)** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2010, 10:00 a.m.

PLACE: Charlotte County Transit Division, Conference Room, 25490 Airport Road, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting highlights includes: Charlotte County Transportation Disadvantaged Service Plan (TDSP)/Coordinated Public Transit – Human Services Transportation Plan (CPT/HSTP) Minor Update and Transit Development Plan FY 2010/2011 Minor Update.

A copy of the agenda may be obtained by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535 or visit the website at www.ccmppo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Robin Parrish at (863)519-2675 or by writing her: Post Office Box 1249, Bartow, FL 33831. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Wendy Scott, Charlotte County-Punta Gorda MPO at (941)883-3535.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 2010, 10:00 a.m. –12:00 Noon

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on pending applications for individual consumptive use permits and individual environmental resource permits. An agenda will be available at least 7 days before the meeting; the agenda will identify those permit applications for which the District will receive public testimony or information.

A copy of the agenda may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, Attention: Vicki Young, 4049 Reid Street, Palatka, FL 32177, (386)329-4523, or by visiting the District's web site at: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, June 17, 2010, 1:00 p.m. – 4:00 p.m.; 6:00 p.m.

Southern Recreational Public Meeting (SRPM) and Management Review Team Tour (MRT).

MANAGEMENT REVIEW TEAM TOUR

TIME: 1:00 p.m. – 4:00 p.m.

PLACE: Fort Drum Marsh Conservation Area. Tour participants will meet at the Fort Drum public access area located 15 miles West of I-95, on the south side of State Road 60 near Vero Beach. The District will provide transportation around the property. To reserve a seat, please call: (386)329-4855 or e-mail janderson@sjrwmd.com. One or more Governing Board Members may attend.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour includes a review of the resource and recreation management accomplishments within the conservation area since 2005.

SOUTHERN RECREATIONAL PUBLIC MEETING

TIME: 6:00 p.m.

PLACE: Indian River County Administration Complex, 1800 27th Street, Bldg. B, Room B1-501, Vero Beach, FL. One or more Governing Board Members may attend.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will include presentations covering the resource and recreation management accomplishments and land acquisition updates since the previous SRPM in January 2010.

A copy of the agenda may be obtained by contacting: Jay Anderson at (386)329-4855 or janderson@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jay Anderson at (386)329-4855 or janderson@sjrwmd.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 11, 2010, 9:30 a.m.

PLACE: SWFWMD Bartow Service Office, 170 Century Boulevard, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Phyllis.Young@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0043).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), Josie Guillen, extension 4227 or online at www.watermatters.org/waterways.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (352)796-7211 or 1(800)423-1476 (Florida only), extension 4702, TDD (Florida only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Manasota Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Phyllis.Young@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0044).

The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Tahla.Paige@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0042).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center

2301 McGregor Blvd.

Fort Myers, FL 33901

Martin/St. Lucie Service Center

780 S. E. Indian Street

Stuart, FL 34997

Orlando Service Center

1707 Orlando Central Parkway Suite 200

Orlando, FL 32809

The meeting will also be webcast.

A copy of the agenda may be obtained by contacting: seven (7) days prior to the meeting date, you may obtain a copy of the agenda by going to our website at: www.sfwmd.gov.

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click.
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link.

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free 1(800)432-2045, ext. 6207.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk’s Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: District Clerk’s Office at (561)682-2087.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The **Commission for the Transportation Disadvantaged**, Awards Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 10, 2010, 10:00 a.m. – until completion

PLACE: Transportation Disadvantaged Office, 2740 Centerview Drive, Suite 1A, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be to select award recipients.

A copy of the agenda may be obtained by contacting: Amy Priest at (850)410-5428.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 21, 2010, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Final Adoption of the Tampa Bay Water FY 2010/2011 Proposed Budget, followed by a Regular Board Meeting, and a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss possible litigation expenditures and/or settlement negotiations in Tampa Bay Water v. HDR Engineering, Inc., et. al. Attorney/Client Briefing Attendees: Board of Directors of

Tampa Bay Water, General Manager Gerald Seeber, General Counsel Richard Lotspeich, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355 or can be accessed on the web at www.tampabaywater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Records Department at (727)796-2355.

DEPARTMENT OF ELDER AFFAIRS

NOTICE OF CHANGE – The **Department of Elder Affairs**, Planning and Evaluation Unit, announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 10, 2010, 10:00 a.m. –12:00 Noon

PLACE: Webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding available data and process for requesting data.

The webinar published in the Florida Administrative Weekly on May 28, 2010 has been CANCELLED.

For more information, you may contact: Abbie Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: messera@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE OF CHANGE – The **E911 Board** announces the following meeting schedule information update to which all interested persons are invited.

E911 Board Meeting

DATES AND TIMES: June 16-17, 2010, 9:00 a.m. – until conclusion of business; June 16, 2010, 3:30 p.m. – until conclusion of business

PLACE: Bayside Inn, 9300 Emerald Coast Parkway West, Destin, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: E911 Grant Committee Meeting scheduled to discuss issues related to the 2010 Fall Rural County Grant Program

If accommodation due to disability is needed in order to participate, please notify: The DMS, Division of Telecommunications Office, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Governor's Mansion Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142483#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Meeting.

A copy of the agenda may be obtained by contacting: Department of Management Services, Division of Real Estate Development & Management, 4050 Esplanade Way, Ste. 315, Tallahassee, FL 32399-0950, (850)413-8417.

Pursuant to the provisions of 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: Department of Management Services, Division of Real Estate Development & Management, 4050 Esplanade Way, Ste. 315, Tallahassee, FL 32399-0950, (850)413-8417. If you are 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 **State Retirement Commission** announces a hearing to which all persons are invited.

DATE AND TIME: June 14, 2010, 8:30 a.m.

PLACE: Crown Plaza Jacksonville Riverfront, 1201 River Place Blvd., Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 15 days before the workshop/meeting by contacting: State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 17, 2010, 2:00 p.m. (Eastern Time) or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879597#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2010, 1:00 p.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of 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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: June 22, 2010, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of 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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are

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

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 17, 2010, Budget Task Force, 10:00 a.m. – until all business is concluded; Tuesday, June 29, 2010, Probable Cause, 9:00 a.m. – until all business is concluded; Board Meeting, 1:00 p.m. – until all business is concluded; Wednesday, June 30, 2010, Board Meeting, 9:00 a.m. – until all business is concluded

PLACE: Conference Call for June 17, 2010: 1(888)808-6959, Conference Code: 9299108#; June 29-30, 2010: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget Task Force will meet to discuss board financial statements. The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: June Carroll at (352)333-2505. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: June Carroll at (352)333-2505.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, June 21, 2010, 2:30 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, June 22, 2010; Wednesday, June 23, 2010, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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

The Florida **Department of Juvenile Justice** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, June 21, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Changes to proposed Rules 63F-11.001, .002, .003, .004, .005, .006, F.A.C. provisions governing the reporting of medical, mental health and substance abuse services complaints.

A copy of the agenda may be obtained by contacting: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, Florida 32399-3100 or e-mail: john.milla@djj.state.fl.us.

DEPARTMENT OF HEALTH

The Florida Coordinating Council for the **Deaf and Hard of Hearing Legal Systems**, Accessibility Task Force Video Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 21, 2010, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5221678031#, Computer-assisted realtime translation (CART) services will be provided remotely via the following weblink: <http://www.streamtext.net/text.aspx?event=FCCDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Video Training Subcommittee of the Legal Systems Accessibility Task Force of the Florida Coordinating Council

for the Deaf and Hard of Hearing will hold a discussion meeting. The general subject of the meeting is a discussion of training methods to implement the law enforcement video and training manual regarding accessibility in the legal/law enforcement/court arenas in Florida for persons who are deaf, hard of hearing, late-deafened and deaf-blind.

A copy of the agenda may be obtained by contacting: website: info@fccdh.org, email: MaryGrace_Tavel@doh.state.fl.us or phone: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

Pursuant to the provisions of 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: website: info@fccdh.org or phone: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: email: info@fccdh.org, phone: (850)245-4913, TTY: (850)245-4914, Toll-free TTY: 1(866)602-3276.

The **PCP South Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 18, 2010, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 17, 2010, 10:00 a.m. – 1:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2458182#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

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

The Florida **Department of Health** announces a public meeting of the Physician Workforce Initiative Stakeholders announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454144#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues related to Physician Workforce Assessment and Development.

This is a public meeting. If you would like to participate, have questions, or require further information or request an agenda please contact: Jessica Swanson at (850)245-4444, ext. 2711 or email: Jessica_Swanson@doh.state.fl.us.

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

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

For more information, you may email: Jessica Swanson at Jessica_Swanson@doh.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Shared Service Alliance of Okeechobee and the Treasure Coast** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2010, 1:00 p.m.

PLACE: DCF, Benton Building, 337 North US Hwy. 1, Suite 327D, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda for June 25th Alliance meeting.

For more information, you may contact: Linda Poston at (772)467-4177.

The **Circuit 19 Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Port Saint Lucie Civic Center, 9221 S. E. Civic Center Place, Port Saint Lucie, Florida 34952

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting to provide an update to the community on progress the Department has made during the year and the impact of the recent legislative session. The meeting will be used to gather input that will help set the direction of the Department through input into the DCF strategic plan.

A copy of the agenda may be obtained by contacting: Melissa McInturff at (772)429-2109.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Melissa McInturff at (772)429-2109. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Melissa McInturff at (772)429-2109.

The **Department of Children and Family Services, SunCoast Region** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Regency Park Library, 9701 Little Road, New Port Richey, FL 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: Designation of Morton Plant North Bay Psychiatric Hospital in Lutz, FL, as a Baker Act Receiving Facility.

A copy of the agenda may be obtained by contacting: Paulette O'Shaughnessy at (813)558-5748 or email: Paulette_O'Shaughnessy@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Paulette O'Shaughnessy at (813)558-5748 or email: Paulette_O'Shaughnessy@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 9, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Nova Southeastern University, Health Professions Division, 3200 South University Drive, Ft. Lauderdale, FL 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: Marchman Act.

A copy of the agenda may be obtained by contacting: Cynthia Panzarino at (850)921-2495.

The **Domestic Violence Program Office** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 8:30 a.m. – 11:45 a.m.

PLACE: 60 South Ivanhoe Boulevard, Orlando, FL 32804

GENERAL SUBJECT MATTER TO BE CONSIDERED: Representatives from the Attorney General Statewide Domestic Violence Fatality Review Team will hold a community forum in Orlando to hear from agencies, service providers and others in the community about their issues, needs and concerns relating to preventing domestic violence fatalities.

A copy of the agenda may be obtained by contacting: Susan Prater DeBeaugrine, Domestic Violence Program Office, 1317 Winewood Boulevard, Room 331, Tallahassee, Florida 32399-0700, (850)414-3212.

Pursuant to the provisions of 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: Susan Prater DeBeaugrine at (850)414-3212. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Prater DeBeaugrine, Domestic Violence Program Office, 1317 Winewood Boulevard, Room 331, Tallahassee, Florida 32399-0700, (850)414-3212.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 11, 2010, 9:00 a.m. – 12:00 Noon

PLACE: The Peabody Orlando, 9801 International Drive, Orlando, Florida 32819, (407)352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The “Housing Finance Agency Innovation Fund for the Hardest-Hit Housing Markets” (HFA Hardest-Hit Fund) was announced by Treasury on February 19, 2010 as a means to provide meaningful financial support for families in the nation’s hardest-hit housing markets. Florida is slated to receive \$418 million as one of five states that will share in \$1.5 billion in funding through this program. States’ proposals were due to Treasury by April 16, 2010. Treasury has reviewed the proposals to ensure that each meets established program guidelines. Treasury anticipates approving the proposals by mid-June, 2010.

The purpose of this meeting is to solicit comments from the general public, local governments, community stakeholders, agencies and other interested parties on the proposed Request for Qualifications for Housing Counseling Agencies for the Implementation of the HFA Hardest Hit Fund Mortgage Intervention Strategy.

A copy of the agenda and a draft of the Request for Qualifications will be posted on Florida Housing’s website: www.floridahousing.org, by the close of business on Tuesday, June 8, 2010.

A copy of the agenda may be obtained by contacting: Bridget Warring 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: Bridget Warring 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: June 15, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Fort Lauderdale Executive Airport, Airport Administration Building, 6000 N. W. 21st Avenue, Fort Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local zoning requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and the counties upon notice of application. In response to concerns expressed by the commissioners at the April commission meeting, staff will be discussing a revised draft rule. The direction of this draft is substantially different than the proposed language advertised in the Florida Administrative Weekly, Notice of Proposed Rule, March 26, 2010, Vol. 36, No. 12.

A copy of the revised draft language and agenda may be obtained on line at <http://myfwc.com/CALENDAR/index.htm> or by contacting: Captain Linda Harrison at (850)488-6253.

Pursuant to the provisions of 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: Captain Linda Harrison at (850)488-6253.

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: June 16, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Florida Department of Highway Safety and Motor Vehicles, 133 S. Semoran Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local zoning requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and

the counties upon notice of application. In response to concerns expressed by the commissioners at the April commission meeting, staff will be discussing a revised draft rule. The direction of this draft is substantially different than the proposed language advertised in the Florida Administrative Weekly, Notice of Proposed Rule, March 26, 2010, Vol. 36, No. 12.

A copy of the current proposed language and agenda may be obtained on line at <http://myfwc.com/CALENDAR/index.htm> or by contacting: Captain Linda Harrison at (850)488-6253.

Pursuant to the provisions of 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: Captain Linda Harrison at (850)488-6253.

The Florida **Fish and Wildlife Conservation Commission**, Division of Law Enforcement announces a workshop to which all persons are invited.

DATE AND TIME: June 17, 2010, 6: 00 p.m. – 8:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, Division of Plant Industry, 1911 S. W. 34th Street, Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and the counties upon notice of application. In response to concerns expressed by the commissioners at the April commission meeting, staff will be discussing a revised draft rule. The direction of this draft is substantially different than the proposed language advertised in the Florida Administrative Weekly, Notice of Proposed Rule, March 26, 2010 Vol. 36, No. 12.

A copy of the current proposed language and agenda may be obtained on line at <http://myfwc.com/CALENDAR/index.htm> or by contacting: Captain Linda Harrison at (850)488-6253.

Pursuant to the provisions of 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: Captain Linda Harrison at (850)488-6253.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 22, 2010, 2:00 p.m. – 5:00 p.m.

PLACE: The Orlando Marriott, 1501 International Parkway, Lake Mary, FLorida 32756, (407)995-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to present Commissioner's with an in-depth briefing on the Florida Youth Conservation Centers Network Initiative (FYCCN), allow questions, answers, and idea sharing between staff, the Commissioner's and interested parties attending the meeting. This meeting will be held in conjunction with the Commission's business meeting which is scheduled for June 23-24, 2010 at same location in which this meeting is being held.

A copy of the agenda may be obtained by contacting: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, Florida 32399-1600.

Pursuant to the provisions of 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: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: June 23-24, 2010, 8:30 a.m. each day

PLACE: The Orlando Marriott, 1501 International Parkway, Lake Mary, Florida 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, Florida 32399-1600.

Pursuant to the provisions of 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: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2010, 9:30 a.m.

PLACE: 9887 4th Street North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach at (727)570-9696.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Elizabeth Laubach at (727)570-9696. If you are 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: Elizabeth Laubach at (727)570-9696.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 10, 2010, 10:00 a.m.

PLACE: Room 100 West, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of the April 15, 2010 meeting, the Treasurer's Report, Committee Reports, the Executive Director's Report and such other business as the Authority may deem appropriate.

A copy of the agenda may be obtained by contacting: The Treasure Coast Education, Research and Development Authority ("Authority") at (772)467-3107.

Pursuant to the provisions of 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 Authority at (772)467-3107. If you are 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.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 11, 2010, 9:00 a.m.

PLACE: Department of Transportation, Burns Building, Room 129, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the SSRC Technology Committee. The committee is scheduled to meet every 2nd and 4th Friday depending on need.

Please contact: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us for meeting information and cancellations.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

For more information, you may contact: Faye Hall at (850)414-4772 or email: faye.hall@dot.state.fl.us.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 15, 2010, 1:00 p.m.

PLACE: Bryant Building, Conference Room 272, 620 South Meridian Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the SSRC Standing Committee on Customers and Services.

A copy of the agenda may be obtained by contacting: Christine Calianno at (850)414-2870 or email: Christine.Calianno@MyFWC.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Christine Calianno at (850)414-2870 or email: Christine.Calianno@MyFWC.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Calianno at (850)414-2870 or email: Christine.Calianno@MyFWC.com.

FLORIDA HEALTH CHOICES

The **Florida Health Choices** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 18, 2010, 11:00 a.m.

PLACE: GrayRobinson, 301 East Pine Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

Additional Meetings Scheduled:

Friday, July 16, 2010 – Jacksonville, FL

Friday, September 24, 2010 – Tampa, FL

Friday, December 3, 2010 – Tallahassee, FL

Subject to change, for up to date details contact: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

A copy of the agenda may be obtained by contacting: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

For more information, you may contact: Lauren McCarthy at (850)222-0933 or lauren@myfloridachchoices.com.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

The **Florida Developmental Disabilities Council, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 10, 2010, 8:30 a.m. – 6:30 p.m.; June 11, 2010, 8:30 a.m. – 2:30 p.m., NOTE: Meeting Times are subject to change

PLACE: Doubletree Hotel, 4500 West Cypress Way, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday: Committee Meetings; Friday: Full Board Meeting.

To receive a copy of the agenda, or request accommodations for participation in the meeting, please contact: Debra Dowds or Bonnie Newsome, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, 1(800)580-7801, (TDD) 1(888)488-8633.

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

For more information, you may contact: Debra Dowds or Bonnie Newsome.

GOVERNOR'S COMMISSION ON DISABILITIES

The **Governor's Commission on Disabilities**, Education/Employment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday June 8, 2010, 1:15 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or website: commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or website: commission@dms.myflorida.com.

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

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to website: commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Healthcare Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 3:30 p.m. – 5:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

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

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Transportation/Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday June 9, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from the City of South Daytona. It was assigned the number DCA10-DEC-079. The petition seeks the agency's opinion as to the applicability of Sections 611.1, Florida Building Code, Existing Building Volume, and 1510.1, 1502 and 1507, Florida Building Code, Building Volume (2007, as amended) as it applies to the petitioner.

The petitioner asks if new roof coverings can be installed over existing roof coverings, without the addition of the required minimum slope of 1/4" in 12", for room covering systems requiring that minimum slope, and whether standing water that evaporates within 48 hours meets the code definition of Positive Roof Drainage.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 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 Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has issued an order disposing of the petition for declaratory statement filed by Jeremy V. Anderson on behalf of Fiddler's Green Condominium Association II, Inc. on March 26, 2010. The following is a summary of the agency's disposition of the petition:

The Division finds that Fiddler's Green Condominium Association II, Inc.'s bylaw limiting a director to two consecutive terms is consistent with Section 718.112(2)(d)1., Florida Statutes, which provides that all unit owners, except those explicitly limited by the statute, are eligible to run for election to the board.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Gabriel A. Ferrer, Petitioner/Unit Owner, In Re: Grand Isle North Hutchinson Island Condominium Association, Inc., on March 23, 2010. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because it may not issue a declaratory statement where the facts concern events that have already taken place; or because the record contains no competent, substantial evidence to support the declaration.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Desmond J. Fowles, Petitioner/Unit Owner, In Re: Lansbrook Village Condominium Association. The petition seeks the agency's opinion as to the applicability of Section 718.301, Florida Statutes, and subsection 61B-23.003(8), Florida Administrative Code, as it applies to the petitioner.

Whether Lansbrook Marketing, L.L.C., a subsequent developer and majority owner of units in Lansbrook Village Condominium Association, Inc., must hold an election to transfer control to the non-developer unit owners under Section 718.301, Florida Statutes, and subsection 61B-23.003(8), Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Parliament Towers Condominium, Inc., Docket No.: 2010009829 on March 12, 2010. The following is a summary of the agency's disposition of the petition:

The Division finds that in the absence of an amendment to its declaration making the association responsible for installing and maintaining hurricane shutters, hurricane protection or hurricane-resistant glass, Parliament Towers Condominium Association, inc. must have a majority vote of unit owners to install hurricane-resistant glass in the windows of the first three floors of the condominium under Section 718.113(5)(a), Florida Statutes, and must assess the cost as a common expense, which includes the use of common surplus funds, under Sections 718.115(1)(e) and (3), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on May 18, 2010, the Board of Chiropractic Medicine has received the petition for declaratory statement from Serena Sara, D.C. The petition seeks the agency's opinion as to the applicability of Chapter 460, Florida Statutes, as it applies to the petitioner.

The petitioner is seeking the Board’s interpretation of Chapter 460, Florida Statutes, concerning whether the use of the product “Beautiful Image model 900” falls within the scope of practice for Chiropractic Medicine. Petitioner also seeks whether other employees of her office, such as registered chiropractic assistants, licensed massage therapists, or estheticians may use the product on patients.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on May 25, 2010, the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from Daniel Sauerteig. The petition seeks the agency’s opinion as to the applicability of Rule 64B3-10.005, F.A.C., as it applies to the petitioner.

Although the petition neglects to reference a statute or rule, it appears the petitioner seeks the Board’s interpretation of Rule 64B3-10.005, F.A.C., concerning the licensure requirements for hematology.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Massage Therapy hereby gives notice that on May 24, 2010, it received a Petition for Declaratory Statement filed by First Coast Technical College, seeking interpretation of Rule 64B7-32.001, F.A.C. First Coast Technical College is seeking an approval letter to offer distance education learning processes beyond the minimum 500 hour requirement. The Board will address this petition at its next meeting.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Christy Robinson, Acting Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256. Comments on this petition should be filed with the Board of Massage Therapy within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Eric A. Neilinger, Case No.: 109853-10-FM on April 5, 2010. The following is a summary of the agency’s disposition of the petition:

The Petitioner asks whether the local authority having jurisdiction has the discretion to require more than one manual pull station in the subject clubhouse which is fully protected by an automatic sprinkler system supervised by the fire alarm. The answer is yes; however, the discretion should be limited by the intent of the Code as set forth in NFPA 101-A.9.6.2.5.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: FS – 233

Renovations to the 1st DCA for the College of Law

Florida State University, Tallahassee, Florida

This project consists of renovating the existing 1st District Court of Appeal Building for use by FSU's College of Law. The building contains approximately 51,000 gsf. The historic courtroom and the adjacent commons space are to be preserved. The majority of the interior partitions will be demolished and spaces re-designed to meet the programmatic needs of the College. It is expected that the selected Construction Manager will be under contract in early September 2010, with an emphasis on getting shop drawings approved and materials ordered. Until the date for the Court's move into its new building is established, the best estimate is that the successful firm would start construction sometime in January 2011 and that substantial completion would be mid-November 2011.

The project budget is \$13,550,000 of which the construction budget is approximately \$10,200,000. This project is subject to a Legislative appropriation effective July 2010.

The University reserves the right to use the selected CM to perform additional construction and/or renovation relating to this project at the existing College of Law or the 1st DCA site.

The contract for construction management services will include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at the 100% Construction Document phase if the GMP is accepted, the construction phase will be implemented. In construction, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Small and/or Minority Owned Business Enterprises. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualifications of the firm's personnel, staff and

consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard Florida State University's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Instructions:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data may not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$75,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained through the website at www.fpc.fsu.edu or by contacting:

Lynetta Mills, Facilities Design & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: Daryl Ellison, Project Manager, at the address above, through email: dellison@admin.fsu.edu or at (850)645-1007.

Submit five (5) bound copies of the required proposal data. Submittals must be received at the address listed above by 2:00 p.m. (Local Time), Wednesday, July 7, 2010 Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS
CANCELLED

University of South Florida Polytechnic announces that Professional Services in the discipline of Campus Area Development, Infrastructure Engineering and Landscape Architecture will be required for the project listed below:

PROJECT NUMBER: 554

PROJECT AND LOCATION: USF Polytechnic – Campus Infrastructure, University of South Florida Polytechnic, Lakeland, Florida.

PROJECT DESCRIPTION:

The interdisciplinary USF Polytechnic – Campus Infrastructure includes development of the new 171 acre campus pending adoption of the 2010 Master Plan Update and will primarily provide the settings and backbone for multi-user interdisciplinary shared core facilities. The plan includes four miles of roadway, five miles of pedestrian pathway, five acres of parking, three acres of plazas, and a thirty eight acre water feature. Utilities include: sanitary sewer, storm water, potable water, chilled water, hot water, electrical power, site lighting, information technology, and natural gas.

Polytechnic ideals are strongly oriented toward interdisciplinary, collaborative relationships – between faculty members, support staff, student support, and others. The concept of a commons is strongly evocative of these interactions; the co-location and interweaving of faculty members across disciplines, for example, encourages and facilitates the dynamic exchange of ideas so critical for interdisciplinary efforts. The close physical proximity of faculty, staff and students creates a collection of “critical masses,” providing constant opportunities for productive interaction.

The Campus Infrastructure is the realization of a multi-phased Master Plan which creates an integrated, fully-engaged university campus environment at a highly visible location on Interstate 4 midway along the 80 miles between the Tampa Bay and Orlando megalopolis areas. In addition to serving the needs of its tri-county service area, this university is intended to be a destination campus with a vibrant residential and campus life component. Given this location, the USF Polytechnic seeks to implement the iconic design for the development area.

The construction budget is estimated to be approximately \$27M including site development, infrastructure and landscape. Project development, including professional services, is contingent upon availability of funds. The project may require design in a phased approach to accommodate funding stream. When additional funding is realized, the USF Polytechnic has the option to incorporate additional scope/funding under this contract including completion of pedestrian/safety bridges. The construction delivery method will be Construction Management.

The selected firm should provide planning, design, construction documents, construction administration and warranty services for the project in coordination with the 2010 USF Polytechnic Campus 10 Year Master Plan Update and USF standards for design and construction. USF Polytechnic is seeking to secure the services of a consultant team with extensive experience in innovative campus area development design. All disciplines required for the design should be provided for this project under the contract with the selected firms; including campus area development, infrastructure, engineering, landscape architecture and any specialty consultants. Consultant services for design expertise unique to the innovative needs of a polytechnic interdisciplinary teaching and research environment may be provided by specialty design consultants with a preference for inclusion of signature campus area designers. Firm submittals should include descriptions of experience and knowledge of Sustainable Design and Hurricane Hardening. The design and construction administration services provided by the selected team shall facilitate the project needs, and accomplish those needs within the mandatory project schedule in order to meet occupancy requirements for the first buildings. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions to facilitate the University’s space management program. Blanket professional liability insurance will be required for this project in the amount of \$3,000,000, and will be provided as a part of Basic Services. It is the University’s responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short-listed firms based upon a scope of services document to be provided at the time of negotiations. Selection of finalists for interview will be made on the basis of professional qualifications of the proposed design team, including experience and ability to meet the project requirements and the goals and objectives of USF Polytechnic’s Strategic Plan; past experience; award-winning design ability, especially in developing iconic and/or signature facilities; volume of work; and distance from project. The distance factor for this project will provide a maximum of one point difference in scoring for location between in-state and out-of-state applicants. As part of the University of South Florida’s Strategic Plan, the university made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (“MBEs”) in the provision of design and construction-related services by providing a fair and equal

opportunity to compete for, or for participation in, design and/or construction-related services. The plans and specifications for the University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant should warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

INSTRUCTIONS:

Firms desiring to apply to provide professional services shall submit one (1) original submittal and eight (8) bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement (PQS)" dated August 2008 for the USF Polytechnic – Campus Infrastructure and any required or additional information within the proposal limits. Applications on any other form will not be considered. Submittals are part of the public record. All applicants should be properly registered at the time of contract engagement to practice its profession in the State of Florida. If the applicant is a corporation, it should be chartered by the Florida Department of State to operate in Florida. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The "Professional Qualifications Supplement (PQS)" for the USF Polytechnic – Phase I Facility, dated May 2010, and "Project Fact Sheet", which includes project information and selection criteria, may be obtained by contacting: GERALYN Bonfiglio-Sells, Executive Administrative Specialist, Campus Planning and Facilities Operations, University of South Florida Polytechnic, via e-mail at gsells@poly.usf.edu by mail at 3433 Winter Lake Road, Lakeland, Florida 33803, or by phone at (863) 667-7757. Interested firms are invited and encouraged to attend a Pre-Submittal Meeting, 9:00 a.m. – 11:00 a.m. (EDT), Friday, May 21, 2010 at the University of South Florida Polytechnic – Room LTB 1124/1124A to review the scope and requirements of this project. The LTB 1124/1124A is located on campus at 3433 Winter Lake Road, Lakeland, Florida 33803.

Requests for meetings by individual firms will not be granted once the Florida Administrative Weekly advertisement is published. No communication shall take place between the applicants and the members of the Selection Committee or employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting, and the request for the PQS and Project Fact Sheet. Requests for any project information should be submitted in

writing to the above e-mail address. The Selection Committee may reject all proposals and stop the selection process at any time. One (1) original and eight (8) copies of the requested submittal data, bound in the order listed in the "Submittal Requirements" of the Project Fact Sheet shall be addressed to:

Alice M. Murray Ed.D
Associate Vice President
Campus Planning and Facilities Operations
University of South Florida Polytechnic
3433 Winter Lake Road
LTB 2116
Lakeland, FL 33803

Applications that do not comply with the above instructions may be disqualified. Submittals are to be received by USF Polytechnic, 3433 Winter Lake Road, LTB Room 2116, Lakeland, Florida 33803 by 2:00 p.m. (EDT), Wednesday, June 9, 2010. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

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**INVITATION TO NEGOTIATE**

The State Board of Administration of Florida (the "SBA") has solicited competitive responses from qualified banking institutions that are interested and qualified to provide treasury/banking and limited custody services to the SBA. The Invitation to Negotiate (the "ITN") is available as of May 21, 2010, and may be obtained from the SBA's website at <http://www.sbafla.com> under "Meetings & Notices" and "Vendors". The SBA reserves the right to reject any and all responses and to cancel the above ITN at any time. The deadline for submitting requests for clarification is 5:00 p.m. (EST), May 28, 2010. The deadline for submitting responses is 5:00 p.m. (EST), June 18, 2010. The SBA announces the following meeting dates, times and locations with respect to this ITN. A meeting will be held on June 25, 2010, to discuss the responses received, and to designate short-listed respondents for interviews and further consideration. Meetings will be held on July 12, 2010 through July 14, 2010, to discuss the responses received and to conduct interviews with the short-listed respondents, if necessary. A meeting will be held on July 16, 2010, to determine a final ranking of respondents and to select a banking institution to provide treasury/banking and limited custody services. All meetings are open to the public and shall take place at the times and locations shown below:

TIME: All meetings shall begin at 9:00 a.m. (EST) and continue until the conclusion of business

LOCATION: The meetings shall take place in the Hermitage Room (1st Floor), 1801 Hermitage Blvd., Tallahassee, Florida 32308

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA's website at <http://www.sbafla.com> at least 7 days prior to the meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact: Lori Guido at (850)488-4406 or by mail: 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

WATER MANAGEMENT DISTRICTS

NOTICE OF REQUEST FOR PROPOSALS NO.: 09/10-040WS BELL, FLORIDA, TEST WELL

The Suwannee River Water Management District (District) is seeking proposals for construction, development, and sampling of one four-inch diameter test well at the proposed Gilchrist Regional Wellfield (N. G. Wade Investment Corporation), located adjacent to and northeast of Bell, Florida. The District shall arrange site access and provide the test well location.

The RFP outlines the scope of services and all general and specific conditions. All proposals submitted to perform the requested services must be prepared in accordance with the RFP document.

A copy of this RFP is available at www.srwmd.state.fl.us OR requests for the RFP document may be directed to:

Debbie Davidson, Business Resource Specialist II
 Suwannee River Water Management District
 9225 CR 49
 Live Oak, FL 32060
 (386)362-1001 or 1(800)226-1066 (Florida only)

Companies interested in being considered for this service are required to submit the final proposal by 4:00 p.m. on June 10, 2010. Proposals received after 4:00 p.m. on June 10, 2010, for any reason, will be rejected.

Electrical Distribution System for R. O. Ranch Campground 09/10-041 LM

The Suwannee River Water Management District (District) is conducting a Request for Bid to construct an electrical distribution system for the R. O. Ranch campground in Cooks Hammock, Florida. Cooks Hammock is located approximately 12 miles south of Mayo, Florida in Lafayette County.

Request for Bid will be posted on the District website: <http://www.mysuwanneeriver.com/> on June 3, 2010 for further information. You may also contact: Pennie Flickinger,

Business Resource Specialist, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (368)362-1001. Proposed schedule:

- June 3, 2010 Release of Request for Bid.
- June 23, 2010 Mandatory Pre-Bid Conference 10:00 a.m. to be held at the Morgan Field Station, 984 S. E. County Road 357, Mayo, Florida 32066, in order to be considered for this bid.
- June 30, 2010 Proposals due prior to 4:00 p.m. at District Headquarters in Live Oak. Opening will occur at this time.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Invitation to Bid (DOH D&C) 70919100

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: June 29, 2010, Until 2:00 p.m. (Local Time)

PLACE: Offices of Franklin County Health Department, 155 Avenue "E", Apalachicola, Florida 32320

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications
PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE FLORIDA DEPARTMENT OF HEALTH HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: DOH 70919100 **SAMAS CODE:** 64-20-2-141001-64200700-00 (19)-140430-09/10

PROJECT NAME & LOCATION: Franklin County Health Department Hvac Renovations, 139 12th Street, Apalachicola, Florida

FOR: Franklin County Health Department

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Owner for the current biennium (July 1 through June 30) of odd numbered years. Call: (850)488-6233, for information on prequalification 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 the requirements is included in the Instruction To Bidders under Article B-2 "Bidder 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 submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor And Material Payment Bond are not required.

Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: H2 ENGINEERING, 114 EAST FIFTH AVENUE, TALLAHASSEE, FLORIDA 32303, TELEPHONE: (850)224-7922.

DEPOSIT: \$100.00 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.

Full sets of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$100.00 per set.

A Pre-Bid conference will be held June 22, 2010, commencing at 10:00 a.m. at the project site at 139 – 12th Street, Apalachicola, Florida. All bidders are encouraged to attend as this will be the only opportunity to view the work area to pose

written requests for clarifications of the work requirements prior to bid. Written clarification will be made by email to all potential bidders who have made plan deposits and have provided a valid email address. No clarifications will be issued later than 72 hours prior to bid.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting on the Department's website: http://vbs.dms.state.fl.us/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS

Request for Proposal
RFP No.: 10-20

The Gadsden County Board of County Commissioners invites interested qualified firms or individuals to submit proposals for professional services to assist in the design of the Tourist Development Website. Requests for proposal will be received until 4:00 p.m., Friday, June 18, 2010 in the Management Services Department, 5-B E. Jefferson Street, Quincy, FL 32351. The RFPs will be opened immediately thereafter. Any and all late arriving proposals will NOT be accepted. All proposals will go through a Selection Committee. Interviews with the Selection Committee will take place the week of June 21st-June 23rd, 2010. Specifications may be obtained from: Management Services Department, Suite 5-B, E. Jefferson Street, Quincy, FL or by dialing (850)875-8660. This RFP is available on our website at: www.gadscendcountyfl.gov. Proposals will not be valid if not sealed in an envelope marked "SEALED PROPOSAL" and identified by the name of the firm, proposal number and time of opening. Questions concerning the specifications should be directed to: Sonya Burns, Administrative Services Assistant at (850)875-8659 or email: sburns@gadscendcountyfl.gov. The Gadsden County Board of County Commissioners reserves the right to reject any one bid or all bids, any part of any bid, to waive any informality in any bid, and to award the purchase in the best interest of the County. EEO/AA

CITY OF ARCADIA

INVITATION TO BID

NOTICE IS HEREBY GIVEN on this 21st day of May 2010, that the City of Arcadia, Florida, hereinafter called the OWNER, will receive sealed proposals (bids) for the DESOTO COUNTY POTABLE WATER INTERCONNECT (PROJECT) at the office of the City Administrator, in the Way

Building, 23 North Polk Avenue, Arcadia, FL 34266 until 2:00 p.m. on the 21st day of June 2010, and then at said office publicly opened and read aloud.

Said bids shall conform to and be responsive to the Contract Documents for the PROJECT and must be accompanied by the security referred to therein.

All questions about the meaning/intent of the contract documents must be submitted in writing, by 5:00 p.m., 10 days before the bid opening date to Julie Karleskint, PE, Hazen and Sawyer, P.C. (ENGINEER) 2201 Cantu Ct., Suite 109, Sarasota, FL 34232. Questions will be answered in accordance with article 5 of the "Instructions to Bidders."

Copies of the Contract Documents are on file and may be examined at: The Office of Hazen and Sawyer, P.C., 2201 Cantu Ct., Suite 109, Sarasota, FL 34232.

Copies may be purchased at the office of the ENGINEER by payment of \$100.00 per set (non-refundable, no cash is allowed).

Each bid or proposal shall be made out or submitted on a form furnished as part of the Contract Documents, and must be accompanied by a cashier's check, or certified check, or a bidder's bond in the amount specified in the Bid Form, made payable to the order of, or for the benefit of, the OWNER, as the case may be. Said check or bond shall be given as guarantee that the bidder will enter into a contract with the OWNER if awarded the work, and will be declared forfeited if the successful bidder refuses to enter into said contract.

The OWNER reserves the right to reject any and all bids and to waive any and all irregularity in any bid.

BY ORDER OF THE CITY ADMINISTRATOR OF THE CITY OF ARCADIA, FLORIDA

Dated: 5/21/10 By: Rachele M. Baumann
Interim Administrator

**Section XII
Miscellaneous**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

**NOTICE OF ACCEPTANCE OF APPLICATIONS
ENDANGERED AND THREATENED NATIVE FLORA
GRANTS PROGRAM**

The Florida Department of Agriculture and Consumer Services, Division of Plant Industry announces that it is once again soliciting applications for the Endangered and Threatened Native Flora Grants Program.

Grants may be awarded for activities which provide recognition of those native flora to the state that are endangered and threatened; and activities that encourage, within a controlled program, the protection, curation, propagation, reintroduction and monitoring of native flora that are identified as endangered or threatened.

Who is eligible to apply? By law, a qualified corporation is a not-for-profit corporation pursuant to s. 501(c)(3) of the Internal Revenue Code of 1954, and which is described in, and allowed to receive contributions pursuant to the provisions of, s. 170 of the Internal Revenue Code of 1954, and which is a corporation not for profit incorporated pursuant to Chapter 617, Florida Statutes, and which can demonstrate, based on program criteria, the ability to protect, conserve, propagate, reintroduce and monitor endangered and threatened native flora.

If the projects receive legislative approval, funds will become available after July 1, 2011. The deadline for filing applications is July 31, 2010 and applications must be delivered to the Division of Plant Industry's Plant Inspection office by 5:00 p.m., on that date or be clearly postmarked on or before that date.

Further information and an application may be obtained from: Mr. Bryan Benson, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, FL 32614-7100, (352)372-3505, ext. 162, Fax: (352)955-2301 or email: bensonb@doacs.state.fl.us.

NOTICE IS HEREBY GIVEN THAT pursuant to Section 585.14, Florida Statutes, and paragraph 5C-3.003(4)(a), Florida Administrative Code, the Division of Animal Industry under the direction of the State Veterinarian has determined the State of Texas to be endemic for Equine Piroplasmosis (EP).

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF FUNDING AVAILABILITY DEPARTMENT
OF COMMUNITY AFFAIRS FLORIDA SMALL CITIES
CDBG PROGRAM**

The Department of Community Affairs (DCA) announces funding availability under the Florida Small Cities Community Development Block Grant (CDBG) Program. The Department will allocate approximately \$26 million of Federal Fiscal Year 2009 funding for the Commercial Revitalization (\$1.3 million), Housing Rehabilitation (\$9.1 million) and Neighborhood Revitalization (\$10.4 million) categories. In addition, approximately \$142,000 will be available for Planning and Design Specifications grants. In order to be eligible to apply in

these categories, applicants cannot have an open grant in any of the three program categories or an open Planning and Design Specifications grant.

The Department also has approximately \$5.2 million available in the Economic Development category for job creation/retention activities. In the event that funds in this category remain available after the application deadline, applications in the Economic Development category will be reviewed and eligible applications will be awarded subgrants on a first-come, first served basis.

Also, approximately \$1.4 million for the Emergency Set-Aside is designated for state-declared emergencies. These funds will be available from April 1 of the year for which they are allocated through the third quarter (March 31) of the next State fiscal year. Any funds in the set-aside for which a notice of intent to submit an emergency application has not been received prior to March 31 will be reallocated in accordance with Section 290.044 (4), Florida Statutes.

Eligible local governments must meet specific population requirements and cannot be participants in a CDBG Urban Entitlement Program. The population requirements are: cities with not more than 50,000 residents and counties with not more than 200,000 residents. The application process is conducted in accordance with Sections 290.0401-.048, Florida Statutes and Rule Chapter 9B-43, Florida Administrative Code.

The Federal Fiscal Year 2009 application cycle for all of the above-mentioned categories of funding will begin (“open”) June 7, 2010 and end (“close”) at 5:00 p.m. (EDST), July 22, 2010 (“the deadline date”). Applications must be submitted on forms required by and in the format specified by the Department and must be received in the: Florida Small Cities CDBG Program Office, Department of Community Affairs, The Sadowski Building, Room 260, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 by 5:00 p.m. (EDT) on the deadline date.

If you have questions, please contact: the CDBG Grants Management staff or Jacquelyn Dupree, Community Program Manager of the Small Cities CDBG Program at (850)487-3644 or by email: jackie.dupree@dca.state.fl.us.

DCA Final Order No.: DCA10-OR-113
 In Re: POLK COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY
 POLK COUNTY ORDINANCE NO. 10-002

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving Polk County Ordinance No. 10-002.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On March 17, 2010, the Department received for review Polk County Ordinance No. 10-002 which was adopted by the Polk County Board of County Commissioners on January 6, 2010.
3. Proposed Ordinance No. 10-002 amends Section 205, clarifying that Selected Area Plans, Neighborhood Plans and the Green Swamp Area of Critical State Concern Land Use Districts are shown in other Use Tables and are not included in Table 2.1; and amends Section 222 to reference the requirements of Chapter 553.73, Florida Statutes, with respect to Non-Residential Farm Buildings and the Florida Building Code.
4. The Ordinance is consistent with the County’s Comprehensive Plan Goals, Objectives, and Policies including Objective 2.121-A 4: Agriculture policies applicable within Polk County.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
6. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
7. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. (“Principles”).
9. Ordinance No. 10-002 is consistent with the Principles in Rule 28-26.003, Florida Administrative Code and are not inconsistent with any one Principle.

WHEREFORE, IT IS ORDERED that Ordinance No.: 10-002 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO

CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 26th day of May, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Sam Thomas, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

DCA Final Order No.: DAC10-OR-081
In Re: POLK COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
POLK COUNTY ORDINANCE NO. 10-007

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving Polk County Ordinance No. 10-007.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On March 10, 2010, the Department received for review Polk County Ordinance No. 10-007 which was adopted by the Polk County Board of County Commissioners on February 3, 2010.
3. Proposed Ordinance No. 10-007 amends parts of Chapters 1, 2, 4, 5, 7, and 10 of the Polk County Land Development Code. Amendments to Chapter 1 are not part of the Green Swamp Area of Critical State Concern and are not considered in the Final Order. Chapter 2, Section 206 Accessory uses is amended to add Section L which adds regulations related to Non-Residential Mixed and Accessory uses. Chapter 3, Section 303 Criteria for Conditional Uses is amended by changing the title of conditional use categories to match those listed in the use tables. Chapter 4, Tables 4.1, 4.3, 4.8, 4.12, 4.14, 4.16, and Table 4 – Wahneta Neighborhood Plan Use Table are amended and the listed uses have been changed to reflect the changes in other sections of the Land Development Code. Chapter 5, Table 5.2 is amended by changing certain listed uses to reflect the changes in other sections of the Land Development Code. Chapter 10, Definitions is amended by adding, deleting, or modifying definitions which were used to amend regulations in the previous Chapters.
4. The Ordinance is consistent with the County's Comprehensive Plan Goals, Objectives, and Policies including Objective 2.102-A requiring development within unincorporated Polk County to occur in accordance

with the policies stated within the Future Land Use Element and all other Goals, Objectives and Policies incorporated within the Polk County Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
6. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
9. Ordinance No.: 10-007 is consistent with the Principles in Rule 28-26.003, Florida Administrative Code and are not inconsistent with any one Principle.

WHEREFORE, IT IS ORDERED that Ordinance No.: 10-007 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE

ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL

PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 25th day of May, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Sam Thomas, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Power Sports, Inc., intends to allow the establishment of Action Motorsports, Inc., as a dealership for

the sale of motorcycles manufactured by Chong Qing Astronautical Bashan Motorcycle Manufacturer Co., Ltd. (BASH) at 939 Country Club Boulevard, Cape Coral (Lee County), Florida 33990, on or after June 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Action Motorsports, Inc. are dealer operator(s): James Lynch, 939 Country Club Boulevard, Cape Coral, Florida 33990; principal investor(s): James Lynch, 939 Country Club Boulevard, Cape Coral, Florida 33990.

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: Amanda Bowers, Peace Power Sports, Inc., 2533 Royal Lane Suite 505, Dallas, Texas 75229.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Action Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 939 Country Club Boulevard, Cape Coral (Lee County), Florida 33990, on or after May 28, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Action Motorsports, Inc., are dealer operator(s): James Lynch, 939 Country Club Boulevard, Cape Coral, Florida 33990; principal investor(s): James Lynch, 939 Country Club Boulevard, Cape Coral, Florida 33990.

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: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Peace Industry Group (USA), Inc., intends to allow the establishment of Eco Green Machine, LLC, d/b/a Eco Green Machine as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturer Co., Ltd. (BASH) at 7000 Park Boulevard, Pinellas Park (Pinellas County), Florida 33781, on or after June 15, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Eco Green Machine, LLC, d/b/a Eco Green Machine are dealer operator(s): Ronald Pownall, 7000 Park Boulevard, Pinellas Park, Florida 33781; principal investor(s): Patcharee Clark, 7000 Park Boulevard, Pinellas Park, Florida 33781.

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: Meireidith Huang, Peace Industry Group (USA), Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Green Machine Scooters, as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 4499 South Orange Blossom Trail, Kissimmee (Osceola County), Florida 34746, on or after May 28, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Green Machine Scooters, are dealer operator(s): Richard C. Herr, 4499 South Orange Blossom Trail, Kissimmee, Florida 34746, principal investor(s): Richard C. Herr, 4499 South Orange Blossom Trail, Kissimmee, Florida 34746.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Green Machine Scooters, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd. (SHEN) at 4499 South Orange Blossom Trail, Kissimmee (Osceola County), Florida 34746, on or after May 28, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Green Machine Scooters are dealer operator(s): Richard C. Herr, 4499 South Orange Blossom Trail, Kissimmee, Florida 34746, principal investor(s): Richard C. Herr, 4499 South Orange Blossom Trail, Kissimmee, Florida 34746.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of J K Motorshop, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jmstar Shenke Motorcycle, Co., Ltd. (JMST) at 5670 Laurel Avenue, #2, Key West (Monroe County), Florida 33040, on or after May 26, 2010.

The name and address of the dealer operator(s) and principal investor(s) of J K Motorshop, LLC, are dealer operator(s): Jiri Klupil, 5670 Laurel Avenue, #2, Key West, Florida 33040, principal investor(s): Jiri Klupil, 5670 Laurel Avenue, #2, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of J K Motorshop, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd., (SHEN) at 5670 Laurel Avenue #2, Key West (Monroe County), Florida 33040, on or after May 26, 2010.

The name and address of the dealer operator(s) and principal investor(s) of J K Motorshop, LLC, are dealer operator(s): Jiri Klupil, 5670 Laurel Avenue, #2, Key West, Florida 33040, principal investor(s): Jiri Klupil, 5670 Laurel Avenue, #2, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Gorilla Motor Works, LLC, intends to allow the establishment of JetSpeed Sports, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongeneng Motorcycle Co., Ltd. (ZHNG) at 419 South Pinellas Avenue, Tarpon Springs (Pinellas County), Florida 34689, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of JetSpeed Sports, Inc., are dealer operator(s): Mark Wedig, 419 South Pinellas Avenue, Tarpon Springs, Florida 34689; principal investor(s): Mark Wedig, 419 South Pinellas Avenue, Tarpon Springs, Florida 34689, Joyce Wedig, 419 South Pinellas Avenue, Tarpon Springs, Florida 34689, Matthew Wedig, 419 South Pinellas Avenue, Tarpon Springs, Florida 34689.

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: Diana Hammer, Gorilla Motor Works, LLC, 2840 West Bay Drive # 256, Belleair Bluffs, Florida 33770.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jmstar Shenke Motorcycle, Co., Ltd., (JMST) at 16283 South Tamiami Trail, Fort Myers (Lee County), Florida 33908, on or after May 26, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc., are dealer operator(s): Chauncey Solinger, 16283 South Tamiami Trail, Fort Myers, Florida 33908; principal investor(s): Chauncey Solinger, 16283 South Tamiami Trail, Fort Myers, Florida 33908.

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: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles, USA, Co., Ltd., intends to allow the establishment of Solano Cycle Inc., as a dealership

for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 1024 South Main Street, Gainesville (Alachua County), Florida 32601, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc., are dealer operator(s): Martin Solano, 1024 South Main Street, Gainesville, Florida 32601, principal investor(s): Martin Solano, 32 San Marco Avenue, St. Augustine, Florida 32084.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenki Motorcycle Co., Ltd. (SHEN) at 1024 South Main Street, Gainesville (Alachua County), Florida 32601, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc., are dealer operator(s): Martin Solano, 1024 South Main Street, Gainesville, 32601, principal investor(s): Martin Solano, 32 San Marco Avenue, St. Augustine, Florida 32084.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 266 Blanding Boulevard, Suite 1, Orange Park (Clay County), Florida 32073, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc., are dealer operator(s): Martin Solano, 266 Blanding Blvd., Suite 1, Orange Park, Florida 32073, principal investor(s): Martin Solano, 32 San Marco Avenue, St. Augustine, Florida 32084.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Sunset Point Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jmstar Shenke Motorcycle Co., Ltd. (JMST) at 2300 Sunset Point Road, Clearwater (Pinellas County), Florida 33765, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Sunset Point Scooters, Inc., are dealer operator(s): Doug Vitello, 230 Sunset Point Road, Clearwater, Florida 33765; principal investor(s): Doug Vitello, 112 South Maywood Avenue, Clearwater, Florida 33765.

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: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Zongshen, Inc., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for the sale of

motorcycles manufactured by Chong Qing Zongshen Group (ZONG) at 2801 North State Road 7, Hollywood (Broward County), Florida 33021, on or after June 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc., are dealer operator(s): Isidro Ley, 2801 North State Road 7, Hollywood, Florida 33021; principal investor(s): Lianis Martinez, 2801 North State Road 7, Hollywood, Florida 33021.

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: Jack Xu, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of World Ventures Corporation, as a dealership for the sale of motorcycles manufactured by Zhejiang Jmstar Shenke Motorcycle Co., Ltd., (JMST) at 16300 Southwest 137th Avenue, #101, Miami (Miami-Dade County), Florida 33177, on or after May 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corporation, are dealer operator(s): Gabriel Azcunce, 16300 Southwest 137th Avenue, #101, Miami, Florida 33177; principal investor(s): Gabriel Azcunce, 7933 Southwest 187th Street, Miami, Florida 33157.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of World Ventures Corporation, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd., (SHEN) at 16300 Southwest 137th Avenue, #101, Miami (Miami-Dade County), Florida 33177, on or after May 26, 2010.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corporation, are dealer operator(s): Gabriel Azcunce, 16300 Southwest 137th Avenue, #101, Miami, Florida 33177; principal investor(s): Gabriel Azcunce, 7933 Southwest 187th Street, Miami, Florida 33157.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA, Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 BATCHED APPLICATION RECEIPT AND NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds and Programs review cycle with an application due date of May 19, 2010.

- County: Clay District: 4
CON #10076
Facility/Project: Haven Hospice
Applicant: North Central Florida Hospice, Inc.
Project Description: Establish an inpatient hospice facility of up to 18 beds
- County: Polk District: 6
CON #10077
Facility/Project: Lakeland Investors II, LLC
Applicant: Lakeland Investors II, LLC
Project Description: Establish a 60-bed community nursing home through the delicensure of 60 beds from Lakeland Investors, L.L.C. d/b/a Valencia Hills Health and Rehabilitation Center
- County: Orange District: 7
CON #10078
Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Description: Establish a pediatric cardiac catheterization program
- County: Orange District: 7
CON #10079
Facility/Project: Florida Hospital
Applicant: Adventist Health System/Sunbelt, Inc.
Project Description: Establish a pediatric cardiac catheterization program
- County: Orange District: 7
CON #10080
Facility/Project: The Nemours Foundation

- Applicant: The Nemours Foundation
Project Description: Establish a pediatric open heart surgery program
- County: Orange District: 7
CON #10081
Facility/Project: Florida Hospital
Applicant: Adventist Health System/Sunbelt, Inc.
Project Description: Establish a pediatric open heart surgery program
- County: Lee District: 8
CON #10082
Facility/Project: Compassionate Care Hospice of Florida, Inc.
Applicant: Compassionate Care Hospice of Florida, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #10083
Facility/Project: Compassionate Care Hospice of Florida, Inc.
Applicant: Compassionate Care Hospice of Florida, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #10084
Facility/Project: Douglas Gardens of Broward, Inc.
Applicant: Douglas Gardens of Broward, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #10085
Facility/Project: Hospice of Palm Beach County, Inc.
Applicant: Hospice of Palm Beach County, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #10086
Facility/Project: Odyssey Health Care of Central Florida
Applicant: Odyssey Health Care of Collier County, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #10087
Facility/Project: Broward General Medical Center
Applicant: North Broward Hospital District
Project Description: Establish an adult liver transplantation program
- County: Miami-Dade District: 11
CON #10088
Facility/Project: University of Miami Hospital
Applicant: University of Miami
Project Description: Establish an adult heart transplantation program
- County: Miami-Dade District: 11
CON #10089
Facility/Project: University of Miami Hospital
Applicant: University of Miami

Project Description: Establish an adult lung transplantation program

County: Miami-Dade District: 11

CON #10090

Facility/Project: University of Miami Hospital

Applicant: University of Miami

Project Description: Establish an adult kidney transplantation program

County: Miami-Dade District: 11

CON #10091

Facility/Project: Compassionate Care Hospice of Florida, Inc.

Applicant: Compassionate Care Hospice of Florida, Inc.

Project Description: Establish a hospice program

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: District 4

DATE/TIME: Tuesday, June 29, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Health Planning Council of N.E. Florida Conference Room
644 Cesery Blvd., Suite 210
Jacksonville, FL 32211

PROPOSALS: District 6

DATE/TIME: Wednesday, June 30, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Madison Building
9600 Koger Boulevard
2nd Floor Conference Room
St. Petersburg, FL 33702

PROPOSALS: District 7

DATE/TIME: Thursday, July 1, 2010, 8:30 a.m. – 12:30 p.m.

PLACE: Orange County Health Department-Lake Eleanor
6101 Lake Ellenor Drive
Orlando, FL 32809

PROPOSALS: District 8

DATE/TIME: Thursday, July 1, 2010, 11:00 a.m. – 2:00 p.m.

PLACE: Lakes Regional Library
15290 Bass Road
Fort Myers, FL 33919

PROPOSALS: District 10 – Adult Liver Transplant Program

DATE/TIME: Monday, June 28, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Broward Regional Health Planning Council, Inc.
915 Middle River Drive
Conference Room 115
Fort Lauderdale, FL 33304

PROPOSAL: District 10 – Hospice Programs

DATE/TIME: Wednesday, June 30, 2010, 10:00 a.m. – 1:00 p.m.

PLACE: Broward Regional Health Planning Council, Inc.
915 Middle River Drive
Conference Room 115
Fort Lauderdale, FL 33304

PROPOSALS: District 11 – Transplant Programs

DATE/TIME: Tuesday, June 29, 2010, 9:00 a.m. – 10:30 a.m.

PLACE: Health Council of South Florida
8095 N. W. 12th Street, Suite 300
Miami, FL 33126

PROPOSALS: District 11 – Hospice Program

DATE/TIME: Tuesday, June 29, 2010, 10:30 a.m. – 11:30 a.m.

PLACE: Health Council of South Florida
8095 N. W. 12th Street, Suite 300
Miami, FL 33126

Public hearing requests must be in writing and be received at the: Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, Attention: James B. McLemore, by 5:00 p.m., June 18, 2010. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by June 23, 2010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY

**FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
Town of Lake Hamilton**

The Florida Department of Environmental Protection has determined that the Town of Lake Hamilton’s project involving installation of a transmission line to replace an old deteriorated and corroded transmission line and sulfide removal system at the Town’s new water treatment plant will not adversely affect the environment. The total cost of the project is estimated to be \$1,125,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Josh Thomas, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-7546.

The Department of Environmental Protection gives Notice that, pursuant to Section 403.067, F.S., a Final Order was entered on May 20, 2010 adopting the Lake Jesup Basin Management Action Plan (BMAP). The BMAP was developed as part of the Department's Total Maximum Daily Load (TMDL) Program, as authorized under the Florida Watershed Restoration Act (Section 403.067, Florida Statutes), and identifies the management strategies necessary to achieve the nutrient TMDLs for Lake Jesup. The Final Order has been assigned OGC Case No.: 10-1465. A copy of the BMAP is available for review at the Department of Environmental Protection's Central District Office, 3319 Maguire Blvd., Suite 232, Orlando, Florida. The BMAP and the adopted final order may also be obtained from the FDEP website at <http://www.dep.state.fl.us/water/watersheds/bmap.htm>. A person whose substantial interests are affected by this final order may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in the final order. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

The final order also may be obtained by contacting: Ms. Holly Pelt, Department of Environmental Protection, 2600 Blair Stone Road (MS #3565), Tallahassee, Florida 32399-2400, (850)245-8556 or by email: holly.pelt@dep.state.fl.us.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

City of North Miami Beach

The Florida Department of Environmental Protection has determined that the City of North Miami Beach's project to construct water improvements at the Norwood-Oeffler Water Treatment Plant will not adversely affect the environment. The total cost of the project is estimated to be \$14,508,499. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Gregg Caro, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8546.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On May 25, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Virginia A. Clayton, L.M.T. License #MA 55174. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 18, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Brenda Adames, C.N.A. License #CNA 61437. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 24, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Donna Darvetta Monroe, L.P.N. License #LPN 1139961. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 25, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Barbara Jean Reutzler, R.N. License #RN 9269145. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 18, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Catherine J. Crowe, R.Ph. License #PS 34409. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families is in the process of completing the annual methadone needs assessment. Following administrative review and approval of the assessment it will be posted to the Department's website during the week of June 21, 2010 at the following location: <http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/treatment.shtml>. The web posting will also include instructions for providers to submit competitive applications for any areas of the state having an indicated need for additional opioid treatment programs.

FISH AND WILDLIFE CONSERVATION COMMISSION

AVAILABILITY OF GRANT FUNDS

The Florida Fish and Wildlife Conservation Commission is accepting applications for grant funding through the Boating Infrastructure Grant (BIG) Program for fiscal year 2011-12.

The deadline for receiving applications is 5:00 p.m., August 25, 2010. Applications received after the deadline will be ineligible for consideration.

The BIG Program is funded from the US Fish and Wildlife Service for the construction and renovation of tie-up facilities for transient boaters in vessels 26 feet or more in length. Information on the BIG Program, program guidelines, and application are available at: http://myfwc.com/RECREATION/boat_grant_BigP.htm email questions to: bigp@myfwc.com or phone (850)488-5600.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>. Comments may be submitted to the: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 25, 2010):

Name and Address of Applicant: Florida State University Credit Union, Post Office Box 182499, Tallahassee, Florida 32318

Expansion Includes: Geographic Area

Received: May 27, 2010

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 17, 2010
 and May 21, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

5K-5.014	5/21/10	7/1/10	36/13	
5K-6.010	5/21/10	7/1/10	36/13	

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

9B-43.0031	5/17/10	6/6/10	36/7	36/14
9B-43.0041	5/17/10	6/6/10	36/7	36/14
9B-43.0045	5/17/10	6/6/10	36/7	36/14
9B-43.0051	5/17/10	6/6/10	36/7	36/14
9B-43.0061	5/17/10	6/6/10	36/7	
9B-43.0071	5/17/10	6/6/10	36/7	
9B-43.0081	5/17/10	6/6/10	36/7	36/14

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

15B-2.013	5/17/10	6/6/10	36/10	
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DEPARTMENT OF CORRECTIONS

33-203.101	5/19/10	6/8/10	36/15	
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WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-400.475	5/18/10	6/7/10	36/14	
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Southwest Florida Water Management District

40D-2.091	5/21/10	6/10/10	36/15	
40D-3.037	5/18/10	6/7/10	36/15	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

61G1-21.003	5/19/10	6/8/10	36/8	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Construction Industry Licensing Board

61G4-15.034	5/21/10	6/10/10	36/14	
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Florida Real Estate Appraisal Board

61J1-4.003	5/18/10	6/7/10	36/15	
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DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family

64B4-3.003	5/18/10	6/7/10	36/15	
64B4-4.005	5/18/10	6/7/10	36/15	

Board of Dentistry

64B5-10.011	5/20/10	6/9/10	36/13	
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Board of Physical Therapy Practice

64B17-3.003	5/20/10	6/9/10	36/3	36/15
64B17-4.001	5/20/10	6/9/10	36/3	36/15

Division of Family Health Services

64F-12.011	5/19/10	6/8/10	36/7	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-6.0024	5/18/10	6/7/10	36/12	
68A-6.005	5/18/10	6/7/10	36/12	

Marine Fisheries

68B-27.018	5/18/10	6/7/10	36/12	
68B-34.002	5/18/10	7/1/10	36/12	
68B-34.003	5/18/10	7/1/10	36/12	

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-62.004	5/18/10	6/7/10	36/7	
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Funeral and Cemetery Services

69K-5.0024	5/18/10	6/7/10	36/12	
69K-10.003	5/18/10	6/7/10	36/12	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6A-1.0943	36/6		36/17	9B-76.001	35/25	36/19	
6A-1.09430	36/6	36/10	36/17	9G-2.002	36/12		36/21
6A-1.09441	36/6		36/17	9J-5	32/32c		
6A-1.09514	35/51		36/17	9J-11.004	36/11		36/18
6A-1.0956	35/51		36/17	9J-11.006	36/11		36/18
6A-1.0995	36/20			9J-11.009	36/11		36/18
6A-1.099811	35/50	36/5 36/7		9J-11.011	36/11		36/18
	36/18c			9J-11.012	36/11		36/18
6A-4.0021	36/15	36/18		9J-11.015	36/11		36/18
6A-4.02451	36/6	36/14	36/20	9J-11.019	36/11		36/18
6A-4.0251	32/3	32/5		9J-11.021	36/11		36/18
6A-5.071	36/6		36/17	9K-9	35/43c		
6A-6.0211	36/20			9K-9.002	35/24		36/19
6A-6.03012	36/6		36/17	9K-9.003	35/24	35/37	36/19
6A-6.030121	36/6	36/8	36/17		36/18c		36/18v
6A-6.0571	36/6		36/17	9K-9.004	35/24	35/37	36/19
6A-6.0573	36/15		36/17	9K-9.006	35/24	35/37	36/19
6A-6.0785	36/6		36/17	9K-9.006(2)	36/18c		36/18v
6A-6.0787	36/15	36/18		9K-9.007	35/24	35/37	36/19
6A-6.0788	36/6			LAW ENFORCEMENT			
6A-6.0907	35/5	35/12 35/16		11B-18.004	36/10		36/21
6A-6.0960	36/15			11B-18.0053	36/10		36/21
6A-10.0312	35/50		36/17	11B-20.001	36/10		36/21
6A-10.0314	35/50		36/17	11B-20.0017	36/10		36/21
6A-10.0317	35/50		36/17	11B-27.0011	36/10		36/21
6A-10.0341	36/15			11B-27.002	36/10		36/21
6A-10.044	36/6	36/17		11B-27.00212	36/10		36/21
6A-14.064	35/50	36/2 36/16		11B-27.00213	36/10		36/21
6A-14.095	36/20			11B-27.0022	36/10		36/21
6B-4.010	33/10			11B-27.004	36/10		36/21
6C7-8.006	Newspaper		36/17	11B-27.005	36/10		36/21
6C7-8.007	Newspaper		36/17	11B-27.013	36/10		36/21
6C7-8.008	Newspaper		36/17	11B-27.014	36/10		36/21
6C7-8.009	Newspaper		36/19	11B-30.006	36/10		36/21
6C7-8.010	Newspaper		36/17	11B-35.001	36/10		36/21
6M-7.0055	30/26			11B-35.0024	36/10		36/21
				11B-35.003	36/10		36/21
				11B-35.006	36/10		36/21
				11C-6.004	36/10		36/21
				11C-7.006	36/10		36/21
				11C-7.007	36/10		36/21
				11D-6.001	36/10		36/21
				11D-6.003	36/10		36/21
				11G-2.005	36/10		36/21
				11G-2.006	36/10		36/21
				REVENUE			
9BER10-1			36/16	12-3.007	35/52		36/16
9B-43.0031	36/7	36/14	36/22	12-6.0015	36/14		
9B-43.0041	36/7	36/14	36/22	12-13.004	36/21		
9B-43.0045	36/7	36/14	36/22	12-13.009	35/52		36/16
9B-43.0051	36/7	36/14	36/22	12-16.004	36/21		
9B-43.0061	36/7		36/22	12-16.005	36/14		
9B-43.0071	36/7		36/22				
9B-43.0081	36/7	36/14	36/22				
9B-60.002	36/18						
9B-60.003	36/18						
9B-60.004	36/18						
9B-60.005	36/18						
9B-60.007	36/18						
9B-60.008	36/18						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
12-17.004	36/21			14-22.008	36/20		
12-18.004	36/14			14-22.009	36/20		
12-19.005	36/14			14-22.0101	36/20		
12-24.003	36/14			14-22.0111	36/20		
12-24.011	36/14			14-22.012	36/20		
12A-1.002	36/14			14-22.0121	36/20		
12A-1.005	33/41			14-22.014	36/20		
	35/52		36/16	14-22.0141	36/20		
12A-1.015	36/14			14-22.015	36/20		
12A-1.020	36/14			14-26.0051	35/34	35/49	
12A-1.021	36/14			14-26.006	35/34	35/49	
12A-1.0215	36/14			14-26.010	35/34	35/49	
12A-1.060	36/10			14-85.001	35/35	35/49	
	36/14			14-85.002	35/35	35/49	
	36/14			14-85.003	35/35	35/49	
12A-1.061	36/14			14-85.004	35/35		
12A-1.074	36/7c			14-85.005	35/35	35/49	
12A-1.085	35/52		36/16	14-85.006	35/35	35/49	
12A-1.097	35/52		36/16	14-85.007	35/35	35/49	
	36/14			14-85.008	35/35	35/49	
	36/14			14-85.009	35/35	35/49	
12A-17.005	32/2	32/31		14-85.010	35/35	35/41	
12A-19.021	36/21					35/49	
12A-19.071	36/14			14-85.011	35/35	35/49	
12A-19.100	36/14			14-85.012	35/35	35/49	
	36/14			14-85.024	36/9		36/16
12BER10-2			36/16	14-85.025	36/9		36/16
12B-4.003	36/14			14-90.002	36/22		
12B-5.150	36/14			14-90.004	36/22		
12B-8.001	35/52		36/16	14-90.0041	36/22		
12B-8.0016	36/14			14-90.006	36/22		
12C-1.013	36/14			14-90.007	36/22		
12C-1.0186	35/52		36/16	14-90.009	36/22		
12C-1.0187	35/52		36/16	14-90.010	36/22		
12C-1.0191	35/52		36/16	14-90.012	36/22		
12C-1.0192	35/52		36/16	14-98.003	36/14		
12C-1.0193	35/52		36/16	14-100.005	36/4	36/16	
12C-1.0221		33/50	36/16	14B-1.001	36/18		
	35/52		36/16	14B-1.002	36/18	36/21	
12C-1.051	35/52	36/6	36/16	14B-1.003	36/18		
	35/52		36/16	14B-1.004	36/18		
	36/14			14B-1.005	36/18		
12C-3.008	36/14			14B-1.006	36/18	36/21	
12DER10-1			36/16	14B-1.007	36/18		

TRANSPORTATION

HIGHWAY SAFETY AND MOTOR VEHICLES

14-15.0081	36/4		36/19	15A-11.001	35/49		
14-22.0011	36/20			15A-11.002	35/49		
14-22.002	36/20			15A-11.003	35/49		
14-22.003	36/20			15A-11.004	35/49		
14-22.0041	36/20			15A-11.0045	35/49		
14-22.0042	36/20			15A-11.005	35/49		
14-22.005	36/20			15A-11.006	35/49		
14-22.006	36/20			15A-11.007	35/49		
14-22.007	36/20			15A-11.008	35/49		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
15A-11.009	35/49			25-56.034	32/32c		
15A-11.0095	35/49			25-56.0341	32/32c		
15A-11.010	35/49			25-56.0342	32/32c		
15A-11.011	35/49			25-56.0343	32/32c		
15A-11.012	35/49			25-56.064	32/32c		
15A-11.013	35/49			25-56.078	32/32c		
15A-11.014	35/49			25-56.115	32/32c		
15A-11.015	35/49			25-72.180	35/3		
15B-2.013		21/29	36/22				
	36/10		36/22				
15C-7.005	33/8c						
15C-16.004	34/18			27M-4.001	36/1	36/15	
				27M-4.002	36/1		
				27M-4.003	36/1	36/15	
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND				EXECUTIVE OFFICE OF THE GOVERNOR			
				ADMINISTRATION COMMISSION			
18-1.002	36/5			28-106.201	35/12c		
18-1.006	36/5						
18-1.007	36/5			CORRECTIONS			
18-2.017	33/22			33-203.101	36/15		36/22
18-2.018	33/22			33-204.003	36/21		
				33-208.504	36/8		36/15
STATE BOARD OF ADMINISTRATION				33-210.101		28/40	36/18
19-8.028	36/20				36/3	36/11	36/18
19BER10-1			36/20	33-302.105	36/20		
19BER10-2			36/20	33-404.107	36/9		
19BER10-3			36/20	33-501.301	36/8		36/15
19BER10-4			36/20	33-601.101	36/8		36/15
19BER10-5			36/20	33-601.202	35/48		
19B-16.003	36/17			33-601.210	36/19		
				33-601.800	36/18		
				33-601.901	36/18		
				33-602.001	34/9		
20-48.005	36/14		36/16w	33-602.101	36/16		
	36/16			33-602.201	36/15		
20-68.002	36/14		36/16w	33-602.220	36/13		
	36/16			33-602.221	36/13		
20-100.001	36/14		36/16w	33-602.222	36/13		
	36/16			WATER MANAGEMENT DISTRICTS			
20-100.003	36/14		36/16w	40B-1.901	35/8		
	36/16			40B-3.3020	33/16		
20-100.004	36/14		36/16w	40B-3.3030	33/16		
	36/16			40B-3.3040	33/16		
				40B-8.041	35/38		
FLORIDA PAROLE COMMISSION				40B-9.021	36/19		
23-21.015(9)	35/43c			40B-9.042	36/19		
23-21.0155	35/43c			40B-9.081	36/19		
23-21.0615	35/43c			40B-9.131	36/19		
				40B-9.1381	36/19		
				40B-9.139	36/19		
				40B-80.075	35/38		
				40B-400.475		21/33	36/22
					36/14		36/22
PUBLIC SERVICE COMMISSION							
25-4.017	34/39						
25-4.0665	35/50	36/18					
25-6.0424	36/21						
25-22.061	36/13						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
AGENCY FOR HEALTH CARE ADMINISTRATION				59A-35.030	35/47		
59-1	29/35c			59A-35.040	35/47	36/16	
59A-1.004	36/21			59A-35.050	35/47	36/6	
59A-3.2085	33/11					36/16	
59A-4.103	35/22			59A-35.060	35/47	36/6	
59A-4.106	35/22					36/16	
59A-4.107	35/22					36/19	
59A-4.1075	35/22			59A-35.062	35/47	36/6	
59A-4.108	35/22					36/16	
59A-4.109	35/22					36/19	
59A-4.110	35/22			59A-35.070	35/47	36/6	
59A-4.112	35/22					36/16	
59A-4.118	35/22			59A-35.080	35/47	36/6	
59A-4.122	35/22					36/16	
59A-4.123	35/22					36/19	
59A-4.1235	35/22			59A-35.090	35/47	36/6	
59A-4.126	35/22					36/16	
59A-4.128	35/22					36/19	
59A-4.1285	35/22			59A-35.100	35/47	36/6	
59A-4.1288	35/22					36/16	
59A-4.1295	35/22			59A-35.110	35/47	36/6	
59A-4.130	35/22					36/16	
59A-4.133	35/22			59A-35.120	35/47		
59A-4.134	35/22			59A-35.150	35/47	36/6	
59A-4.150	35/22					36/16	
59A-4.165	35/22			59B-16.001	36/13	36/22	
59A-4.166	35/22			59B-16.002	36/13	36/22	
59A-7.021	35/50	35/52		59B-16.003	36/13		36/22w
59A-24.006	35/26	36/12	36/20	59C-1.008	34/48	35/9	36/15
59A-26.001	35/29					35/20	36/15
59A-26.002	35/29					35/23	36/15
59A-26.003	35/29					36/1	36/15
59A-26.004	35/29			59C-1.010	34/48	35/9	36/15
59A-26.005	35/29					36/1	36/15
59A-26.006	35/29			59C-1.012	34/48	35/9	36/15
59A-26.007	35/29					35/20	36/15
59A-26.0075	35/29					36/1	36/15
59A-26.008	35/29			59C-1.013	34/48	35/9	36/15
59A-26.009	35/29					36/1	36/15
59A-26.010	35/29			59C-1.030	34/48	35/9	36/15
59A-26.011	35/29					35/11	36/15
59A-26.012	35/29					36/1	36/15
59A-26.013	35/29			59C-1.0355	36/8		36/17
59A-26.014	35/29			59E-7.024	35/12	35/20	
59A-26.015	35/29			59G-4.016	32/19		
59A-26.016	35/29			59G-4.025	36/5	36/14	
59A-26.017	35/29					36/21	
59A-26.018	35/29			59G-4.040	36/9		36/21
59A-26.019	35/29			59G-4.070	36/22		
59A-26.020	35/29			59G-4.130	36/13c		
59A-26.021	35/29			59G-4.160	36/21		
59A-26.022	35/29			59G-4.230	36/18		
59A-26.023	35/29			59G-4.300	36/10	36/18	
59A-35.020	35/47			59G-4.340	36/5	36/14	36/21
				59G-5.010	36/18		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
MANAGEMENT SERVICES							
59G-6.020	34/23c 35/48	36/16 36/19		60BB-3.0251	35/36	36/3 36/9	
59G-6.030	35/48	36/16				36/16	
59G-9.070	36/18					36/21	
59G-11.001	35/33			60BB-3.0252	35/36	36/3	
59G-11.003	35/33 35/50					36/9 36/16	
59G-11.004	35/33			60BB-3.0253	35/36	36/3	
59G-12.001	36/6		36/18			36/9	
59G-12.002	36/6		36/18			36/16	
59G-12.003	36/6		36/18	60BB-3.0254	35/36	36/3	
59G-12.004	36/6		36/18			36/9	
59G-12.005	36/6		36/18			36/16	
59G-13.030	36/2	36/17		60BB-3.0261	35/42	35/52	
59G-13.031	36/2	36/17				36/6	
59G-13.051	36/11	36/15	36/21	60BB-3.0262	35/42	35/52	
59G-13.083	34/23c 36/9	36/20		60BB-3.0263	35/42	35/52	
59G-20.091	35/1	35/8				36/6	
59G-20.381	33/36			60BB-8.210	36/12		
59K-17.0035	34/43			60BB-8.300	36/19		
59O-137.001	34/43			60BB-8.301	36/19		
59O-138.001	34/43			60BB-8.700	36/12		
59O-157.302	34/43			60BB-8.701	36/12		
59V-560.102	34/39			60BB-8.702	36/12		
59V-560.103	34/39			60BB-8.703	36/12		
59V-560.107	34/39			60BB-10.001	36/5		36/20
59V-560.108	34/39			60BB-10.002	36/5		36/20
59V-560.201	34/39			60BB-10.003	36/5	36/14	36/20
59V-560.302	34/39			60BB-10.004	36/5		36/20
59V-560.402	34/39			60BB-10.005	36/5		36/20
59V-560.403	34/39			60BB-10.006	36/5		36/20
59V-560.602	34/39			60BB-10.007	36/5	36/14	36/20
59V-560.606	34/39			60BB-10.008	36/5		36/20
59V-560.702	34/39			60BB-10.009	36/5	36/14	36/20
59V-560.703	34/39			60D-15.001	36/8	36/15	36/21
59V-560.704	34/39			60D-15.002	36/8	36/15	36/21
59V-560.705	34/39			60FF-5.004	36/15		
59V-560.706	34/39			60H-1.001	36/6	36/11	36/16
59V-560.707	34/39			60H-1.002	36/6	36/11	36/16
59V-560.801	34/39			60H-1.003	36/6	36/11	36/16
59V-560.804	34/39			60H-1.004	36/6		36/16
59V-560.805	34/39			60H-1.006	36/6		36/16
59V-560.902	34/39			60H-1.007	36/6		36/16
59V-560.903	34/39			60H-1.009	36/6		36/16
59V-560.904	34/39			60H-1.013	36/6		36/16
59V-560.905	34/39			60H-1.015	36/6	36/11	36/16
59V-560.906	34/39			60H-1.016	36/6	36/11	36/16
59V-560.908	34/39			60H-1.017	36/6	36/11	36/16
59W-600.002	34/39			60H-1.021	36/6	36/11	36/16
59W-600.006	34/39			60H-1.022	36/6	36/11	36/16
59W-600.013	34/39			60H-1.023	36/6	36/11	36/16
59W-600.0131	34/39			60H-1.024	36/6	36/11	36/16
				60H-1.0241	36/6		36/16

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
60H-1.025	36/6	36/11	36/16	61A-1.01010	34/3	34/36	
60H-1.026	36/6	36/11	36/16			35/30	
60H-1.0261	36/6	36/11	36/16			36/14	
60H-1.027	36/6		36/16		34/41c		
60H-1.028	36/6	36/11	36/16	61A-1.01011	34/3	34/36	
60H-1.029	36/6		36/16			35/30	
60H-1.0291	36/6		36/16			36/14	
60H-1.030	36/6		36/16		34/41c		
60H-2.001	36/6		36/16	61A-1.01012	34/3	34/36	
60H-2.002	36/6		36/16			35/30	
60H-2.0022	36/6	36/11	36/16			36/14	
60H-2.003	36/6	36/11	36/16		34/41c		
60H-2.005	36/6		36/16	61A-1.01013	34/3	35/30	
60L-35.007	34/2	34/2				36/14	
		34/19			34/12c		
60L-39.001	35/39		36/19	61A-1.01014	34/3	35/30	
60L-39.0015	35/39	36/13	36/19			36/14	
60L-39.002	35/39		36/19		34/12c		
60L-39.003	35/39	36/13	36/19	61A-1.01015	34/3	35/30	
60L-39.004	35/39	36/13	36/19			36/14	
60L-39.0041	35/39	36/13	36/19		34/12c		
60L-39.005	35/39	36/13	36/19	61A-1.01018	34/3	35/30	
60L-39.006	35/39	36/13	36/19			36/14	
60L-39.007	35/39	36/13	36/19		34/12c		
60L-39.008	35/39	36/13	36/19	61A-1.0102	34/4	35/30	
60L-39.009	35/39	36/13	36/19			36/14	
BUSINESS AND PROFESSIONAL REGULATION					34/12c		
				61A-1.01021	34/3	34/36	
						35/30	
61-27.001	35/45					36/14	
61-27.002	35/45			61A-1.01022	34/3	34/36	
61-27.003	35/45					35/30	
61-27.004	35/45					36/14	
61-35.0271	35/45				34/41c		
61-35.02711	35/45			61A-1.01024	34/3	35/30	
61-35.02712	35/45					36/14	
61-35.02713	35/45				34/12c		
61-35.02714	35/45			61A-1.01027	36/14		
61-35.02715	35/45			61A-1.01028	36/14		
61-35.02716	35/45			61A-1.0103	34/3	35/30	
61-35.02717	35/45					36/14	
61-35.02718	35/45				34/12c		
61-35.02719	35/45			61A-1.0104	34/3	35/30	
61-35.0272	35/45					36/14	
61-35.02721	35/45				34/12c		
61-35.02722	35/45			61A-1.0105	34/3	34/36	
61-35.02723	35/45					35/30	
61A-1.010	34/12c					36/14	
	36/14				34/41c		
61A-1.010(1)	33/2c				34/3	35/30	
61A-1.0101	34/3	35/30		61A-1.0106		36/14	
		36/14			34/12c		
	34/12c			61A-1.0107	34/3	35/30	
						36/14	
					34/12c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61A-1.0108	34/3	34/36 35/30 36/14		61G3-16.007		36/10	36/18 36/18
	34/41c			61G3-19.011	36/12 35/40		
61A-1.0109	34/12c 34/41c			61G4-15.034	36/14		36/22
61C-1.001	36/18 36/21			61G4-16.005	36/22		
61C-1.004	36/18			61G5-18.0055	36/10		36/18
61C-3.001	35/22	35/32		61G5-24.002	36/10		36/18
61C-4.010	35/47	36/7		61G5-24.008	36/10		36/18
61C-4.0161	35/47	36/13 36/15		61G5-24.010		22/31	36/18 36/18
61C-4.023	36/16			61G5-31.001	36/10		36/18
61D-6.009	36/14			61G5-31.0011	36/10		36/18
61D-13.008	34/42			61G6-5.0061	36/10	36/22	
61D-14.002	35/21	36/14		61G6-5.009	36/10		36/17
61D-14.005	35/21	36/14		61G6-8.001	36/10		
61D-14.0055	35/44	36/14		61G6-8.002	36/8		36/16
61D-14.006	35/21	36/14		61G7-5.001	36/17		
61D-14.007	35/21			61G7-5.005	36/17		
61D-14.008	35/21	36/14		61G7-10.002	36/17		
61D-14.010	35/21			61G7-33.0065	30/16		
61D-14.020	35/21	36/14		61G9-9.001	31/6		
61D-14.023	35/21	36/14		61G10-18.001	36/8		
61D-14.036	35/21	36/14		61G14-19.001	36/19		
61D-14.038	35/21	36/14		61G15-19.0051	36/5		36/17
61D-14.041	35/21	36/14		61G15-22.011	36/17		
61D-14.042	35/21			61G15-31.001	35/45		
61D-14.044	35/21	36/14		61G15-31.002	35/45		
61D-14.047	35/21	36/14		61G15-31.003	35/45		
61D-14.053	35/21	36/14		61G15-31.004	35/45		
61D-14.063	35/21			61G15-31.005	35/45		
61D-14.075	35/21	36/14		61G15-31.006	35/45		
61D-14.079	35/21			61G15-31.007	35/45		
61D-14.087	35/21			61G15-31.008	35/45		
61D-14.096	35/21	36/14		61G15-31.009	35/45		
61D-14.097	35/21	36/14		61G15-31.010	35/45		
61D-14.098	35/21	36/14		61G15-31.011	35/45		
61D-15.001	35/21	36/14		61G15-31.012	35/45		
61E13-2.004	36/4		36/19	61G18-15.0025	36/21		
61E13-2.005	36/7			61G19-5.002		23/25	36/21 36/21
61E13-2.007	36/7	36/20			36/6		
61E13-2.009	36/4		36/19	61G19-5.004	36/16		
61E13-2.010	36/7	36/18		61H1-20.003	35/33		
61E13-2.011	36/4		36/19	61H1-20.004	35/33		
61E13-2.012	36/9		36/22w	61H1-20.0051	35/33		
61E14-2.001	36/3		36/15	61H1-20.0052	35/33		
61E14-4.002	35/42			61H1-20.0053	35/33	35/44	
61E14-4.003	35/42			61H1-20.007	35/33	35/41	
61E14-4.005	35/42					35/44	
61F10-18.001	35/28			61H1-20.008	35/33	35/41	
61G1-12.004	36/8	36/21				36/2	
61G1-12.005	36/8	36/21		61H1-20.009	35/33	35/41	
61G1-21.003	36/8		36/21			36/2	
61G2-2.006	36/21			61H1-20.0092	35/33	35/41	
						36/3	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61H1-20.0093	35/33	35/41 36/2		62-17.600	35/38	35/45	36/20
61H1-20.0094	35/43	36/3		62-17.610	35/38		36/20
61H1-20.0095	35/33	35/41 36/2		62-17.625	35/38		36/20
61H1-20.0096	35/33	35/41 36/2		62-17.660	35/38	36/10	36/20
61H1-20.0097	35/33	35/41 36/2		62-17.665	35/38	35/45	36/20
61H1-20.0099	35/33	35/41 36/2		62-17.680	35/38	36/10	36/20
61H1-20.010	35/33			62-17.695	35/38		36/20
61H1-20.013	35/33			62-17.700	35/38		36/20
61H1-20.016	35/33			62-17.710	35/38		36/20
61H1-27.0041	35/30	35/40 36/10	36/17 36/17	62-17.750	35/38	35/45	36/20
61H1-33.003	36/19			62-17.760	35/38	36/10	36/20
61H1-33.006	36/19			62-204.800	36/17 36/17		
61H1-36.004	36/22			62-258.421	34/51		
61H1-36.005	36/22			62-296.470	32/45c		
61H1-36.0055	36/22			62-302.400	36/16		
61J1-1.009	36/19			62-302.530	36/16		
61J1-3.001	28/41	28/43 28/46		62-302.800	36/16		
61J1-3.002	28/41	28/43 28/46		62-302.800(2)	36/7c		
61J1-4.001	36/9 36/21		36/16	62-304.415	36/18		
61J1-4.003	36/15			62-304.505	34/16	34/23	
61J1-4.005	28/41	28/43 28/46		62-304.510	29/25		
61J1-4.007	36/9			62-304.600	35/31	36/7 36/17	
61J1-4.010	35/17	35/41 36/10	36/17 36/17				
61J1-7.004	28/41	28/43 28/46					
61J1-7.005	28/41	28/43 28/46					
61J1-11.009	32/37			62-304.610(11)	36/13c		
61J2-3.012	36/15			62-306.100	36/14		
61J2-14.008	36/15			62-306.200	36/14		
61J2-17.012	28/3	28/17		62-306.300	36/14		
61J2-24.001	35/52	36/21		62-306.400	36/14		
ENVIRONMENTAL PROTECTION				62-306.500	36/14		
62-17.510	35/38		36/20	62-306.600	36/14		
62-17.520	35/38		36/20	62-306.700	36/14		
62-17.535	35/38	36/10	36/20	62-306.800	36/14		
62-17.540	35/38	35/45 36/10	36/20 36/20	62-306.900	36/14		
62-17.543	35/38		36/20	62-330.200	36/18		
62-17.545	35/38		36/20	62-346.010	35/20		
62-17.570	35/38		36/20	62-346.020	35/20		
62-17.580	35/38		36/20	62-346.030	35/20		
62-17.590	35/38	36/10	36/20	62-346.050	35/20		
				62-346.051	35/20		
				62-346.060	35/20		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
63D-6.004	36/12			63F-11.002	36/17		
63D-6.005	36/12			63F-11.003	36/17		
63D-6.006	36/12			63F-11.004	36/17		
63D-6.007	36/12			63F-11.005	36/17		
63D-6.008	36/12			63F-11.006	36/17		
63D-6.009	36/12			63G-1.001	36/18		
63D-6.010	36/12			63G-1.002	36/18		
63D-6.011	36/12			63G-1.003	36/18		
63D-7.001	36/12			63G-1.004	36/18		
63D-7.002	36/12			63G-1.005	36/18		
63D-7.003	36/12			63G-1.006	36/18		
63D-7.004	36/12			63G-1.007	36/18		
63D-7.005	36/12			63G-1.008	36/18		
63D-7.006	36/12			63G-1.009	36/18		
63D-7.007	36/12			63G-1.010	36/15		
63D-7.008	36/12			63G-1.011	36/15	36/20	
63D-7.009	36/12			63G-1.012	36/15		
63D-8.001	36/12			63G-1.013	36/15		
63D-9.001	36/12			63G-1.014	36/15		
63D-9.002	36/12			63G-1.015	36/15		
63D-9.003	36/12			63G-1.016	36/15		
63D-9.004	36/12			63G-1.017	36/15	36/20	
63D-9.005	36/12			63G-1.018	36/15		
63D-9.006	36/12			63L-2.001	36/19		
63D-10.001	36/12			63L-2.002	36/19		
63D-10.002	36/12			63L-2.003	36/19		
63D-10.003	36/12			63L-2.004	36/19		
63D-10.004	36/12			63L-2.005	36/19		
63D-10.005	36/12			63L-2.006	36/19		
63D-10.006	36/12			63L-2.007	36/19		
63D-11.001	36/12			63L-2.008	36/19		
63D-11.002	36/12			63L-2.009	36/19		
63D-11.003	36/12			63L-2.010	36/19		
63D-11.004	36/12			63L-2.011	36/19		
63D-11.005	36/12						
63D-11.006	36/12						
63D-11.007	36/12						
63D-12.001	36/12			64-1	30/29c		
63D-12.002	36/12			64B-1.009	25/39	26/1	
63D-12.003	36/12			64B-4.003	36/9		36/18
63D-12.004	36/12			64B-9.001	36/18		
63D-12.005	36/12			64B1-4.0011	36/3		36/18w
63D-12.006	36/12				36/21		
63E-7.002	36/4	36/10	36/17	64B1-6.005	35/21	35/51	36/17
	36/17					36/8	36/17
63E-7.006	36/17					36/11	36/17
63E-7.009	36/4		36/17	64B2-11.001	35/50	36/19	
63E-7.010	36/4		36/17	64B2-11.012	35/50	36/19	
	36/17			64B2-12.0155	36/22		
63E-7.011	36/4	36/10	36/17	64B2-12.022	36/22		
	36/17	36/22		64B2-13.004		31/9	36/19
63E-7.013	36/17				36/12		36/19
63E-7.016	36/4	36/10	36/17	64B2-16.003	36/3		36/18
	36/17			64B2-18.002	36/22		
63F-11.001	36/17			64B3-3.001	35/16		36/16w

HEALTH

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B3-4.001	36/7		36/18	64B8-9.0132	36/16		
	36/20			64B8-30.015	36/11		36/19
64B3-5.0011	36/9		36/16	64B8-44.003	36/7		36/18
64B3-5.008	36/7		36/17	64B8-44.007	36/17	36/21	
	36/20			64B8-51.001	36/2	36/12	36/18
64B3-6.001	36/7	36/19		64B8-51.006	36/2		36/16w
64B3-9.001	36/8		36/16		36/17		
64B3-9.002	36/8		36/16	64B9-2.016	36/17	36/21	
64B3-9.004	36/8		36/16	64B9-4.011	36/21		
64B3-12.001	36/7		36/21	64B9-8.005	36/11		
64B4-3.003	36/15		36/22	64B9-9.015	32/24	32/51	
64B4-3.006	36/8		36/16	64B9-17.001	33/8c		
64B4-3.007	35/11			64B9-17.002	33/8c		
64B4-4.002	36/10		36/18	64B10-11.001	35/38		
64B4-4.005	36/15		36/22	64B10-11.003	36/4	36/16	
64B4-6.006	36/10		36/18	64B10-11.011	36/12		36/20
64B4-11.007	35/40	36/10	36/16	64B10-11.012	35/38		
64B5-1.021	35/21		36/18w	64B10-12.002	36/17		
64B5-2.0126	36/13			64B10-14.002	36/11		36/20
64B5-2.013	36/13			64B10-14.004		23/40	36/20
	36/19				36/11		36/20
64B5-2.014	30/51			64B10-15.001	36/9	36/17	
	34/50			64B10-16.005	35/38		
		35/21	36/16	64B11-2.003	36/4		36/19
		35/39	36/16	64B11-3.001	36/4		36/19
		35/52	36/16	64B11-4.003	36/17		
		36/10	36/16	64B12-9.0015	36/5		36/19
64B5-2.0144	34/50	35/21	36/16	64B12-9.002	36/5		36/19
		35/39	36/16	64B12-16.003		35/12	36/19
		35/52	36/16			35/14	36/19
		36/10	36/16		36/5		36/19
64B5-4.002	35/52			64B13-3.009	36/5		36/15
64B5-4.004	36/4		36/18w	64B13-4.001	36/6		36/15
	36/18			64B13-4.004	36/21		
64B5-10.011	36/13		36/22	64B13-5.002	36/6		36/15
64B5-13.0046	36/19			64B13-15.005	36/11		
64B5-13.005	36/19			64B13-18.002	36/2	36/9	36/15
64B5-14.005	36/19			64B14-7.003	36/12		
64B5-15.010	27/30			64B15-6.011	36/11		36/19
64B5-16.005	36/6			64B15-12.003	36/5		36/17
64B5-16.006	36/6			64B15-12.005	36/17		
64B5-16.0075	36/19			64B15-14.0051	36/16		
64B6-2.003	36/18			64B15-14.0052	36/16		
64B6-7.002	36/17			64B15-14.0076	36/21		
64B6-8.003	35/49	36/18		64B15-19.002	36/3	36/10	36/18
64B7-25.001		35/26	36/21		36/21		
	36/1	36/13	36/21		36/21		
64B7-25.004	36/14			64B16-26.1001	36/19		
64B7-30.004	36/16			64B16-26.103	36/2	36/13	36/20
64B7-31.001	36/1			64B16-26.1031	36/19		
64B7-32.003	36/1		36/16	64B16-26.1032	36/22		
64B8-4.009	36/3	36/10	36/19	64B16-26.203	35/49		36/18
64B8-8.001	36/21			64B16-26.2031		35/3	36/20
64B8-8.0011	36/17					35/12	36/20
64B8-9.005	35/26				35/49	36/12	36/20
64B8-9.0092	36/11			64B16-26.2032	35/49	36/19	
64B8-9.0131	36/16			64B16-26.2033	35/39	36/12	36/20

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
65A-1.205	33/22c 36/13	36/20		65G-4.0023	35/49	36/3 36/8	
65A-1.303	36/7	36/14	36/19	65G-4.0024	35/49	36/3 36/8	
65A-1.400	31/27c			65G-4.0025	35/49	36/3 36/8	
65A-1.704	36/13			65G-4.003	36/12		
65A-1.900	35/13 36/7c	35/41 36/12		65G-4.004	36/12		
65A-15.005	32/9			65G-4.005	36/12		
65A-15.062	32/9			65G-4.006	36/12		
65B-27.017	32/9			65G-4.007	36/12		
65CER10-1			36/8	65G-4.008	36/12		
65C-5.001	32/29	32/37		65G-4.009	36/12		
65C-5.002	32/29	32/37		65G-4.010	36/12		
65C-5.003	32/29	32/37		65G-4.011	36/12		
65C-5.004	32/29	32/37		65G-4.012	36/12		
65C-5.005	32/29	32/37		65G-4.014	36/7 36/13c		
65C-5.006	32/29	32/37		65G-4.014(1)	36/13c		
65C-5.007	32/29	32/37		65G-4.014(1),(3)	36/13c		
65C-5.008	32/29	32/37		65G-4.014(3)	36/13c		
65C-5.009	32/29	32/37		65G-4.015	36/7		
65C-5.010	32/29	32/37		65G-4.016	36/7		
65C-5.011	32/29	32/37		65G-4.017	36/7		
65C-13.030	36/9	36/16 36/20		65G-4.017(1),(3)	36/13c 36/13c		
65C-16.008	32/4			65G-11.001	36/20		
65C-33.001	34/46			65G-11.002	36/20		
65C-33.002	34/46			65G-11.003	36/20		
65C-33.003	34/46			FLORIDA HOUSING FINANCE CORPORATION			
65C-33.004	34/46			67ER09-1			35/12
65C-33.005	34/46			67ER09-2			35/12
65C-33.006	34/46			67ER09-3	35/43c		35/43d
65C-33.007	34/46				35/43c		35/43d
65C-33.008	34/46				35/43c		35/43d
65C-33.009	34/46				35/43c		35/43d
65C-33.010	34/46				35/43c		35/43d
65C-33.011	34/46				35/43c		35/43d
65C-33.012	34/46				35/43c		35/43d
65C-33.013	34/46						35/12
65D-31.001	35/14	35/37		67ER09-4	35/43c		35/43d
65D-31.002	35/14	35/37			35/43c		35/43d
65D-31.003	35/14	35/26 35/37			35/43c		35/43d
65D-31.004	35/14	35/26 35/37			35/43c		35/12
65D-31.005	35/14	35/26 35/37		67ER09-5			35/12
65D-31.006	35/14	35/37		67ER09-6	36/18c		36/18x
65E-9.009	34/16	34/20		67ER09-7	36/18c		36/18x
65G-4.001	36/12			67ER09-8	36/18c		36/18x
65G-4.0011	36/12			67ER09-9	36/18c		36/18x
65G-4.002	36/12			67ER09-10	36/18c		36/18x
65G-4.0021	35/49	36/3		67-18.005	28/42		
65G-4.0022	35/49	36/3 36/8		67-48.002	30/39		
				67-48.004(13)(d)	36/18c		
				67-48.004(5)	36/18c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
FISH AND WILDLIFE CONSERVATION COMMISSION				68B-56.002	36/12		
68-1.003	35/44	36/19		68C-22.026	36/5		
68-5.001	36/2			68D-18.004	36/21		
	36/20			68D-18.005	36/21		
68-5.002	36/20			68D-21.001	36/21		
68-5.004	36/12			68D-21.002	36/21		
	36/20			68D-21.003	36/21		
68A-1.004	36/2			68D-21.004	36/21		
68A-4.002	36/20			68D-23.101	36/21		
68A-6.0022	33/1	33/11		68D-23.102	36/21		
	36/12	36/21		68D-23.103	36/21		
68A-6.0024	36/12		36/22	68D-23.104	36/21		
68A-6.003	36/12			68D-23.105	36/21		
68A-6.005	36/12		36/22	68D-23.106	36/21		
68A-6.0072	36/12			68D-23.107	36/21		
68A-9.010	36/20			68D-23.108	36/21		
68A-9.012	36/20			68D-23.109	36/21		
68A-15.005	36/18			68D-23.110	36/21		
68A-15.064	36/2	36/11	36/16	68D-23.111	36/21		
68A-24.003	28/17			68D-23.112	36/21		
68A-24.004	28/17			68D-24.017	36/2	36/9	36/19
68A-24.005	36/20			FINANCIAL SERVICES			
68A-24.006	28/17			69-1	30/42c		
68A-25.0032	35/19			69A-2.024	35/47	36/11	36/18
68A-27.0001	36/2			69A-51.020	36/6	36/12	36/20
68A-27.001	36/2			69A-62.004	36/7		36/22
68A-27.0011	36/2			69A-62.023	36/20		
68A-27.0012	36/2			69A-62.050	36/20		
68A-27.002	36/20			69B-33.005(3)(a)	32/32c		
68A-27.0021	36/2				32/32c		
68A-27.003	36/2			69B-41.002(19)	32/32c		
68A-27.004	36/2				32/32c		
68A-27.005	36/2			69B-211.042(7),(b)1.	36/13c		
68A-27.006	36/2			69B-211.320	36/7		36/16
68A-27.007	36/2			69B-215.080	36/11	36/20	
68B-5.002	36/20			69B-220.201(5)(d)	36/18c		
68B-14.0038	36/19			69B-221.006	36/11	36/20	
68B-23.101	32/18			69B-231.030	36/7		
68B-23.103	32/18			69B-231.080	36/7		
68B-23.104	32/18			69B-231.100	36/7		
68B-23.106	32/18			69B-231.110	36/7		
68B-23.107	32/18			69B-231.160	36/7		
68B-23.108	32/18			69I-3.001	35/51	36/10	36/17
68B-23.109	32/18			69I-3.003	35/51	36/10	36/17
68B-23.110	32/18			69I-3.004	35/51	36/10	36/17
68B-23.112	32/18			69I-20.041	36/3	36/11	36/17
68B-27.018	36/12		36/22	69J-9.001	35/50	36/10	36/16
68B-34.002	36/12		36/22	69K-1.001	36/3	36/9	36/15
68B-34.003	36/12		36/22		36/12		
68B-47.001	36/20			69K-5.0024	36/12		36/22
68B-47.003	36/20			69K-10.003	36/12		36/22
68B-47.005	36/20			69L-6.012	35/37	36/20	
68B-47.006	36/20						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
69L-7.501	35/44 36/7c 36/7c 36/7c	35/50		69O-149.303	36/14		
69L-7.602	36/18c			69O-157.302	36/7		
69L-7.602(5)(q)	32/45c			69O-157.303	36/7		
69L-7.602(7)	36/18c			69O-157.304	36/7		
69L-7.602(7)(b)	36/18c			69O-170.006	31/32c		
69L-7.602(a)-(c),(e)	36/18c			69O-170.0155	35/47	36/7	36/15
69L-24.006	36/18c				35/47	36/7	36/15
69L-24.006(2)(a)(1)(2)	36/18c			69O-170.020	32/5	32/12	
69L-24.006(2)(a)(b)	36/18c			69O-175.001	31/2c		
69L-24.006(2)(d)	36/18c			69O-175.003	31/26		
69L-56.530	31/3			69O-175.008	35/12c		
69M-1	29/52c			69O-186.013	33/8c		
69M-236.001	35/47	36/2		69O-204.020	33/50	34/10	
69M-236.002	35/47	36/2		69O-204.030	33/50	34/10	
		36/9			34/39	34/52	
69M-236.003	35/47	36/2		69O-204.040	33/50	34/10	
69M-236.004	35/47	36/2			34/39	34/52	
		36/9		69O-204.050	33/50		
69M-236.005	35/47	36/2		69O-204.060	33/50		
69O-1	31/37c			69O-204.070	33/50	34/10	
	31/37c					34/15	
69O-136.0075	35/20			69O-236.001	35/47	36/2	
69O-136.009	35/20			69O-236.002	35/47	36/2	
69O-136.011	35/20			69O-236.003	35/47	36/2	
69O-137.002	36/12			69O-236.004	35/47	36/2	
69O-139.019	33/10			69O-236.005	35/47	36/2	
69O-146.040	35/20			69W-600.0011	36/22		