

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE:

RULE NO.:

Final of Ownership and Establishment in
Unclaimed Property

RD-28 0002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to specify what must be filed with the Department when filing a claim for unclaimed property owned by a dissolved corporation. As an alternative to filing a certified copy of the last corporate filing reflecting the officers and directors of the corporation, the claimant may provide the Department with a state's web site address if the same information is available on the Internet site. As an alternative to a bankruptcy search, the claimant may provide the Department with the results of a Public Access to Court Electronic Records (PACER) search in the bankruptcy court of the state and district of incorporation and where the main office is located, if different. The rule amendments also require bankruptcy information to be provided if the dissolved corporation has/has a debtor in bankruptcy. If the bankruptcy court is open or if the bankruptcy estate is approved, the unclaimed property will be credited to the bankruptcy estate.

SUBJECT AREA TO BE ADDRESSED: Filing claims for unclaimed property owned by dissolved corporations.

SPECIFIC AUTHORITIES: 717.138 FS.

LAW IMPLEMENTED: 92.026, 717.134, 717.134(9).

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

TIME AND DATE: 9:00 a.m., Wednesday, May 16, 2007

PLACE: Suite 417, The Florida Building, 81 E. Gaines St., Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul C. Skelton, Jr., Assistant General Counsel, Department of Banking and Finance, Suite 426, The Florida Building, 81 E. Gaines St., Tallahassee, Florida 32399-0390, (904)410-9844

THE PRELIMINARY TEXT OF THE PROPOSED BILL DEVELOPMENT IS:

RD-28002 Final of Ownership and Establishment in Unclaimed Property.

(2) through (7)(b) No change.

1. If the unclaimed business account is for a dissolved corporation, the claimant shall provide the corporation's state of incorporation and principal place of business address. The claimant shall provide a certified copy of the last corporate filing reflecting the officers and directors of the corporation, which shall be obtained ~~with~~unclaimedbusinessaccount is from a dissolved corporation, then certification from an appropriate state official of the state of incorporation, certified within one (1) year of the filing of the claimant to provide to the Department no later than the last corporate filing. The certified copy of the last corporate filing shall be a current ~~file~~.

2. The officers and directors of the dissolved corporation as of the last corporate filing are identified on the Internet site of the Florida Department of Banking.

3. The claimant has provided the address of a state business site maintained by the state of incorporation of the dissolved corporation that identifies the officers and directors of the dissolved corporation as of the date of the last corporate filing.

4. Appropriate evidence shall be provided to reflect that the dissolved corporation is the same corporation as on the Department's records and appropriate evidence shall be provided to reflect the claimant is, entitled to all or a proportional share of the dissolved corporation ~~and the~~the assets in an ~~of~~the estate of the corporation.

5. A claim for an unclaimed business account for a dissolved corporation shall state if the dissolved corporation has ever been a debtor in bankruptcy. If the dissolved corporation has ever been a debtor in bankruptcy, the claimant shall identify the bankruptcy court that the case occurred under. The claimant shall also state the location of the bankruptcy court, the case number, and the address and telephone number of the Office of the U.S. Trustee in that jurisdiction. If no bankruptcy proceedings of the dissolved corporation are known, the claimant shall so state and shall either provide the results of a bankruptcy court website Public Access to Court Electronic Records (PACER) search in the bankruptcy court of the state and district of incorporation and where the main office is located, if different, or provide a completed United States Bankruptcy Court Application for Search of Bankruptcy Records ~~with~~with appropriate state Department from the state and district of incorporation, and where the main office is located, if different.

6. The Office of the U.S. Trustee will be contacted by the Department if the dissolved corporation was a debtor in a closed bankruptcy court if the appropriate rules of the unclaimed property to provide that 717.138. If the bankruptcy case is approved, the unclaimed property shall be credited to the bankruptcy estate.

7. The unclaimed account shall be credited to the bankruptcy estate of one who has been approved and the dissolved corporation is a debtor in a pending bankruptcy case.

10. A hotel license, expiring on the date and address of the filing. The license shall indicate the filing is for a new, renewed, or new location, or a modification. If the filing is a modification, the license shall indicate when the expiration date was submitted, the Florida license number, and the date of the document.

11. Form 124.0007, "The Florida Department of Insurance, Terrorism and Fire Marshal Life and Health Forms and Rules Universal Standardized Form Letter," currently filed out in accordance with Form 124.0007A, "The Florida Department of Insurance, Terrorism and Fire Marshal Life and Health Forms and Rules Universal Standardized Form Letter Instruction Sheet."

12. An annual agreement, consistent with the requirements of Rule 1.20102, F.A.C.

13. Rate papers for delivery of proposed rates, rating factors, and considerations for determination available in the state. The 124.0007 shall include a complete copy of each rate filing under Department of Insurance, Life and Health Forms and Rules Universal Standardized Form Letter 124.0007.

14. Filings shall be accepted by Bureau of Life and Health Forms and Rules, Division of Insurance Services, Department of Insurance, Post Office Box 9000, Tallahassee, FL 32309-9000, submitted electronically to Electronic@fldc.state.fl.us or submitted to the Department by Certified Express on any other form of airtel delivery by delivery to Bureau of Life and Health Forms and Rules, Division of Insurance Services, Department of Insurance, 1st Floor, 1000 Building, 700 East College Street, Tallahassee, FL 32309-9000.

Specific authority 68007 FL Law Enforcement 68007, 68008, 68009 FL Heavy 68011 12.0000

4.201.100 Prescribed Forms

The forms listed below are incorporated herein, and made a part of these rules by reference:

Title	Form Number
(1) through (13) No change.	

14.1 The Florida Department of Insurance, Terrorism and Fire Marshal Life and Health Forms and Rules Universal Standardized Form Letter **124.0007A.0001**

14.2 The Florida Department of Insurance, Terrorism and Fire Marshal Life and Health Forms and Rules Universal Standardized Form Letter Instruction Sheet **124.0007A.0002**

Application forms may be obtained from the Application Coordinator, Insurance Services Support, Tallahassee, FL 32309-9007. All other forms may be obtained from the Department of Insurance, Bureau of Life and Health Insurance Recovery, Larcum Building, Tallahassee, FL 32309-9127.

Specific authority 68007 FL Law Enforcement 68008 1200 68009 68010 68011 68012 68013 68014 68015 68016 68017 68018 68019 68020 68021 68022 68023 68024 68025 68026 68027 68028 68029 68030 68031 68032 68033 68034 68035 68036 68037 68038 68039 68040 68041 68042 68043 68044 68045 68046 68047 68048 68049 68050 68051 68052 68053 68054 68055 68056 68057 68058 68059 68060 68061 68062 68063 68064 68065 68066 68067 68068 68069 68070 68071 68072 68073 68074 68075 68076 68077 68078 68079 68080 68081 68082 68083 68084 68085 68086 68087 68088 68089 68090 68091 68092 68093 68094 68095 68096 68097 68098 68099 68100 68101 68102 68103 68104 68105 68106 68107 68108 68109 68110 68111 68112 68113 68114 68115 68116 68117 68118 68119 68120 68121 68122 68123 68124 68125 68126 68127 68128 68129 68130 68131 68132 68133 68134 68135 68136 68137 68138 68139 68140 68141 68142 68143 68144 68145 68146 68147 68148 68149 68150 68151 68152 68153 68154 68155 68156 68157 68158 68159 68160 68161 68162 68163 68164 68165 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language of the rule that will specify the performance standards and acceptable testing conditions regarding data provided in support of registration of pesticide products containing label statements for use as preventative treatments for insects for new construction so that the data show that the product will prevent damage to a structure and its contents for a minimum of five years under Florida conditions.

LIST OF INVITED COMMITTEE MEMBERS:

The following persons are invited to participate in this regulated rulemaking procedure:

Frank Gasparini, Director of Best Issues, Responsible Industry for a Safer Environment (RISE), representing pesticide registrant interests.

1156 15th Street, N.W.
Suite 400
Washington, DC 20005
(202)477-3860

Steve Smith, Certified Pest Control Operator, representing professional operators interests.

6615 W. Commercial Boulevard
Suite 204
Tamarac, FL 33319
(954)714-8886

DR. Eddy, Legislative Affairs Chairman, Florida Pest Management Association, representing pest control operators interests.

c/o Florida Pest Management Association
6852 Edgewater Commerce Parkway
Orlando, FL 32818-4281
(800)426-8829

Rob Koenigberg, Executive Director, National Pest Management Association, representing pest control operators interests.

National Pest Management Association
8000 Oak Street
Dunn Loring, Virginia 22027
(703)471-6100

Jack Glass, Technical Services Director, Florida Home Builders Association, representing home builders interests.

Florida Home Builders Association
241 Office Plaza Drive
Tallahassee, FL 32304
(800)261-9447 Ext. 18

A. Richard Holt, Director of Building Division and Building Official, Palm Beach County Florida, representing building officials interests.

100 Audubon Avenue
West Palm Beach, FL 33406-1445
(561)233-6100

Michael C. Reifers, Wilson and Schmidt Insurance, representing insurance industry interests.

Class Center
Post Office Drawer 1791
Orlando, Florida 32802
(407)548-1480

Phil Karabin, Professor, University of Florida, Agricultural Extension Service, representing the entomology extension service of the Institute of Food and Agricultural Sciences.

Department of Entomology and Nematology
University of Florida
P.O. Box 110620
Gainesville, FL 32611-0620
(352)952-1980

Steve DeWalt, Assistant Division Director, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, representing the Department of Agriculture and Consumer Services, 1125 Conover Boulevard, C-6, Tallahassee, Florida 32399

REGULATING TIME FRAME: The committee shall report in writing the results of its deliberations and its proposed rules to the agency at the earliest possible time, not to exceed 90 days from the date of the last negotiation meeting.

MEETING TIMES, DATES AND PLACES ARE AS FOLLOWS:

10:00 a.m. - 4:00 p.m., May 29, 2002, Huxford South Town, 400 South Robinson St., Orlando, FL 32816

10:00 a.m. - 4:00 p.m., June 18, 2002, Brevard County Extension Service, 1214 College Ave., Dania, FL 33014

10:00 a.m. - 4:00 p.m., July 9, 2002, USDA Building, 1700 SW 2nd Drive, Gainesville, FL 32608

10:00 a.m. - 4:00 p.m., July 25, 2002, Huxford South Town, 400 South Robinson St., Orlando, FL 32816

10:00 a.m. - 4:00 p.m., August 28, 2002, Huxford South Town, 400 South Robinson St., Orlando, FL 32816

10:00 a.m. - 4:00 p.m., September 19, 2002, Huxford South Town, 400 South Robinson St., Orlando, FL 32816

PEOPLE WHO WISH TO PARTICIPATE IN THE COMMITTEE: If you believe your interests in this proceeding are not adequately represented, you may apply to participate on this committee by doing the following:

1. Submit a written request to participate to: Mr. Steve DeWalt, Assistant Director, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 1125 Conover Blvd., Tallahassee, Florida 32399 (904).

2. Your request to participate must be submitted to the person and address listed above within 30 days of the date of this notice.

Appendix D of NFPA 54 performed every 12 months. The supplier shall provide reasonable notice to the customer prior to initiating such procedures.

(b) In the event an account is vacated, the supplier shall perform an appropriate pressure leak safety check. Such supplier shall maintain records of such inactive accounts available for inspection by the Department.

(2) All containers, and covers or covers of LP gas containers shall:

(a) Within 60 days initiate the safety procedures outlined in subparagraph (1)(a) above. ~~_____~~
 (b) ~~_____~~ the any stationary LP gas tank with a 100 gallon or more container capacity which has not been in use for a period of 12 months.

Specific Authority: ~~_____~~ 5709.05, Law Implemented: ~~_____~~ 5709.05, History: New 12/00, Amended 04/01, Formerly 5709.04, Amended 1/00, 1/01, 1/02, _____.

5711.015 Dispensing Units.

(1) through (4)(b) change.

(5) The requirements for an actuated liquid withdrawal valve pursuant to Section ~~_____~~ 5711.015 of NFPA 58 as incorporated by reference in Rule 5711.015, F.A.C., shall not apply to dispensing units when such units are equipped with a bottom outlet valve piped for liquid withdrawal or other method of liquid withdrawal that is permanently in place. In such cases, the actuated liquid withdrawal valve may be replaced with an approved valve pursuant to the requirements of NFPA 58.

Specific Authority: ~~_____~~ 5710.05, Law Implemented: ~~_____~~ 5710.05, History: New 11/00, Formerly 5710.05, Amended 11/01, 1/02, 1/03, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: _____ BILL NO.: _____
 Issuance Licenses. 5711.012

PURPOSE AND EFFECT: The purpose of this rule revision is to provide a separate licensing category for persons engaged in the installation of propane cylinders at certain defined consumer sites. This will address new activities emerging within the industry along with developing technologies.

SUBJECT AREA TO BE ADDRESSING: Establishment of a new specialty issuance license category as provided by Section 475.03, Florida Statutes.

SPECIFIC AUTHORITY: 475.04, 475.04(1) FS.

LAW IMPLEMENTED: 475.04(1)(a), 475.04(1) FS.

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

TIME AND DATE: 1:00 p.m., May 20, 2002

PLACE: Division of Standards Conference Room, Suite B, Doyle Center Administration Building 1123 Center Boulevard Tallahassee, Florida 32399-1400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Yvonne O'Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 1123 Center Blvd., Suite B, Tallahassee, Florida 32399-1400, (904)931-3881

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5711.012 Issuance Licenses.

(1) The following license types are established under the Specialty Issuance category:

(a) through (c) No change.

(d) Issuance B is one license created in the Issuance category and business whose services include installing, repairing, inspecting, certifying, or testing on certain liquefied petroleum gas in each service installation or equipment and testing an existing or self-installed or other lower-pressure appliances or equipment for the use of liquefied petroleum gas. The scope of work that may be performed by an Issuance B does not include installing, servicing, cleaning, or modifying liquefied petroleum gas system fuel systems, liquefied petroleum gas equipment appliances or systems or associated vehicles, permanently installed liquefied petroleum gas systems or existing appliances or liquefied petroleum gas equipment, piping, regulators, or systems installed in the interior of any structure building or structure.

Specific Authority: ~~_____~~ 5710.05, Law Implemented: ~~_____~~ 5710.05, History: New 04/02, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: _____ BILL CHAPTER NO.: _____
 Incorporation by Reference 14-15

RULE TITLE: _____ BILL NO.: _____

Manual of Uniform Minimum Standards for Design, Construction and Maintenance

for Streets and Highways. 14-15.002

CORRECTION -- The following Notice of Proposed Rule Development was inadvertently published under Section B, Proposed Rules, in Vol. 28, No. 11, March 29, 2002, issue of the Florida Administrative Weekly on page 14 B.

PURPOSE AND EFFECT: The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as "The Green Book," is being revised.

SUBJECT AREA TO BE ADDRESSING: The rule adopts the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways,

FINC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible May 15, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Harwin Building, North Tower, Suite N301, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **61E2.001**

Applications by Individuals

61E2.007

Applications by Individuals

PURPOSE AND EFFECT: The purpose of the proposed rule development is to comply with statute giving the Department the authority to perform these functions rather than the Division.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the application process for real estate licenses.

SPECIFIC AUTHORITY: 475.01(9).

LAW IMPLEMENTED: 475.11, 475.15, 475.01 (9), Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Case No. 02-13-001-Cr-18 (M.D. Fla. 1997).

FINC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible May 15, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Harwin Building, North Tower, Suite N301, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **61E2.001**

Applications by Individuals

61E2.001

Applications by Individuals

PURPOSE AND EFFECT: The purpose of the proposed rule development is to comply with statute giving the Department the authority to perform these functions rather than the Division.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the application process for real estate licenses.

SPECIFIC AUTHORITY: 475.01 (9).

LAW IMPLEMENTED: 475.15 (9).

FINC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or as soon thereafter as possible, May 15, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Harwin Building, North Tower, Suite N301, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **61E2.008**

Pre-licensing Education for Real Estate

61E2.008

Subsequent Applicants

61E2.008

PURPOSE AND EFFECT: The purpose of the proposed rule development is to bring the rule into compliance with statutory changes taking effect July 1, 2002.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to the method of providing pre-licensure education for real estate licensees.

SPECIFIC AUTHORITY: 475.01 (9).

LAW IMPLEMENTED: 475.04, 475.07, 475.02, 475.03, 475.05 (9).

FRFC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or at some thereafter as possible, May 14, 2007

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Carroll, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Bureau Building, North Tower, Suite 300B, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED BILL DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **BULE NO.:**

Continuing Education for Active and Inactive Real Estate Licensees 6025.0009

PURPOSE AND EFFECT: The purpose of the proposed rule development is to bring the rule into compliance with statutory changes and modify the types of courses that qualify for continuing education credit.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to continuing education courses.

SPECIFIC AUTHORITY: 489.12(1), 479.001(6)(a)-(c), 479.02(1)(b)-(f), FL

LAW IMPLEMENTED: 489.12(1), 479.04, 479.17, 479.02, 479.08, 479.01 FL

FRFC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or at some thereafter as possible, May 14, 2007

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Carroll, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Bureau Building, North Tower, Suite 300B, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED BILL DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **BULE NO.:**

Notice of Satisfactory Course Completion 6111.0015

PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend the rule to better comply with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to record keeping affecting course completion.

SPECIFIC AUTHORITY: 489.12(1), 479.04 FL

LAW IMPLEMENTED: 489.12(1), 479.02, 479.17, 479.02, 479.08, 479.01 FL

FRFC WILL CONDUCT A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., or at some thereafter as possible, May 14, 2007

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Carroll, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Bureau Building, North Tower, Suite 300B, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED BILL DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: **BULE NO.:**

Licensor Status of Active Officers and Directors 6111.0014

PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend provisions relating to telegrams ability to be an officer of a real estate entity.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to whether an active real estate telegrams can be an officer of a real estate brokerage.

SPECIFIC AUTHORITY: 479.04 FL

LAW IMPLEMENTED: 479.04, 479.14 FL

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

TIME AND DATE: 8:30 a.m., or at some thereafter as possible, May 14, 2007

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 200 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS Lori Crawford, Deputy Clerk, Division of Real Estate, 200 West Robinson Street, Havana Building, North Tower, Suite N-201, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE UPON CONTACTING THE PERSONS LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: _____ **RULE NO.:** _____
Processing Fee **68B2.12007**
PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Processing Fee.

SPECIFIC AUTHORITY: 464.006(5) FL.
LAW IMPLEMENTED: 464.006 FL.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4902 Reid Cypress Way, Box 8000, Tallahassee, Florida 32309-0000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B2.12007 Processing Fee.

A licensee shall pay a processing fee of ~~100.00~~ ~~_____~~ ~~_____~~ when the licensee applies for a change in licensee rates at any time other than during licensee renewal, ~~except a certified chiropractic physician candidate shall pay \$50.~~ The renewal period shall begin ~~60~~ ~~_____~~ ~~_____~~ days prior to the end of the licensure and shall end on the last day of the licensure.

Specific authority: 464.006(5) FL. Law Implemented: 464.006(5) FL. History: New 4/20/02, Formerly 68B2.12007 ~~_____~~ ~~_____~~.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: _____ **RULE NO.:** _____
Continuing Education **68B2.11064**
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 464.006(3) FL.

LAW IMPLEMENTED: 464.006(3), 464.006(10), 464.006 FL.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4902 Reid Cypress Way, Box 8000, Tallahassee, Florida 32309-0000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B2.11064 Continuing Education.

(1) through (8) No change.

(9) In addition to the continuing chiropractic education credits authorized above, a course instructor for one semester only, one classroom, will receive credit for a certain education course measured by a credit accepted by the Board, except that credit will be limited to the number of credits for which the instructor was originally approved, and shall not exceed the credits allowed for attending the program.

(10) In addition to the continuing chiropractic education credits authorized above, one instructor who has received three years credit and was used by the Department during the licensure will receive credit for one credit for the licensure.

(11) In addition to the continuing chiropractic education credits authorized above, former Board members will receive credit for one of credits one licensure for annual service on a Rulemaking Council.

Specific authority: 464.006(3) FL. Law Implemented: 464.006(3) FL., 464.006(10), 464.006 FL. History: New 4/20/02, Amended 04/25/00, 4/11/02, Formerly 68B2.11064, Amended 02/02/02, 04/11/02, 04/25/02, Formerly 68B2.11064, Amended 04/25/02, 04/25/02, 04/25/02, Formerly 68B2.11064, Amended 04/25/02, 04/25/02, _____

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: _____ **RULE NO.:** _____
Inactive Status License **68B2.13009**
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Inactive Status License.

SPECIFIC AUTHORITY: 464.006 FL.

LAW IMPLEMENTED: 464.006 FL.

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

SUBJECT AREA TO BE ADDRESSED: Requirements for Board Approval of Continuing Education Programs.

SPECIFIC AUTHORITY: 486.013(3), 486.027(1), 486.027(2), 486.041(1) FS.

LAW IMPLEMENTED: 486.013(3), 486.027(1), 486.027(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED 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: Karen Eaton, Executive Director, Board of Management Therapy, 4902 Bald Cypress Way, Bus 3036, Tallahassee, Florida 32309-3236.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

486.013(3) Requirements for Board Approval of Continuing Education Programs.

(1) No change.

(a) Submit a completed Manage Continuing Education Provider Application, BMTS, and Approved Provider Supplemental Program/Instructor Information, BMTS, incorporated herein by reference, and a new application application for of 486.013(3). The forms will be effective 1/1/02, copies of which may be obtained from the Board office at 4902 Bald Cypress Way, Bus 3036, Tallahassee, FL 32309-3236 www.floridaregistry.com, or by phone 904-209-3036.

(b) No change.

(2) Each program presented by a Board approved provider shall:

(a) Meet the standards of Rule 486.013(3), (2)(a), (b), or (c);

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

(3) A Board approved provider must submit a completed Form C as part of the Manage Continuing Education Provider Application, BMTS, incorporated herein by reference submitted to the Board office prior to offering such courses for credit. The submitted information must also identify any new continuing education instructor and there that such instructor meets the criteria set forth in the rule. Approved instructors and instructors names has obtained approval by the Board for instructors may seek the names of any time in which to use as long as the names have been added to the list of names of instructors whom the Board has approved for the names of instructors and the documentation of approval which indicates the names of any time in which to use as long as the names of instructors whom the Board has approved for the names of instructors and the documentation of approval which indicates the names of any time in which to use as long as the names of instructors whom the Board has approved for the names of instructors and the documentation of approval which indicates the names of any time in which to use as long as the names of instructors whom the Board has approved for the names of instructors and the documentation of approval which indicates the names of any time in which to use as long as the names of instructors whom the Board has approved for the names of instructors and 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Health services, general, except for law enforcement, except health maintenance organizations.

§8901.110001 Florida's Board Approved Education

Approved continuing professional education activities and providers authorized pursuant to Rule 40B14-11.0001, F.A.C., shall comply with the following requirements:

(1) All courses shall address appropriate subjects and develop systems for the subject matter and shall be delivered in an accessible format educational structure.

(2) Instructors shall be educators certified by existing organizations or licensed to teach specialized courses.

(3) Facilities and equipment for each course in which students are seated during instruction shall be adequate for the subject matter and method of instruction.

(4) Courses shall be for activities to provide accredited education in the subject matter requested. One half hour or more of continuing education credit shall be awarded for each 20 to 40 minutes of actual classroom or related instruction, respectively. No continuing education credit shall be awarded for activities of less than 20 minutes.

(5) Providers shall provide written certification to each participant who completes a continuing education course as part of the course which consists of a minimum 20 minutes of instruction. Certification shall include the participant's name and license number, the provider's name and number, the course title, instructor, location, date offered and hours of continuing education credit awarded, and verification through the signature of the provider, official representative or witness.

(6) Providers shall maintain records of each course offered for a year following each license expiration date, which the course was offered. Course records shall include a course outline which reflects an educational objective, the instructor's name, the date and location of the course, participants' evaluations of the course, the hours of continuing education credit awarded for each participant and a count of activities by course and license number.

(7) Providers' records and courses shall be subject to board review. Failure to maintain the records as set forth in this rule shall subject the provider to the suspension or revocation of the certification.

(8) Providers shall comply with rules promulgated by the Department of Health concerning the electronic submission of course material upon information systems as implemented for electronic course review.

Health services, general, except for law enforcement, except health maintenance organizations.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 40B14-11.0001
Learning, Application, Permitting 40B14-11.0001

PURPOSE AND EFFECT: To specify a minimum number of business hours in which permit facilities under the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, must operate so that consumers can access the business if needed and agents of the Department of Health and the Department of Law Enforcement can adequately inspect, monitor, and investigate for the protection of the public health.

SUBJECT AREA TO BE ADDRESSING: This business hours designation on an application form for a permit under the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, and subsequent modifications to these business hours communicated in the department is writing.

SPECIFIC AUTHORITY: §§900.2(a), 499.091(2)(a), (4) F.S.

LAW IMPLEMENTED: §§900(2)(a), 499.091 F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 am, Tuesday, May 14, 2007

PLACE: 2001 S. Mallon Drive, Tallahassee, Florida 32309 in the Bureau of Pharmacy Services Conference Room. If special accommodations are needed to attend this workshop because of a disability, please contact Madeline Winstegan, (904)922-6390.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sandra Howell, Compliance Officer, 2001 S. Mallon Drive, Tallahassee, Florida 32309, (904)927-1287 ext. 208, sandra_howell@fdhs.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B14-11.0001 Learning, Application, Permitting.

This section addresses the application and permitting requirements of permits regulated under Part I of Chapter 499, F.S.

(1) No change.

(2) A permit is valid only for the name and address to which it is issued. The name to which a permit is issued will be changed, at its own, upon notification to the department.

(a) through (b) No change.

(c) A permit must be available for inspection at the permitted address during the normal business hours identified on the application form, holidays excluded. Permitted changes to these business hours must be communicated to the department in writing. **These business hours must meet the following minimum standards:**

1. For an establishment applying for a permit on premises of a residential care facility or a residential care community, the schedule — hours only, the establishment must determine a

Registry (CRD) of the NASD, Rule 30-600-0021, F.A.C., is to be deleted because the NASD, in conjunction with the SEC and NASAA, has developed the IARD, an electronic filing system for investment advisers. The IARD supports electronic filing of forms and consolidated fee and form processing. Additionally, the NASD has developed technology for the processing of associated persons of investment advisers through the CRD. Along with an electronic filing process, examinations have been developed which test the knowledge of individuals seeking to become investment adviser representatives. The purpose of the proposed revision to Rule 30-600-003, F.A.C., is to require registration for dealers registered in Florida who receive separate compensation for investment advisory services. The purpose of the proposed revision to Rule 30-600-007 is to specify the time period for notifying the Division of changes in name and successor registration. Additionally, the approval form reference information is being deleted because it is duplicative of subsection 30-604-0007(1), F.A.C.. The purpose of the proposed revision of Rule 30-600-0092, F.A.C., is to document the process for the electronic filing of information by Federal Covered Advisers and their associated persons. Beginning January 1, 2003, the SEC mandated that its investment adviser registrants use the IARD to make all filings with the Commission. As these firms have been required at the federal level to make electronic filings, the state is likewise proposing that filings be made electronically. The purpose of the proposed revision of Rule 30-600-0075, F.A.C., is to document the process for the electronic filing of information by investment advisers and their associated persons. In January 2003, the IARD system was created by the NASD. This system provides the means for electronic filing of applications. Additionally, on March 18, 2003, the NASD provided the means for the electronic processing of application for associated persons of investment advisers. If investment advisers firms elect to file their applications and those of their associated persons electronically, the Division is proposing a rule to document such process. The approval form reference information of Rule 30-600-0019, F.A.C., is being deleted because it is duplicative of subsection 30-58-0027, F.A.C.

SUMMARY: The proposed amendments update forms and specify the means for filing the registration by Federal Covered Advisers, investment advisers, dealers, principals, associated persons, branch offices, and successors, and procedures for changes in name.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY BURDEN/LOADS CONT: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 307.00, 307.12, 307.1300 FS.
LAW IMPLEMENTED: 120.01, 120.02, 307.001, 307.001, 307.002, 307.12, 307.1300, 307.1300, 307.140 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela F. Eyring, Financial Examiner/Analyst Supervisor, 100 East Gaines Street, 6th Floor, The Florida Building, Tallahassee, Florida 32399-0390, (904)430-9900

THE FULL TEXT OF THE PROPOSED RULES IS:

30-600-003 Application for Registration as a Dealer, Investment Dealer, or Investment Adviser.

(1)(a) Application for initial and renewal registration of dealers, issuer/dealers, and investment advisers shall be filed on the forms prescribed by the Department in Rule 30-604-0007(1), F.A.C. and shall include all information required by such forms, any other information the Department may require, and payment of the statutory fees required by Sections 307.02(30) and 307.131, FS. Except as otherwise provided in Rule 30-600-0091, no Rule 30-600-0090, F.A.C.,

the Department shall deem an application to be received at such time as it and the appropriate fee have been duly stamped by the unit's officer of the Department of Banking and Finance. For dealers that are members of the National Association of Securities Dealers (NASD), such application shall be filed with the Department through the Central Registration Depository (CRD) of the NASD in accordance with Rule 30-600-0091, F.A.C. [no investment advisers, such application may be filed with the Department through the Investment Adviser Registration Depository (IARD) of the NASD in accordance with Rule 30-600-0091, F.A.C.]

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

1. For registration as a dealer or issuer/dealer, a Uniform Application for Broker/Dealer Registration, Form BD (Revised 7/99). For dealers that are members of the NASD, such application shall be filed with the Department through the CRD in accordance with Rule 30-600-0091, F.A.C. For registration as an investment adviser, a Uniform Application for Investment Adviser Registration, Form ADV (Revised 1/99) shall be filed with the Department. Investment Adviser Registration Depository (IARD) of the NASD in accordance with Rule 30-600-0091, F.A.C.

2. No change.

The purpose of the proposed amendments to Rule 12A.1071, F.A.C. (Retail, Lease, or License to Use Tangible Personal Property) is to (1) remove obsolete guidelines for decreasing contractors that will be provided in Rule 12A.1080, F.A.C., as amended; and (2) clarify that the usability of certain flags and flag kits.

The purpose of the proposed amendments to Rule 12A.1087, F.A.C. (Public Use Permits) is to incorporate by reference changes in forms, and newly created forms, that are modified by the Department in the administration of the sales and/or use.

SUMMARY: The proposed amendments to Rule 12A.1080, F.A.C. (Specific Exemptions) provide current guidelines regarding: (1) the usability of tires changed by motor dealers or designers in conjunction with sales of tangible personal property; (2) the usability of tires changed by motor dealers or designers solely for services performed that are not in conjunction with sales of tangible personal property; (3) motor dealers or designers who contract to handle and install tangible personal property that becomes a part of a vehicle; (4) the usability of tires changed by mechanics, or engineers and their sales of a wide tracking or other model; and (5) the exclusion from tax provided for photographers who videotape proceedings.

The proposed amendments to Rule 12A.1087, F.A.C. (Leases, Rents, Mobile Homes, and Motor Vehicles), remove obsolete provisions regarding the lease or rental of a motor vehicle. Current provisions are stated in s. 312.06(1)(c), F.S.

The proposed amendments to Rule 12A.1077, F.A.C. (Exceptional or Isolated Sales or Transactions Involving Tangible Personal Property or Services) (3) provide that the isolated sales exemption does not apply to sales made by or through an auctioneer who is required to be registered under the provisions of Rule 12A.1088, F.A.C.; (2) clarify that sales of unincubated tangible personal property by an agency of the state pursuant to s. 317.023, F.S., are not subject to tax; and (3) clarify that no title certificate may be issued on any boat, mobile home, motor vehicle, or any other vehicle unless the applicable sales and use tax has been paid.

The proposed amendments to Rule 12A.1044, F.A.C.: (1) change the title to "Photographers and Photo Finishes; Sales by Public Officials of Public Records," to reflect the proposed changes in the rule; (2) remove provisions regarding blueprints furnished by auctioneers that will be provided in Rule 12A.1080, F.A.C., as amended; (3) remove the exemption provided in s. 212.087(1), F.S., for the rental of motion picture film when an admission is charged for viewing such film, which does not require administrative guidelines for its implementation; and (4) remove provisions for the usability of magazines or other containers for advertisements that are included in Rule 12A.1072, F.A.C., Advertising Services.

The proposed amendments to Rule 12A.1056, F.A.C. (Tax Due at Time of Sales Tax Returns and Regulations), remove provisions regarding the requirements for tax to be received by electronic funds transfer that are provided in Rule Chapter 12.30, F.A.C.

The proposed amendments to Rule 12A.1058, F.A.C. (Regulations), remove the guidelines on how to obtain forms from the Department that are currently provided in Rule 12A.1057, F.A.C., Public Use Permits.

The proposed amendments to Rule 12A.1061, F.A.C. (Retail, Lease, and Licenses to Use Telecommunications Accumulations): (1) provide that separately itemized charges for communication services are not credit charges or cash rates for purposes of this rule; (2) remove obsolete provisions for separately itemized charges for telecommunication services and television system program services that are currently listed as communication services under Chapter 382, F.S.; and (3) clarify that mobile home lots regulated under Chapter 720, F.S., are exempt from tax.

The proposed amendments to Rule 12A.1066, F.A.C. (Auctioneers, Agents, Brokers and Forwarders): (4) revise the definition of the term "auctioneer" for purposes of the rule to include only persons subject to the licensing requirements of Chapter 488, F.S.; and (2) provide that auctioneers who receive no compensation for conducting an auction for a religious, charitable, educational, or civic organization as a fund raising event are not required to collect sales tax on sales made at that auction.

The proposed amendments to Rule 12A.1070, F.A.C. (Retail, Lease, or License to Use Tangible Personal Property) (3) remove guidelines for decreasing contractors that will be provided in Rule 12A.1080, F.A.C., as amended; and (2) clarify that the words of the United States flag or the official State of Florida flag and its accompanying such flags are exempt from tax as the sales of such flags and flag kits, as provided in Rule 12A.1080, F.A.C.

The proposed amendments to Rule 12A.1097, F.A.C. (Public Use Permits), adopt, by reference, the changes to forms currently used by the Department, and newly created forms, to administer the sales and use tax.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule amendments to three rule sections in Rule Chapter 12A.1, F.A.C., only implement statutory provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 30 days of the notice.

~~the application for a license shall be required by the holder of the license to provide a certificate of liability insurance for the license period.~~

(17) through (17) renumbered (18) through (18) No change.

Specific Authority: ~~Florida Statutes, Sections 94, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.~~

~~12A.1-044 **Advertising Photographers, Photographers and Photo Finishers**—Advertising Photographers, Photo Finishers and Photo Finishers, Rules by Public Officials of Public Records.~~

(1) Photographers ~~and photo finishers, photographers and photo finishers~~ are engaged in the sale of tangible personal property ~~when, in connection with advertising, public relations, public relations, political, educational, or otherwise, or when available within commercial establishments, or otherwise, or when available within commercial establishments, such services are rendered on a contract and such services are the main business of the person for the sale of such tangible personal property.~~ ~~When such services are rendered on a contract, the person shall be deemed to be engaged in the sale of such tangible personal property.~~

~~(2) The owner for advertising, public relations, political, educational, or otherwise, or when available within commercial establishments, or otherwise, or when available within commercial establishments, such services are rendered on a contract and such services are the main business of the person for the sale of such tangible personal property.~~

(3) ~~The owner for advertising, public relations, political, educational, or otherwise, or when available within commercial establishments, or otherwise, or when available within commercial establishments, such services are rendered on a contract and such services are the main business of the person for the sale of such tangible personal property.~~

(4) ~~No contract of service between a photographer and a client shall be enforceable if the contract is in violation of the provisions of this chapter.~~

(5) ~~Nothing in this chapter applies to photographers who are available to sell their services when the transaction is an advertisement, a political campaign, or a sale of tangible personal property. This chapter does not apply to any person who, in connection with the sale of tangible personal property, renders services to an individual, a corporation, a partnership, a limited liability company, a trust, or a partnership.~~

(6) ~~Photographers, photo finishers, or other persons engaged in the sale of tangible personal property shall be deemed to be engaged in the sale of such tangible personal property when, in connection with advertising, public relations, political, educational, or otherwise, or when available within commercial establishments, or otherwise, or when available within commercial establishments, such services are rendered on a contract and such services are the main business of the person for the sale of such tangible~~

~~personal property, or when available to sell their services when the transaction is an advertisement, a political campaign, or a sale of tangible personal property.~~

(7) ~~No change.~~

~~12A.1-045 **Real Estate License Law**, Part C.~~

Specific Authority: ~~Part C of the Real Estate License Law, Chapter 475, Part C, Sections 475.001 through 475.005, 475.006 through 475.007, 475.008 through 475.009, 475.010 through 475.011, 475.012 through 475.013, 475.014 through 475.015, 475.016 through 475.017, 475.018 through 475.019, 475.020 through 475.021, 475.022 through 475.023, 475.024 through 475.025, 475.026 through 475.027, 475.028 through 475.029, 475.030 through 475.031, 475.032 through 475.033, 475.034 through 475.035, 475.036 through 475.037, 475.038 through 475.039, 475.040 through 475.041, 475.042 through 475.043, 475.044 through 475.045, 475.046 through 475.047, 475.048 through 475.049, 475.050 through 475.051, 475.052 through 475.053, 475.054 through 475.055, 475.056 through 475.057, 475.058 through 475.059, 475.060 through 475.061, 475.062 through 475.063, 475.064 through 475.065, 475.066 through 475.067, 475.068 through 475.069, 475.070 through 475.071, 475.072 through 475.073, 475.074 through 475.075, 475.076 through 475.077, 475.078 through 475.079, 475.080 through 475.081, 475.082 through 475.083, 475.084 through 475.085, 475.086 through 475.087, 475.088 through 475.089, 475.090 through 475.091, 475.092 through 475.093, 475.094 through 475.095, 475.096 through 475.097, 475.098 through 475.099, 475.100 through 475.101, 475.102 through 475.103, 475.104 through 475.105, 475.106 through 475.107, 475.108 through 475.109, 475.110 through 475.111, 475.112 through 475.113, 475.114 through 475.115, 475.116 through 475.117, 475.118 through 475.119, 475.120 through 475.121, 475.122 through 475.123, 475.124 through 475.125, 475.126 through 475.127, 475.128 through 475.129, 475.130 through 475.131, 475.132 through 475.133, 475.134 through 475.135, 475.136 through 475.137, 475.138 through 475.139, 475.140 through 475.141, 475.142 through 475.143, 475.144 through 475.145, 475.146 through 475.147, 475.148 through 475.149, 475.150 through 475.151, 475.152 through 475.153, 475.154 through 475.155, 475.156 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through 475.637, 475.638 through 475.639, 475.640 through 475.641, 475.642 through 475.643, 475.644 through 475.645, 475.646 through 475.647, 475.648 through 475.649, 475.650 through 475.651, 475.652 through 475.653, 475.654 through 475.655, 475.656 through 475.657, 475.658 through 475.659, 475.660 through 475.661, 475.662 through 475.663, 475.664 through 475.665, 475.666 through 475.667, 475.668 through 475.669, 475.670 through 475.671, 475.672 through 475.673, 475.674 through 475.675, 475.676 through 475.677, 475.678 through 475.679, 475.680 through 475.681, 475.682 through 475.683, 475.684 through 475.685, 475.686 through 475.687, 475.688 through 475.689, 475.690 through 475.691, 475.692 through 475.693, 475.694 through 475.695, 475.696 through 475.697, 475.698 through 475.699, 475.700 through 475.701, 475.702 through 475.703, 475.704 through 475.705, 475.706 through 475.707, 475.708 through 475.709, 475.710 through 475.711, 475.712 through 475.713, 475.714 through 475.715, 475.716 through 475.717, 475.718 through 475.719, 475.720 through 475.721, 475.722 through 475.723, 475.724 through 475.725, 475.726 through 475.727, 475.728 through 475.729, 475.730 through 475.731, 475.732 through 475.733, 475.734 through 475.735, 475.736 through 475.737, 475.738 through 475.739, 475.740 through 475.741, 475.742 through~~

DEPARTMENT OF REVENUE

Rules and Use Tax

RULE TITLES: **RULE NO.:**
Public Use Forms: 12A.1.007

**Enterprise Zone and Florida Neighborhood
 Revitalization Programs:** 12A.1.007

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A.1.007, F.A.C. (Public Use Forms), is to adapt the changes to forms currently used, and new forms created by the Department to administer the Florida Enterprise Zone and Neighborhood Revitalization Programs.

The purpose of the proposed amendments to Rule 12A.1.007, F.A.C. (Enterprise Zone and Florida Neighborhood Revitalization Programs), is to: (1) implement s. 3, Chapter 2004-204, L.S.P., which revises the enterprise zone jobs credit against sales tax on employees hired after October 1, 2004; (2) implement s. 3, Chapter 2004-205, L.S.P., which extends the community contribution tax credit provision of the enterprise zone program to the state sales tax and revised provisions for building materials and business property used in an enterprise zone; and (3) change the requirement to file an Application for Refund Sales and Use Tax (Form DR-268) for these programs previously existing from DR-26.

SUMMARY: The proposed amendments to Rule 12A.1.007, F.A.C. (Public Use Forms), adopt, by reference, changes to forms currently used, and new forms created, by the Department to administer the Florida Enterprise Zone and Neighborhood Revitalization Programs.

The proposed amendments to Rule 12A.1.007, F.A.C. (Enterprise Zone and Florida Neighborhood Revitalization Programs): (1) provide guidelines on how to claim the enterprise zone jobs credit against sales tax on employees hired after October 1, 2004; (2) provide that the required forms to obtain a sales tax credit for building materials and business property used in an enterprise zone may be filed within 90 days after the additional property is first subject to assessment; (3) provide guidelines on how to claim the community contribution tax credit against the state sales tax; and (4) change the requirement to file an Application for Refund Sales and Use Tax (Form DR-268) for these programs previously existing from DR-26.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule amendments to these rule sections in Rule Chapter 12A.1, F.A.C., only implement statutory provisions, no new regulatory cost are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 212.085(1)(g), (4)(a)(1)-(4), (1)(g), 212.070(1), 212.082(1), 212.083(1) FS.

LAW IMPLEMENTED: 212.085(1)(g), (4), (a), (a), (g), (1)(g), 212.070, 212.082(1), 212.083(1), 212.087(1), 212.088(1) FS.

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

TIME AND DATE: 10:00 a.m., May 20, 2007

PLACE: Room 104, Larcum Building, 200 E. Citrus Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Suzanne Paul, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7410, Tallahassee, Florida 32314-7411, telephone (904)603-4710

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (904)603-4717. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8770 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS:

12A.1.007 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
	(2) through (3)(c) No change.	

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

12A.1.007(1)	Enterprise Zone Jobs Credit	01/01/07
	Florida Neighborhood Revitalization Program	
	Applying Sales Tax Allowance	
	Subject to DR-268	01/01/07

12A.1.007(2)	Community Contribution Tax Credit	01/01/07
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12A.1.007(3)	Application for Refund Sales and Use Tax	01/01/07
	Effective January 1, 2007	
	DR-268	01/01/07

12A.1.007(4)	Application for Community Contribution Tax Credit	01/01/07
	Form DR-268	01/01/07
	Subject to DR-268	01/01/07

12A.1.007(5)	Florida Enterprise Zone Program Business Equipment Sales Tax Refund Application	01/01/07
	For Eligibility (DR-268)	01/01/07

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED BY FWR: The proposed rule amendments were noticed for a rule development workshop in the Florida Administrative Weekly on November 06, 2001 (Vol. 37, No. 48, pp. 8990-8993). A rule development workshop was held on December 18, 2001, in Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida. No one appeared to provide comments regarding these proposed rule changes. No written comments have been received by the Department.

DEPARTMENT OF REVENUE

Rule and Use Tax

RULE TITLE	RULE NO.
Scope of Rules	12A-17.001
Definitions	12A-17.002
Registration	12A-17.003
Denial, Suspension, or Revocation of Registration	12A-17.004
Public Use Purses	12A-17.005

PURPOSE AND EFFECT: The purpose of the proposed changes to Rule Chapter 12A-17, F.A.C., Registration as a Secondhand Dealer or Secondary Metals Recycler, is to: (1) remove the recitation of provisions of Chapter 338, FR, and other unnecessary provisions of the rule chapter; (2) provide guidelines for the denial, suspension, or revocation of a Secondhand Dealer or Secondary Metals Recycler Certificate of Registration consistent with the provisions of Chapter 128, FR, and Rule Chapters 28.100 and 28.105, F.A.C.; (3) change the title of Rule 12A-17.001, F.A.C., to "Registration," the title of Rule 12A-17.004, F.A.C., to "Denial, Suspension, or Revocation of Registration," and the title of Rule 12A-17.005, F.A.C., to "Public Use Purses," to reflect the proposed changes to these rule sections; and (4) incorporate by reference the current registration and renewal registration forms used by the Department for the registration of secondhand dealers and secondary metals recyclers.

SUMMARY: The proposed amendments to Rule 12A-17.001, F.A.C. (Scope of Rules), remove the unnecessary provisions regarding the denial, suspension, or revocation of registration that will be provided in Rule 12A-17.002, F.A.C., as amended.

The proposed repeal of Rule 12A-17.002, F.A.C. (Definitions) removes the unnecessary recitation of the provisions of Chapter 338, FR.

The proposed amendments to Rule 12A-17.003, F.A.C.: (1) change the title to "Registration" and (2) remove the unnecessary recitation of the provisions of Chapter 338, FR.

The proposed substantial amending of Rule 12A-17.004, F.A.C.: (1) changes the title to "Denial, Suspension, or Revocation of Registration"; (2) removes the unnecessary recitation of the provisions of Chapter 338, FR; and (3) provides guidelines for the denial, suspension, or revocation of

a Secondhand Dealer or Secondary Metals Recycler Certificate of Registration consistent with the provisions of Chapter 128, FR, and Rule Chapters 28.104 and 28.105, F.A.C.

The proposed amendments to Rule 12A-17.005, F.A.C.: (1) change the title to "Public Use Purses"; (2) incorporate by reference the current registration and renewal registration forms used by the Department for secondhand dealers and secondary metals recyclers; and (3) remove a item that does not meet the definition of a "rule," as provided in s. 120.42(3), F.S., and is not required to be adopted by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule amendments and proposed rule repeal in Rule Chapter 12A-17, F.A.C., only implement statutory provisions, no new regulatory costs are being created. Therefore, an statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 31 days of this notice.

SPECIFIC ALTERNATE: 12A.01(1)(b), 21.17(a), 21.18(2), 21.20(1), 39.05, 39.01 09.

LAW IMPLEMENTED: 21.05(1)(b), 21.17(a)(2), 21.18(2), 21.20(1), 39.01, 39.05, 39.06, 39.01, 39.10, 39.14, 39.22, 39.24, 39.24 FR.

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

TIME AND DATE: 11:00 am., May 20, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ron Gray, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7423, Tallahassee, Florida 32314-7414, telephone: (904)921-6723

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requesting special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before each proceeding by contacting Isaac Phillips at (904)921-6717. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS

- 12A-17.001 Scope of Rules.
(1) through (2) No change.

~~to file an application for a general business license when their license is renewed or upon a suspension when the Florida Department of Transportation or the Florida Highway Patrol issues a license or a suspension to the licensee or the licensee's license when the suspension is applied to the licensee or the licensee's license.~~

~~(2)(b) Each person who holds a Certificate of Registration for ~~any vehicle~~ shall annually file an Application for Renewal of Secondhand Dealer or Secondary Metals Recycler Registration (Form FD-100, ~~as prescribed by reference to Rule 12A-17.005, F.A.C.~~) and pay an annual renewal fee of \$5 per location. Each renewal fee is payable on October 1 of each year.~~

Specific Authority: ~~FS 319.02, 319.03, 319.04, 319.05, 319.06, 319.07, 319.08, 319.09, 319.10, 319.11, 319.12, 319.13, 319.14, 319.15, 319.16, 319.17, 319.18, 319.19, 319.20, 319.21, 319.22, 319.23, 319.24, 319.25, 319.26, 319.27, 319.28, 319.29, 319.30, 319.31, 319.32, 319.33, 319.34, 319.35, 319.36, 319.37, 319.38, 319.39, 319.40, 319.41, 319.42, 319.43, 319.44, 319.45, 319.46, 319.47, 319.48, 319.49, 319.50, 319.51, 319.52, 319.53, 319.54, 319.55, 319.56, 319.57, 319.58, 319.59, 319.60, 319.61, 319.62, 319.63, 319.64, 319.65, 319.66, 319.67, 319.68, 319.69, 319.70, 319.71, 319.72, 319.73, 319.74, 319.75, 319.76, 319.77, 319.78, 319.79, 319.80, 319.81, 319.82, 319.83, 319.84, 319.85, 319.86, 319.87, 319.88, 319.89, 319.90, 319.91, 319.92, 319.93, 319.94, 319.95, 319.96, 319.97, 319.98, 319.99, 320.00.~~

(Substantial Revision of Rule 12A-17.005 follows. See Florida Administrative Code for present text.)

12A-17.005 ~~General~~, ~~Form~~ Suspension, ~~or~~ Renewal of Registration.

~~(1) The Department may deem an applicant for registration as a secondhand dealer, as a dealer, as a dealer, as a general Certificate of Registration, as provided in s. 319.005(3), F.S. The Department may deem an applicant for registration as a general dealer, as a dealer, as a dealer, as a general Certificate of Registration, as provided in s. 319.015 and 319.025.~~

~~(2) Pursuant to the requirements of s. 319.015, F.S., the Department will require an applicant for registration as a secondhand dealer who fails to meet the requirements of s. 319.015, F.S., or an applicant for registration as a general dealer who fails to meet the requirements of s. 319.025, F.S., when it intends to file the application for registration by using a Notice of Intent to Operate. The Notice of Intent to Operate requires the applicant of the Department's intended action and the facts and legal authority that support the intended action.~~

~~(3) Pursuant to the requirements of s. 319.015, F.S., the Department will require the operating certificate, or possession of a secondhand dealer's or secondary metals dealer's Certificate of Registration, by issuing the dealer or dealer and the respective business associates an Administrative Complaint. The Administrative Complaint notifies the dealer or dealer and the respective associates of the Department's intended action and the facts and legal authority that support the intended action.~~

~~(4) In an enforce challenge, the denial of an application for registration, or the operating certificate, or possession of a Certificate of Registration or a secondhand dealer or secondary metals dealer, the applicant receives a Notice of Intent to Operate or a dealer or dealer receiving an Administrative~~

~~Complaint, upon request, an administrative hearing under the provisions of s. 120.565 and 120.57, F.S., pursuant to Rule Chapter 28.000, F.A.C.~~

~~(5) The Request for Hearing must contain the information provided in Rule Chapter 28.000, F.A.C., and must be followed by:~~

~~Office of the General Counsel~~

~~Department of Revenue~~

~~500 South College Street~~

~~Tallahassee, Florida 32304-0000~~

Specific Authority: ~~FS 319.02, 319.03, 319.04, 319.05, 319.06, 319.07, 319.08, 319.09, 319.10, 319.11, 319.12, 319.13, 319.14, 319.15, 319.16, 319.17, 319.18, 319.19, 319.20, 319.21, 319.22, 319.23, 319.24, 319.25, 319.26, 319.27, 319.28, 319.29, 319.30, 319.31, 319.32, 319.33, 319.34, 319.35, 319.36, 319.37, 319.38, 319.39, 319.40, 319.41, 319.42, 319.43, 319.44, 319.45, 319.46, 319.47, 319.48, 319.49, 319.50, 319.51, 319.52, 319.53, 319.54, 319.55, 319.56, 319.57, 319.58, 319.59, 319.60, 319.61, 319.62, 319.63, 319.64, 319.65, 319.66, 319.67, 319.68, 319.69, 319.70, 319.71, 319.72, 319.73, 319.74, 319.75, 319.76, 319.77, 319.78, 319.79, 319.80, 319.81, 319.82, 319.83, 319.84, 319.85, 319.86, 319.87, 319.88, 319.89, 319.90, 319.91, 319.92, 319.93, 319.94, 319.95, 319.96, 319.97, 319.98, 319.99, 320.00.~~

12A-17.005 Public Use Forms Used by Public.

~~This information is for the use provided in Chapter 28.000, F.A.C., following public use forms and instructions are employed by the Department in its dealings with the public in administering Ch. 319, F.S., and are incorporated by reference in this rule. Copies of these forms are available ~~online~~ ~~on~~ by ~~use~~ or ~~upon~~ of the following methods: (1) visiting the Florida Department of Revenue, Forms Distribution Center, 500 Shakespeare Highway, Tallahassee, Florida 32304; or (2) visiting the Forms Distribution Center at ~~(800)422-1200~~ ~~(800)422-1200~~; or (3) using a fax machine telephone number to call the Department's automated Fax On Demand system at ~~(800)422-1200~~ ~~(800)422-1200~~; or (4) visiting any local Department of Revenue Service Center to personally obtain a copy; or (5) calling the Forms Request Line during regular office hours at ~~(904)351-3671~~ ~~(904)351-3671~~ (in Florida only) or ~~(800)422-1200~~ ~~(800)422-1200~~; or (6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses: (<http://www.floridarevenue.com/formsdistribution/for>). Persons with hearing or speech impairments may call the Department's TDD at ~~(904)351-3671~~ ~~(904)351-3671~~.~~

Form Number	Title	Effective Date
(1) DR-11	Application for Secondhand Dealer or Secondary Metals Recycler Registration (R. (904) 351-3671)	____ 2002
(2) FD-100	Certificate of Registration Secondhand Dealer or Secondary Metals Recycler (R. (904) 351-3671)	____ 2002
(3)(b) DR-100	Renewal Application for Secondhand Dealer or Secondary Metals Recycler Registration (R. (904) 351-3671)	____ 2002

Special Authority Section, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-5207

NAME OF PERSON ORIGINATING PROPOSED RULE: Ronald Gay, Senior Tax Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-5207

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles R. Sweeney, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone number (850)922-4713

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN RSW: The proposed rule amendments were noticed for a Rule Development Workshop in the Florida Administrative Weekly on January 18, 2002 (Vol. 35, No. 3, pp. 104-107). A rule development workshop was held on February 5, 2002, in Room 114, Larson Building, 200 E. Gaines Street, Tallahassee, Florida, commencing at 10:00 a.m. and concluding at 10:15 a.m. No one appeared to provide comment regarding these proposed rule changes. No written comments have been received by the Department.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE:	RULE NUMBER:
Premium Tax, Rate and Computation	12B-6.001
Tax Statement (Group-terms)	12B-6.002

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-6.001, F.A.C. (Premium Tax, Rate and Computation), is to implement s. 11, Chapter 2000-200, L.D.F., which amends the provisions of s. 624.9109, FL, regarding the community contribution tax credit against the insurance premium tax.

The purpose of the proposed amendments to Rule 12B-6.002, F.A.C. (Tax Statement, Group-terms) is to adopt changes to forms, including newly created forms, used by the Department in the administration of the insurance premium tax.

SUMMARY: The proposed amendments to Rule 12B-6.001, F.A.C. (Premium Tax, Rate and Computation), amends the requirement to provide with the application a schedule of the composition of coverage of the community contribution tax credit.

The proposed amendments to Rule 12B-6.002, F.A.C. (Tax Statement, Group-terms), incorporate by reference changes to forms, and newly created forms, used by the Department in the administration of the insurance premium tax.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule amendments to these rule sections in Rule Chapter 12B-6,

F.A.C., only implement statutory provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 31 days of this notice.

SPECIFIC AUTHORITY: 211.09(1), 230.10(6), 624.9109(9) FL.

LAW IMPLEMENTED: 179.004, 179.121, 179.141, 189.00(3), 189.10, 189.11, 211.09, 233.139, 233.37, 239.10(3), 624.902, 624.979, 624.999, 624.9994, 624.9994, 624.9109, 624.9109, 624.911, 624.918, 624.919, 624.920(2), 624.944(1), 627.3912, 627.397(9), 628.608, 629.6011, 654.131, 654.131(2), 654.419(2)(b).

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

TIME AND DATE: 11:00 a.m., May 20, 2002

PLACE: Room 114, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robert DeCane, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4713

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Janice Phillips at (850)999-8777. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, which can be reached at (800)955-8779 (Voice) and (800)955-8779 (TDD).

THE FULL TEXT OF THE PROPOSED RULE IS:

12B-6.001 Premium Tax, Rate and Computation.

(1) through (2) No change.

(3) Credits Against the Tax.

(a) through (4) No change.

(5) Community Contribution Tax Credit.

1. through 3. No change.

4. Coverage of Community-Contribution Tax Credit.

a. If a credit granted in a tax year exceeds the tax liability for that year, the unused credit may be carried forward for a period not to exceed 5 years.

b. The community-contribution tax credit coverage, which is limited in a given year because of an annual contribution, may not exceed the annual \$200,000 credit limitation. However, the total coverage over all years may be greater than \$200,000.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since these proposed rule amendments to these rule sections in Rule Chapter 12C-1, F.A.C., only implement statutory provisions, no new regulatory costs are being created. Therefore, an statement of estimated regulatory costs is not included. Prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lesser cost regulatory alternative, must do so in writing within 31 days of this notice.

SPECIFIC AUTHORITY: 11099(1), 12018(9), 12018(10)(a), 12019 FS.

LAW IMPLEMENTED: 12019(1)(a), 11099, 21119, 12019(1), 12011, 12017, 12018(1), (2), 120111, 12014, 12018, 12019, 12019, 12018(1), 12018(2), 12018(3), 12018(4), 12018(5), 12018(6), 12018(7), 12018(8), 12018(9), 12018(10), 12018(11), 12018(12), 12018(13), 12018(14), 12018(15), 12018(16), 12018(17), 12018(18), 12018(19), 12018(20), 12018(21), 12018(22), 12018(23), 12018(24), 12018(25), 12018(26), 12018(27), 12018(28), 12018(29), 12018(30), 12018(31), 12018(32), 12018(33), 12018(34), 12018(35), 12018(36), 12018(37), 12018(38), 12018(39), 12018(40), 12018(41), 12018(42), 12018(43), 12018(44), 12018(45), 12018(46), 12018(47), 12018(48), 12018(49), 12018(50), 12018(51), 12018(52), 12018(53), 12018(54), 12018(55), 12018(56), 12018(57), 12018(58), 12018(59), 12018(60), 12018(61), 12018(62), 12018(63), 12018(64), 12018(65), 12018(66), 12018(67), 12018(68), 12018(69), 12018(70), 12018(71), 12018(72), 12018(73), 12018(74), 12018(75), 12018(76), 12018(77), 12018(78), 12018(79), 12018(80), 12018(81), 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12018(996), 12018(997), 12018(998), 12018(999), 12018(1000).

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

TIME AND DATE: 11:00 a.m., May 26, 2007

PLACE: Room 104, Lawton Building, 300 E. Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Suzanne Paul, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7413, Tallahassee, Florida 32312-7413, telephone: (904)224-2733

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least ten (5) calendar days before such proceeding by contacting Jamie Phillips at (904)284-8757. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, which can be reached at (800)955-8776 (Voice) and (800)955-8771 (TDD).

THE FULL TEXT OF THE PROPOSED RULES IS:

12C-1.0100 Enterprise Zone Program.

(1) Corporate Income Tax Enterprise Zone Jobs Credit.

(a) No change.

(b) From: Required: Taxpayers claiming the Enterprise Zone Jobs Credit ~~to complete the allowable Enterprise Zone Jobs Credit amount. Form F-1172 requires the signature of an officer, under oath, duly authorized to sign. The F-1172 must be certified by the Enterprise Zone Development Agency, attached to a corporate income tax return, and submitted to the Department of Revenue.~~

1. From: Required: Taxpayers claiming the Enterprise Zone Jobs Credit ~~to complete the allowable Enterprise Zone Jobs Credit amount. Form F-1172 requires the signature of an officer, under oath, duly authorized to sign. The F-1172 must be certified by the Enterprise Zone Development Agency, attached to a corporate income tax return, and submitted to the Department of Revenue.~~

1. From: Required: Taxpayers claiming the Enterprise Zone Jobs Credit ~~to complete the allowable Enterprise Zone Jobs Credit amount. Form F-1172 requires the signature of an officer, under oath, duly authorized to sign. The F-1172 must be certified by the Enterprise Zone Development Agency, attached to a corporate income tax return, and submitted to the Department of Revenue.~~</

Form, DCJ-631, shall be completed. ~~Form DCJ-631, Acknowledgment of Receipt Form, is incorporated by reference in Section 170.01 of this code.~~ Within the 1 hour period an inmate will fail to submit a valid adequate urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with rules 13.001, 901.001, 904.001. If an inmate claims an inability to urinate due to a ~~medical condition, procedures set forth in (1)(c) shall apply.~~ ~~DCJ-631-001-Acknowledgment of Receipt Form, is incorporated by reference in Section 170.01 of this code.~~

9. through 12. No change.

(c) ~~Medical/Inmate Grievance~~ Upon notification from an inmate that he is unable to urinate due to a ~~medical condition~~, ~~Medical Inmate Grievance~~, the officer shall verify with medical staff that the inmate possesses a specific medical condition or is taking medication which inhibits the inmate from urinating within the designated time frame. Upon receiving such notification, the inmate shall be given the opportunity to provide a urine specimen under the following conditions:

1. through 6. No change.

(d) through (g) No change.

Specific authority: ~~FS 304.01, 304.011, 304.013 FS. Law Enforcement Training, 304.015, 304.017 FS. Heavy Arms, 304.019, 304.020, 304.021, 304.022, 304.023, 304.024, 304.025, 304.026, 304.027, 304.028.~~

NAME OF PERSON ORIGINATING PROPOSED BILL: Paul Schmidt

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED BILL: Michael W. Moore

DATE PROPOSED BILL APPROVED BY AGENCY HEAD: April 12, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FWR: March 21, 2002

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: BILL NO.:
Agreements SEC. 1409

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to incorporate by reference the water well permitting delegation agreement between St. Johns River Water Management District and the Florida Department of Health, Putnam County Health Department.

SUMMARY: The proposed rule amendments would incorporate by reference the District's water well permitting delegation agreement with the Florida Department of Health, Putnam County Health Department allowing incorporation of water well construction standards for wells less than six inches in diameter, unless these wells are in a Chapter 62.102, F.A.C., delineated area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory cost, or to provide a proposal for a lower cost regulatory alternative, must do so within 31 days of this notice.

SPECIFIC AUTHORITY: ~~FS 304.01, 304.011, 304.013 FS.~~

LAW IMPLEMENTED: ~~37.001, 37.002, 37.003 FS.~~

IF REQUESTED WITHIN 31 DAYS OF THE DATE OF THE NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: Following the regularly scheduled Governing Board Meeting which begins at 9:00 a.m., on June 12, 2002

PLACE: St. Johns River Water Management District, 2009 East Street, Palatka, Florida 32977

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED BILL IS: Norma Moore, Public Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32978-0129, (352) 329-4499, Extensiion 800-4499 or email address normam@sjwd.com

THE FULL TEXT OF THE PROPOSED BILL IS:

~~SEC. 1409 Agreements.~~

The Governing Board hereby incorporates by reference the following documents:

(1) through (11) No change.

~~(12) An agreement between Florida Department of Health, Putnam County Health Department and St. Johns River Water Management District regarding water well construction and permitting fees.~~

Specific authority: ~~FS 304.01, 304.011, 304.013 FS. Law Enforcement Training, 304.015, 304.017 FS. Heavy Arms, 304.019, 304.020, 304.021, 304.022, 304.023, 304.024, 304.025, 304.026, 304.027, 304.028.~~

NAME OF PERSON ORIGINATING PROPOSED BILL: Jennifer Springfield, Asst. General Counsel, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida 32978-0129, (352) 329-4337

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED BILL: Governing Board of the St. Johns River Water Management District

DATE PROPOSED BILL APPROVED BY AGENCY HEAD: April 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FWR: April 19, 2002

If any person desires to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a written record of the proceedings is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodation to participate in this meeting is requested to advised the District at least 5 work days before the meeting by contacting Ann Foxman at (386)296-4104, or (386)296-4097(TDD).

LAND AND WATER ADJUDICATORY COMMISSIONS

Double Branch Community Development District

RULE CHAPTER TITLE: **RULE CHAPTER NO.:**

Double Branch Community
Development District 42PP.1

RULE TITLES: **RULE NO.:**

Establishment 42PP.1.001

Boundary 42PP.1.002

Supervisors 42PP.1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (District), pursuant to Chapter 190, FS. The petition to establish the District, filed by Global Plantation, L.L.C. (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Double Branch CDD. A Notice of Receipt of Petition for the Double Branch CDD was published in the March 1, 2007, edition of the Florida Administrative Weekly. The land now proposed to be served by the District will consist of approximately 1,200 acres. All proposed lands in the District are within the boundaries of unincorporated Clay County. There are no wetlands located within the external boundaries of the parcel of land to be included within the District. The future general distribution, location and extent of the public and private land now under the Planned Unit Development designation (Clay County Comprehensive Plan) currently include commercial, single-family residential, multi-family residential, recreation, school, and library. The proposed land now within the District are subject to the approved Villages of Argyle Forest Development of Regional Impact Development Order. The District, if established, intends to participate in the construction of certain road and roadway improvements and to provide certain stormwater, utility and recreation improvements for the lands within the District.

SPECIFIC AUTHORITIES: 190.004 FS.

LAW IMPLEMENTED: 190.004, 190.004 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Petitioner has prepared a Statement of Estimated Regulatory Costs (SERC). The complete text of the SERC is contained as Exhibit II to the petition to establish the District. The Double Branch Community Development District is seeking authority to

participate in the construction of certain road and roadway improvements as contemplated in the Villages of Argyle Forest Development of Regional Impact (RDI) Development Order. The District is also expected to provide certain stormwater, utility and recreation improvements for the lands within the District. The District intends to finance these infrastructure improvements through special or annual valuation assessment revenue bonds. Repayment of these bonds will be through special annual valuation assessments levied against all landfilled properties within the District. The voters and future property owners will be responsible for payment of these assessments on the basis of the amount of landfilled property owned. In exchange for payment of these special assessments, there are substantial potential benefits to be derived by the future property owners. The cost of implementing this rule is unincorporated Clay County, its residents and to all applicable state agencies for processing the documents in unincorporated Clay County was public \$10,000.00 processing fee to offset the cost of review of the petition to establish the District. Administrative costs will be incurred by the Florida Land and Water Adjudicatory Commission, the Division of Administrative Hearings, the Bureau of Local Government Finance Office of the Comptroller, and the Florida Department of Community Affairs. Other than administrative costs, no costs will be incurred by the State of Florida or the general citizenry from the establishment or operations of the District. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the rule, is as economically viable as establishing the District. Creation of the District should not have a negative impact on small counties because Clay County is not a "small county" defined by Section 120.02, F.S. Analysis provided by the SERC is based on a neighborhood application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Input was received from the Developer's Engineer and other professionals associated with the Developer.

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

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

TIME AND DATE: 1:00 pm., Monday, May 20, 2007

PLACE: Room 1200, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the meeting because of disability should contact Barbara Leighty, (888)87-1884, at least 3 business days in advance to make appropriate arrangements.

COPIES OF THE PROPOSED RULE AND ESTIMATED BUDGETED COSTS STATEMENT MAY BE OBTAINED BY CONTACTING: Cheryl G. Buser, Hopping Green & Buser, P.A., Post Office Box 6026, Tallahassee, Florida 32304, telephone (904)222-7900 or Barbara Leighty, Senior Commercial Analyst, Florida Land and Water Adjudication Commission, The Capitol, Room 3803, Tallahassee, Florida 32399-0803, telephone (904)87-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

DOUBLE BRANCH COMMUNITY DEVELOPMENT DISTRICT

ART I-1000 Establishment.

The Double Branch Community Development District is hereby established.

Article 10000, Chapter 22, Law Enforcement Code, Chapter 22, Florida Statutes.

ART I-1000 Boundaries.

The boundaries of the District are as follows:

A general and true description of the being, name and location of the district and its Territory is hereby set forth. The City of Orange, Florida, being more particularly described as follows:
Commencing at the Northwest corner of said Section 4, also being the Northwest corner of said Section 9, thence, on the West line of said Section 4, South 00 degrees 00 minutes 14 seconds East, 3.00 feet to the point of beginning; thence, southerly with said 10 feet South line of the North line of said Section 4, also being the line dividing City of Orange and David County, and the North line of said Township 1 South, North 00 degrees 00 minutes 04 seconds East, 200.14 feet to the West line of Firehill Road, as recorded in Plat Book 27, Page 67, Sheet 08, of the public records of said City of Orange, thence, on said West line, South 00 degrees 20 minutes 10 seconds East, 1380.97 feet to the North line of said Northwest corner, thence, on said North line, North 00 degrees 00 minutes 00 seconds East, 01647.00 feet to the West line of Highway 3, County Clerk's Office as recorded in Plat Book 19, Page 18, Sheet 22, of said public records; thence, on said West line, the West line of Section 1, Chapter 100, as recorded in Plat Book 27, Page 19, Sheet 27, the West line of Township, as recorded in Plat Book 01, Page 01, Sheet 01, of the West line of said recorded in Official Records Book 1000, Page 0117, and the West line of a 20-foot wide area recorded in Official Records Book 1001, Page 1170, all being recorded in the public records of said county; and then also being the West line of the Southwest corner of the Northwest quarter and the Southwest quarter of said Section 4, South 00 degrees 00 minutes 00 seconds West, 200.14 feet to the South line of said Section 4, thence, on said North line, North 00 degrees 00

minutes 00 seconds West, 207.07 feet to the West line of said recorded in Official Records Book 1001, page 1172, of said public records; also being the West line of the West line of the Northwest corner of the Southwest quarter of said Section 9, thence, on said said line, South 00 degrees 00 minutes 00 seconds East, 1380.96 feet to the South line of said Northwest corner of the Northwest corner of said Section 9, thence, on said North line, South 00 degrees 00 minutes 00 seconds West, 202.14 feet to the East line of the Southwest quarter of the Northwest quarter of said Section 9, thence, on said East line, South 00 degrees 20 minutes 10 seconds East, 600.00 feet to the North line of the North half of the Southwest quarter of the Northwest quarter of said Section 9, thence, on said North line, South 00 degrees 00 minutes 00 seconds West, 202.14 feet to the East line of the Southwest quarter of the Northwest quarter of said Section 9, thence, on said East line, South 00 degrees 20 minutes 10 seconds East, 600.00 feet to the North line of the North half of the Southwest quarter of the Northwest quarter of said Section 9, thence, on said North line, South 00 degrees 00 minutes 00 seconds West, 1377.00 feet to the West line of said Section 9, also being the West line of said Section 9, thence, on the North line of the North half of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section 9, North 00 degrees 00 minutes 00 seconds West, 1377.00 feet to the East line of the Southwest quarter of the Northwest corner of said Section 9, thence, on said East line, South 00 degrees 00 minutes 00 seconds East, 700.00 feet to the North line of said Northwest corner of the Northwest quarter of Section 9, thence, on said North line, North 00 degrees 00 minutes 00 seconds West, 1100 feet to the point of beginning; and then commencing at the North corner of Double Branch District, in a Northwesterly direction, by said along said continuation and following the meandering stream, 1100.00 feet, more or less, to a point between South 00 degrees 00 minutes 27 seconds West from the west of beginning; thence, southerly with said 10 feet South line, the North line of said Section 4, North 00 degrees 00 minutes 27 seconds East, 943.00 feet, more or less, to the point of beginning; and being recorded in Plat Book 20, page 00, 00.

Article 10000, Chapter 22, Law Enforcement Code, Chapter 22, Florida Statutes.

ART I-1000 Purpose.

The following two purposes are designed as the initial purposes of the Board of Supervisors: Donald E. Buser, James T. Collins, Donald E. Buser, Charles R. Joseph, III, and Clay E. Hanson.

Article 10000, Chapter 22, Law Enforcement Code, Chapter 22, Florida Statutes.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Taylor, Florida Land and Water Adjudication Commission, Room 3803, The Capitol, Tallahassee, Florida 32399-0803

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Taylor, Florida Land and Water Adjudication Commission

DATE PROPOSED BILL APPROVED BY AGENCY HEAD: April 17, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 2002

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Managed Care and Health Quality

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Minimum Standards for Home

Medical Equipment Services

FHA 28

RULE TITLES:

RUL 28.0001-

Definitions

FHA 28.001

Licensee Requirements

FHA 28.002

Scope of Services

FHA 28.003

Minimum Qualifications for Personnel

FHA 28.004

Compliance

FHA 28.005

PURPOSE AND EFFECT: The purpose of this rule is to update the rule, including rule reduction, language clarification, and minor changes to conform to changes in the Florida Statute.

SUMMARY: The proposed rule amendment includes language that is added or changed to clarify that central service centers and distribution centers will be licensed; however, distribution centers that receive orders from the central service center will not be required to pay the \$100 inspection fee since inspections will be done through the central service centers. Language is added that patient and employer records, not stored at the licensed distribution center, shall be made available to AHCA within 24 hours of the time of the survey. Restrictions have been made to language to conform to changes in the Florida Statute regarding the definition of abuse background screening. Language has been revised to clarify activities to be taken based on survey findings. Changes for deficiencies have been added for the purpose of determining the severity of deficiencies and the amount of fines. The definition of a change of ownership has been deleted because the definition is already in the Florida Statute. Language regarding being provision that submit renewal applications late has been changed to conform to the 90-day time frame established in the Florida Statute. The proposed rule reduces the amount of the survey fee to \$24,000 from \$30,000. Corporations with multiple licensed locations will no longer need to maintain proof of financial ability to operate when applying for a license for an additional location.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost was prepared.

Any person who wishes to provide information regarding the statement of estimated cost, or to provide a proposed fee a lower cost regulatory alternative must do so in writing within 30 days of this notice.

SPECIFIC AUTHORITY: §§ 402.01, 406.01, 408.01, 409.01, 409.02, 409.03, 409.04, 409.05, 409.06, 409.07, 409.08, 409.09, 409.10, 409.11, 409.12, 409.13, 409.14, 409.15, 409.16, 409.17, 409.18, 409.19, 409.20, 409.21, 409.22, 409.23, 409.24, 409.25, 409.26, 409.27, 409.28, 409.29, 409.30, 409.31, 409.32, 409.33, 409.34, 409.35, 409.36, 409.37, 409.38, 409.39, 409.40, 409.41, 409.42, 409.43, 409.44, 409.45, 409.46, 409.47, 409.48, 409.49, 409.50, 409.51, 409.52, 409.53, 409.54, 409.55, 409.56, 409.57, 409.58, 409.59, 409.60, 409.61, 409.62, 409.63, 409.64, 409.65, 409.66, 409.67, 409.68, 409.69, 409.70, 409.71, 409.72, 409.73, 409.74, 409.75, 409.76, 409.77, 409.78, 409.79, 409.80, 409.81, 409.82, 409.83, 409.84, 409.85, 409.86, 409.87, 409.88, 409.89, 409.90, 409.91, 409.92, 409.93, 409.94, 409.95, 409.96, 409.97, 409.98, 409.99, 410.01, 410.02, 410.03, 410.04, 410.05, 410.06, 410.07, 410.08, 410.09, 410.10, 410.11, 410.12, 410.13, 410.14, 410.15, 410.16, 410.17, 410.18, 410.19, 410.20, 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Level 1 screening consists of the Florida Department of Law Enforcement (FDLE) fingerprint screening ~~and the Florida Bureau of Health Services (BHS) background check.~~

3. The general manager shall coordinate the submission of level 1 screening for all personnel who enter a consumer's home, including contractors, hired on or after 11/09. Level 1 screening is submitted directly to the Florida Department of Law Enforcement, ~~and the Florida Department of Health Services.~~ Level 1 screening consists of ~~the criminal history check, the Florida Department of Law Enforcement background check, and the Florida Department of Health Services Bureau of Health Services background check.~~ the submission of the criminal history check to the Florida Department of Law Enforcement.

The cost of processing screening must be paid by the provider or by the employee that is screened. New employees may work on probationary status, once they have submitted three screening documents as provided in Chapter 135, FS. The general manager shall submit a signed affidavit with each initial and renewal application attesting that direct and contact personnel who enter the home in the capacity of their employees, have been screened for good moral character.

(b) Each licensed HEM provider location must obtain and maintain professional and commercial liability insurance of not less than \$250,000 per claim ~~as evidenced in Section 409.004(1)(a), F.S.~~ In case of contracted services, the contractor shall maintain liability insurance of not less than \$250,000 per claim. A corporation can provide a blanket policy which includes that each of its licensed locations is insured under one policy, verifying not less than \$250,000 per claim for each location.

(c) No change.

(d) General application:

(i) An application for renewal of licensure, with its fees and attachments, is required. AHCA form number 1100-0000, April, 2000, ~~revised 1/06~~, incorporated by reference must be submitted. AHCA will send out applications 120 ~~to 180~~ days prior to the expiration of the license. It is the responsibility of the HEM provider to submit an application, within the specified time frames, whether or not they receive separate notification from AHCA of the impending expiration of the license.

(ii) If AHCA has reason to believe a provider is financially unstable, the applicant must demonstrate financial ability to operate by submitting proof of a current ~~\$250,000~~ ~~or more~~ ~~surety bond~~ as referenced in Section 409.004(3), F.S., before the license is renewed. Failure to pay any outstanding fees, unless the fee is being applied, is an indicator of financial instability and AHCA will ask the provider to demonstrate financial ability to operate by submission of proof of a bond unless the provider pays the fee.

(iii) Change of ownership: An application for a change of ownership, AHCA form number 1100-0000, April, 2000, ~~revised 1/06~~, incorporated by reference, must be submitted per

the requirements in Section 409.004(9), F.S. ~~Any change of ownership of the ownership interest in an HEM business will require a change of ownership application and fee to be submitted to the BHS.~~ The application and additional information necessary to submit a change of ownership application is the same as required for the initial licensure application with the addition of the submission of closing documents. However, if the contract remains the same but the percentage of their ownership changes, then a letter regarding the percentage change should be sent to AHCA instead of an application.

(v) No change.

Specific sections 409.004, 409.010, 409.015, Law Enforcement Part II of Chapter 409, 409.010, 409.015, 409.020, 409.025, 409.030, 409.035, 409.040, 409.045, 409.050, 409.055, 409.060, 409.065, 409.070, 409.075, 409.080, 409.085, 409.090, 409.095, 409.100, 409.105, 409.110, 409.115, 409.120, 409.125, 409.130, 409.135, 409.140, 409.145, 409.150, 409.155, 409.160, 409.165, 409.170, 409.175, 409.180, 409.185, 409.190, 409.195, 409.200, 409.205, 409.210, 409.215, 409.220, 409.225, 409.230, 409.235, 409.240, 409.245, 409.250, 409.255, 409.260, 409.265, 409.270, 409.275, 409.280, 409.285, 409.290, 409.295, 409.300, 409.305, 409.310, 409.315, 409.320, 409.325, 409.330, 409.335, 409.340, 409.345, 409.350, 409.355, 409.360, 409.365, 409.370, 409.375, 409.380, 409.385, 409.390, 409.395, 409.400, 409.405, 409.410, 409.415, 409.420, 409.425, 409.430, 409.435, 409.440, 409.445, 409.450, 409.455, 409.460, 409.465, 409.470, 409.475, 409.480, 409.485, 409.490, 409.495, 409.500, 409.505, 409.510, 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500.070, 500.075, 500.080, 500.085, 500.090, 500.095, 500.100, 500.105, 500.110, 500.115, 500.120, 500.125, 500.130, 500.135, 500.140, 500.145, 500.150, 500.155, 500.160, 500.165, 500.170, 500.175, 500.180, 500.185, 500.190, 500.195, 500.200, 500.205, 500.210, 500.215, 500.220, 500.225, 500.230, 500.235, 500.240, 500.245, 500.250, 500.255, 500.260, 500.265, 500.270, 500.275, 500.280, 500.285, 500.290, 500.295, 500.300, 500.305, 500.310, 500.315, 500.320, 500.325, 500.330, 500.335, 500.340, 500.345, 500.350, 500.355, 500.360, 500.365, 500.370, 500.375, 500.380, 500.385, 500.390, 500.395, 500.400, 500.405, 500.410, 500.415, 500.420, 500.425, 500.430, 500.435, 500.440, 500.445, 500.450, 500.455, 500.460, 500.465, 500.470, 500.475, 500.480, 500.485, 500.490, 500.495, 500.500, 500.505, 500.510, 500.515, 500.520, 500.525, 500.530, 500.535, 500.540, 500.545, 500.550, 500.555, 500.560, 500.565, 500.570, 500.575, 500.580, 500.585, 500.590, 500.595, 500.600, 500.605, 500.610, 500.615, 500.620, 500.625, 500.630, 500.635, 500.640, 500.645, 500.650, 500.655, 500.660, 500.665, 500.670, 500.675, 500.680, 500.685, 500.690, 500.695, 500.700, 500.705, 500.710, 500.715, 500.720, 500.725, 500.730, 500.735, 500.740, 500.745, 500.750, 500.755, 500.760, 500.765, 500.770, 500.775, 500.780, 500.785, 500.790, 500.795, 500.800, 500.805, 500.810, 500.815, 500.820, 500.825, 500.830, 500.835, 500.840, 500.845, 500.850, 500.855, 500.860, 500.865, 500.870, 500.875, 500.880, 500.885, 500.890, 500.895, 500.900, 500.905, 500.910, 500.915, 500.920, 500.925, 500.930, 500.935, 500.940, 500.945, 500.950, 500.955, 500.960, 500.965, 500.970, 500.975, 500.980, 500.985, 500.990, 500.995, 600.000, 600.005, 600.010, 600.015, 600.020, 600.025, 600.030, 600.035, 600.040, 600.045, 600.050, 600.055, 600.060, 600.065, 600.070, 600.075, 600.080, 600.085, 600.090, 600.095, 600.100, 600.105, 600.110, 600.115, 600.120, 600.125, 600.130, 600.135, 600.140, 600.145, 600.150, 600.155, 600.160, 600.165, 600.170, 600.175, 600.180, 600.185, 600.190, 600.195, 600.200, 600.205, 600.210, 600.215, 600.220, 600.225, 600.230, 600.235, 600.240, 600.245, 600.250, 600.255, 600.260, 600.265, 600.270, 600.275, 600.280, 600.285, 600.290, 600.295, 600.300, 600.305, 600.310, 600.315, 600.320, 600.325, 600.330, 600.335, 600.340, 600.345, 600.350, 600.355, 600.360, 600.365, 600.370, 600.375, 600.380, 600.385, 600.390, 600.395, 600.400, 600.405, 600.410, 600.415, 600.420, 600.425, 600.430, 600.435, 600.440, 600.445, 600.450, 600.455, 600.460, 600.465, 600.470, 600.475, 600.480, 600.485, 600.490, 600.495, 600.500, 600.505, 600.510, 600.515, 600.520, 600.525, 600.530, 600.535, 600.540, 600.545, 600.550, 600.555, 600.560, 600.565, 600.570, 600.575, 600.580, 600.585, 600.590, 600.595, 600.600, 600.605, 600.610, 600.615, 600.620, 600.625, 600.630, 600.635, 600.640, 600.645, 600.650, 600.655, 600.660, 600.665, 600.670, 600.675, 600.680, 600.685, 600.690, 600.695, 600.700, 600.705, 600.710, 600.715, 600.720, 600.725, 600.730, 600.735, 600.740, 600.745, 600.750, 600.755, 600.760, 600.765, 600.770, 600.775, 600.780, 600.785, 600.790, 600.795, 600.800, 600.805, 600.810, 600.815, 600.820, 600.825, 600.830, 600.835, 600.840, 600.845, 600.850, 600.855, 600.860, 600.865, 600.870, 600.875, 600.880, 600.885, 600.890, 600.895, 600.900, 600.905, 600.910, 600.915, 600.920, 600.925, 600.930, 600.935, 600.940, 600.945, 600.950, 600.955, 600.960, 600.965, 600.970, 600.975, 600.980, 600.985, 600.990, 600.995, 700.000, 700.005, 700.010, 700.015, 700.020, 700.025, 700.030, 700.035, 700.040, 700.045, 700.050, 700.055, 700.060, 700.065, 700.070, 700.075, 700.080, 700.085, 700.090, 700.095, 700.100, 700.105, 700.110, 700.115, 700.120, 700.125, 700.130, 700.135, 700.140, 700.145, 700.150, 700.155, 700.160, 700.165, 700.170, 700.175, 700.180, 700.185, 700.190, 700.195, 700.200, 700.205, 700.210, 700.215, 700.220, 700.225, 700.230, 700.235, 700.240, 700.245, 700.250, 700.255, 700.260, 700.265, 700.270, 700.275, 700.280, 700.285, 700.290, 700.295, 700.300, 700.305, 700.310, 700.315, 700.320, 700.325, 700.330, 700.335, 700.340, 700.345, 700.350, 700.355, 700.360, 700.365, 700.370, 700.375, 700.380, 700.385, 700.390, 700.395, 700.400, 700.405, 700.410, 700.415, 700.420, 700.425, 700.430, 700.435, 700.440, 700.445, 700.450, 700.455, 700.460, 700.465, 700.470, 700.475, 700.480, 700.485, 700.490, 700.495, 700.500, 700.505, 700.510, 700.515, 700.520, 700.525, 700.530, 700.535, 700.540, 700.545, 700.550, 700.555, 700.560, 700.565, 700.570, 700.575, 700.580, 700.585, 700.590, 700.595, 700.600, 700.605, 700.610, 700.615, 700.620, 700.625, 700.630, 700.635, 700.640, 700.645, 700.650, 700.655, 700.660, 700.665, 700.670, 700.675, 700.680, 700.685, 700.690, 700.695, 700.700, 700.705, 700.710, 700.715, 700.720, 700.725, 700.730, 700.735, 700.740, 700.745, 700.750, 700.755, 700.760, 700.765, 700.770, 700.775, 700.780, 700.785, 700.790, 700.795, 700.800, 700.805, 700.810, 700.815, 700.820, 700.825, 700.830, 700.835, 700.840, 700.845, 700.850, 700.855, 700.860, 700.865, 700.870, 700.875, 700.880, 700.885, 700.890, 700.895, 700.900, 700.905, 700.910, 700.915, 700.920, 700.925, 700.930, 700.935, 700.940, 700.945, 700.950, 700.955, 700.960, 700.965, 700.970, 700.975, 700.980, 700.985, 700.990, 700.995, 800.000, 800.005, 800.010, 800.015, 800.020, 800.025, 800.030, 800.035, 800.040, 800.045, 800.050, 800.055, 800.060, 800.065, 800.070, 800.075, 800.080, 800.085, 800.090, 800.095, 800.100, 800.105, 800.110, 800.115, 800.120, 800.125, 800.130, 800.135, 800.140, 800.145, 800.150, 800.155, 800.160, 800.165, 800.170, 800.175, 800.180, 800.185, 800.190, 800.195, 800.200, 800.205, 800.210, 800.215, 800.220, 800.225, 800.230, 800.235, 800.240, 800.245, 800.250, 800.255, 800.260, 800.265, 800.270, 800.275, 800.280, 800.285, 800.290, 800.295, 800.300, 800.305, 800.310, 800.315, 800.320, 800.325, 800.330, 800.335, 800.340, 800.345, 800.350, 800.355, 800.360, 800.365, 800.370, 800.375, 800.380, 800.385, 800.390, 800.395, 800.400, 800.405, 800.410, 800.415, 800.420, 800.425, 800.430, 800.435, 800.440, 800.445, 800.450, 800.455, 800.460, 800.465, 800.470, 800.475, 800.480, 800.485, 800.490, 800.495, 800.500, 800.505, 800.510, 800.515, 800.520, 800.525, 800.530, 800.535, 800.540, 800.545, 800.550, 800.555, 800.560, 800.565, 800.570, 800.575, 800.580, 800.585, 800.590, 800.595, 800.600, 800.605, 800.610, 800.615, 800.620, 800.625, 800.630, 800.635, 800.640, 800.645, 800.650, 800.655, 800.660, 800.665, 800.670, 800.675, 800.680, 800.685, 800.690, 800.695, 800.700, 800.705, 800.710, 800.715, 800.720, 800.725, 800.730, 800.735, 800.740, 800.745, 800.750, 800.755, 800.760, 800.765, 800.770, 800.775, 800.780, 800.785, 800.790, 800.795, 800.800, 800.805, 800.810, 800.815, 800.820, 800.825, 800.830, 800.835, 800.840, 800.845, 800.850, 800.855, 800.860, 800.865, 800.870, 800.875, 800.880, 800.885, 800.890, 800.895, 800.900, 800.905, 800.910, 800.915, 800.920, 800.925, 800.930, 800.935, 800.940, 800.945, 800.950, 800.955, 800.960, 800.965, 800.970, 800.975, 800.980, 800.985, 800.990, 800.995, 900.000, 900.005, 900.010, 900.015, 900.020, 900.025, 900.030, 900.035, 900.040, 900.045, 900.050, 900.055, 900.060, 900.065, 900.070, 900.075, 900.080, 900.085, 900.090, 900.095, 900.100, 900.105, 900.110, 900.115, 900.120, 900.125, 900.130, 900.135, 900.140, 900.145, 900.150, 900.155, 900.160, 900.165, 900.170, 900.175, 900.180, 900.185, 900.190, 900.195, 900.200, 900.205, 900.210, 900.215, 900.220, 900.225, 900.230, 900.235, 900.240, 900.245, 900.250, 900.255, 900.260, 900.265, 900.270, 900.275, 900.280, 900.285, 900.290, 900.295, 900.300, 900.305, 900.310, 900.315, 900.320, 900.325, 900.330, 900.335, 900.340, 900.345, 900.350, 900.355, 900.360, 900.365, 900.370, 900.375, 900.380, 900.385, 900.390, 900.395, 900.400, 900.405, 900.410, 900.415, 900.420, 900.425, 900.430, 900.435, 900.440, 900.445, 900.450, 900.455, 900.460, 900.465, 900.470, 900.475, 900.480, 900.485, 900.490, 900.495, 900.500, 900.505, 900.510, 900.515, 900.520, 900.525, 900.530, 900.535, 900.540, 900.545, 900.550, 900.555, 900.560, 900.565, 900.570, 900.575, 900.580, 900.585, 900.590, 900.595, 900.600, 900.605, 900.610, 900.615, 900.620, 900.625, 900.630, 900.635, 900.640, 900.645, 900.650, 900.655, 900.660, 900.665, 900.670, 900.675, 900.680, 900.685, 900.690, 900.695, 900.700, 900.705, 900.710, 900.715, 900.720, 900.725, 900.730, 900.735, 900.740, 900.745, 900.750, 900.755, 900.760, 900.765, 900.770, 900.775, 900.780, 900.785, 900.790, 900.795, 900.800, 900.805, 900.810, 900.815, 900.820, 900.825, 900.830, 900.835, 900.840, 900.845, 900.850, 900.855, 900.860, 900.865, 900.870, 900.875, 900.880, 900.885, 900.890, 900.895, 900.900, 900.905, 900.910, 900.915, 900.920, 900.925, 900.930, 900.935, 900.940, 900.945, 900.950, 900.955, 900.960, 900.965, 900.970, 900.975, 900.980, 900.985, 900.990, 900.995, 1000.000, 1000.005, 1000.010, 1000.015, 1000.020, 1000.025, 1000.030, 1000.035, 1000.040, 1000.045, 1000.050, 1000.055, 1000.060, 1000.065, 1000.070, 1000.075, 1000.080, 1000.085, 1000.090, 1000.095, 1000.100, 1000.105, 1000.110, 1000.115,

Technology Service Warranty for equipment: Remove the period ending in parentheses that follows each of the warranty technology service for the equipment in the manufacturer's representative warranty or the best technology manufacturer's warranty. 688.001-001(4)(b)(1).

(g) **Warranty service:** Provide all warranties as required in Section 400.914(9), F.S., and warranty used equipment as listed in 30 days.

(h) **Warranty service:** Provide the customer with user instructions as required in Section 400.914(1), F.S.

(i) **Warranty service:** Be able to demonstrate the safety and infection control measures that follow:

1. Procedures that identify safety precautions to be followed for the handling and use of each type of equipment and its related supplies;

2. Equipment is routinely inspected for safety and stability prior to delivery;

3. The electrical safety and safety site frame is covered prior to placing any electrical or electronic equipment, and instructions are provided to customers regarding applicable precautions and safety measures;

4. Compliance with building and material reuse regulations;

5. Specific cleaning or sanitizing requirements between usage for each type of equipment according to the manufacturer's guidelines;

6. Storage of medical equipment separate from other equipment;

7. Transportation of medical equipment separate from other equipment; and,

8. Storage of equipment to prevent dust accumulation, water damage, and vermin contact; and

9. Equipment is safely maintained and installed based on the manufacturer's instructions.

(j) through (j)(5) change.

Specific statute, 400.914, 400.915, has implemented the X of chapter 400, 400.914, 400.915, 400.916, 400.917, 400.918, 400.919, 400.920, 400.921, 400.922, 400.923, 400.924, 400.925, 400.926, 400.927, 400.928, 400.929, 400.930, 400.931, 400.932, 400.933, 400.934, 400.935, 400.936, 400.937, 400.938, 400.939, 400.940, 400.941, 400.942, 400.943, 400.944, 400.945, 400.946, 400.947, 400.948, 400.949, 400.950, 400.951, 400.952, 400.953, 400.954, 400.955, 400.956, 400.957, 400.958, 400.959, 400.960, 400.961, 400.962, 400.963, 400.964, 400.965, 400.966, 400.967, 400.968, 400.969, 400.970, 400.971, 400.972, 400.973, 400.974, 400.975, 400.976, 400.977, 400.978, 400.979, 400.980, 400.981, 400.982, 400.983, 400.984, 400.985, 400.986, 400.987, 400.988, 400.989, 400.990, 400.991, 400.992, 400.993, 400.994, 400.995, 400.996, 400.997, 400.998, 400.999, 500.001, 500.002, 500.003, 500.004, 500.005, 500.006, 500.007, 500.008, 500.009, 500.010, 500.011, 500.012, 500.013, 500.014, 500.015, 500.016, 500.017, 500.018, 500.019, 500.020, 500.021, 500.022, 500.023, 500.024, 500.025, 500.026, 500.027, 500.028, 500.029, 500.030, 500.031, 500.032, 500.033, 500.034, 500.035, 500.036, 500.037, 500.038, 500.039, 500.040, 500.041, 500.042, 500.043, 500.044, 500.045, 500.046, 500.047, 500.048, 500.049, 500.050, 500.051, 500.052, 500.053, 500.054, 500.055, 500.056, 500.057, 500.058, 500.059, 500.060, 500.061, 500.062, 500.063, 500.064, 500.065, 500.066, 500.067, 500.068, 500.069, 500.070, 500.071, 500.072, 500.073, 500.074, 500.075, 500.076, 500.077, 500.078, 500.079, 500.080, 500.081, 500.082, 500.083, 500.084, 500.085, 500.086, 500.087, 500.088, 500.089, 500.090, 500.091, 500.092, 500.093, 500.094, 500.095, 500.096, 500.097, 500.098, 500.099, 600.001, 600.002, 600.003, 600.004, 600.005, 600.006, 600.007, 600.008, 600.009, 600.010, 600.011, 600.012, 600.013, 600.014, 600.015, 600.016, 600.017, 600.018, 600.019, 600.020, 600.021, 600.022, 600.023, 600.024, 600.025, 600.026, 600.027, 600.028, 600.029, 600.030, 600.031, 600.032, 600.033, 600.034, 600.035, 600.036, 600.037, 600.038, 600.039, 600.040, 600.041, 600.042, 600.043, 600.044, 600.045, 600.046, 600.047, 600.048, 600.049, 600.050, 600.051, 600.052, 600.053, 600.054, 600.055, 600.056, 600.057, 600.058, 600.059, 600.060, 600.061, 600.062, 600.063, 600.064, 600.065, 600.066, 600.067, 600.068, 600.069, 600.070, 600.071, 600.072, 600.073, 600.074, 600.075, 600.076, 600.077, 600.078, 600.079, 600.080, 600.081, 600.082, 600.083, 600.084, 600.085, 600.086, 600.087, 600.088, 600.089, 600.090, 600.091, 600.092, 600.093, 600.094, 600.095, 600.096, 600.097, 600.098, 600.099, 700.001, 700.002, 700.003, 700.004, 700.005, 700.006, 700.007, 700.008, 700.009, 700.010, 700.011, 700.012, 700.013, 700.014, 700.015, 700.016, 700.017, 700.018, 700.019, 700.020, 700.021, 700.022, 700.023, 700.024, 700.025, 700.026, 700.027, 700.028, 700.029, 700.030, 700.031, 700.032, 700.033, 700.034, 700.035, 700.036, 700.037, 700.038, 700.039, 700.040, 700.041, 700.042, 700.043, 700.044, 700.045, 700.046, 700.047, 700.048, 700.049, 700.050, 700.051, 700.052, 700.053, 700.054, 700.055, 700.056, 700.057, 700.058, 700.059, 700.060, 700.061, 700.062, 700.063, 700.064, 700.065, 700.066, 700.067, 700.068, 700.069, 700.070, 700.071, 700.072, 700.073, 700.074, 700.075, 700.076, 700.077, 700.078, 700.079, 700.080, 700.081, 700.082, 700.083, 700.084, 700.085, 700.086, 700.087, 700.088, 700.089, 700.090, 700.091, 700.092, 700.093, 700.094, 700.095, 700.096, 700.097, 700.098, 700.099, 800.001, 800.002, 800.003, 800.004, 800.005, 800.006, 800.007, 800.008, 800.009, 800.010, 800.011, 800.012, 800.013, 800.014, 800.015, 800.016, 800.017, 800.018, 800.019, 800.020, 800.021, 800.022, 800.023, 800.024, 800.025, 800.026, 800.027, 800.028, 800.029, 800.030, 800.031, 800.032, 800.033, 800.034, 800.035, 800.036, 800.037, 800.038, 800.039, 800.040, 800.041, 800.042, 800.043, 800.044, 800.045, 800.046, 800.047, 800.048, 800.049, 800.050, 800.051, 800.052, 800.053, 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its possible. The provider may require to examine the written survey and/or oral report and/or visit the site to determine if the ~~complaint is substantiated or if the complaint is not substantiated~~.

(f) Except for situations as described in (c), (d) and (e), if any deficiencies were cited during the survey, the provider will be given ten working days to submit a plan of correction to the area office. A follow up visit ~~may be conducted~~ will then be made by the area office to determine if the plan of correction is acceptable and has been implemented. The plan of correction is subject to approval by the agency. ~~Subsequent deficiencies will be subject to the same process as the first deficiency.~~

(g) If a provider is cited regarding serious patient harm or a threat of clear and present danger to the public's health and safety, ARCA has the authority to request an injunction to halt operations through an emergency order or injunction. Also, ARCA has the authority to deny, revoke or suspend a license when survey findings present a threat to clear and present danger to the public's health and safety as permitted in Section 400.902, FS.

(h) If the provider fails to notify the minimum standard in Section 400.904, FS, on this rule, the area office may recommend clinical corrections on suspension of the provider's license, or suspension, or administrative fine, as authorized in Section 400.905, FS.

(i) An acceptable plan of correction must:

1. Include specific information on how the deficiencies will be corrected;
2. Include responsible time frames based on the date ~~of the deficiency~~ the deficiencies;
3. Address the problem and be cited as correction in a permanent case, as required in correction as specified in an order of citation;
4. Not be preventative and generalized;
5. Not include unsubstantiated responses and;
6. Identify the action that will be undertaken the corrective action to resolve the deficiencies.

(j) All licensed providers must make records available to the agency during the course of the survey.

(k) Complete investigations

(1) ARCA will conduct investigations of suspected provider violations of license requirements. Complete investigations will be conducted. An interim conference will be conducted to allow the general manager of the survey of the complaint. The case conference will be conducted to open the findings and to review additional information or clarification concerning the investigation. Disciplinary action will be initiated immediately upon an interim conference agreement made from the interim service center and to submit the results to the area office when cited in a corrective investigation.

(2) ~~Whenever a statement of deficiencies will be sent to the provider after the investigation. If the complaint was substantiated or was incident of deficiencies were cited as a result of the corrective investigation, the provider must submit a plan of correction to the area office. ARCA may impose a fine against the provider up to \$500 if a complaint is sustained in Section 400.902, FS, that did occur or could have occurred.~~

(3) ~~Apply~~ Adverse action (Denial, Suspension, Revocation, and Administrative Fine. Fine amounts are set in statute \$500 per violation, per day as stated in Section 400.902(1), FS.

(4) ARCA shall deny, suspend or revoke an application for license, or impose a fine for the reasons in Section 400.902, FS, and further following reasons:

1. If the provider fails to submit an application for a change of ownership within time frames specified in Section 400.910(8) and (9), FS, a \$500 fine shall be levied. If the application is received after the required filing date, but exhibits a hand-carried postmark from the U.S. Post Office, or delivery documentation by a carrier service, dated on or before the required filing date, no fine will be levied.

2. If the provider fails to submit an application for renewal of a license within ~~ten~~ ten days ~~before~~ before the ~~annual~~ expiration date of the existing license, ~~as specified in Section 400.910(8), FS, a \$50 fine, on the day, not to exceed \$500, ~~shall be levied.~~~~

3. If the provider fails to notify ARCA of a change of address, within the timeframes in ~~paragraph~~ Section 400.910(6)(7), of this rule, a minimum of a \$500 fine shall be levied.

~~ARCA may suspend or revoke a provider's license for failure to file the license renewal application by 12:00:00, midnight of a 12000, that shall be levied.~~

(5) If the applicant fails to screen all employees (including permanent employees) in its facility for screening elements for an ~~extended~~ extended period, who were a contractor's license, as required by Section 400.903, FS, or employs persons who are disqualified from employment based on a criminal record check as defined in the law, ~~the agency may suspend or revoke the license.~~

6. If the provider is cited for a class II deficiency that is any one, violation or practice that results in a patient's death, disability, or permanent injury, or places a patient at imminent risk of death, disability, or permanent injury, the agency may impose an administrative fine in the amount of \$1,000 through permanent and each day that the deficiency exists. In addition, the agency may immediately revoke the license if the provider fails to correct all of license violation a maximum one violation one patients until the license meeting the deficiencies have been corrected.

IF REQUESTED IN WRITING WITHIN 3 DAYS OF THE DATE OF THIS NOTICE, A HEARING DATE WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATOR WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric D. Olson, Assistant General Counsel, Department of Business and Professional Regulation, Nonboard Cases, 1940 North Monroe Street, Tallahassee, Florida 32309-3202

THE FULL TEXT OF THE PROPOSED RULE IS:

Education General Information and Fees.

Individuals seeking to become licensed by the Department may submit a completed application together with any applicable fees. An application can be obtained by visiting the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309 or by using e-Applications. The following is a list of applications, fees and approximate processing times, as set forth by the Department.

41	DBPR 6000-1	<u>Minor Individual Application</u>
42	DBPR 6000-1	<u>Minor Organization Application</u>
43	DBPR 6000-1	<u>Asset Statement</u>
44	DBPR 6000-1	<u>Children and Children</u>
45	DBPR 6000-1	<u>Background Information for Background Checks</u>
46	DBPR 6000-1	<u>General Employment Questionnaire</u>
47	DBPR 6000-1	<u>Request for Address or Name Change</u>
48	DBPR 6000-1	<u>Reinstatement License Request</u>
49	DBPR 6000-1	<u>Request for Review of Information and Information on e-Applications</u>
100	DBPR 6100-100-1	<u>Initial Admission Examination Application</u>
101	DBPR 6100-100-1	<u>Initial Licensure & Change of Name Application</u>
102	DBPR 6100-100-1	<u>Reinstatement, Qualify Application</u>
103	DBPR 6100-100-1	<u>Request for Training Provider & Continuing Education Course Approval Application</u>
104	DBPR 6100-100-1	<u>Reciprocity Exam Application</u>
105	DBPR 6C 60-100-1	<u>Continuation Examination and Refresher Application</u>
106	DBPR 6C 60-100-1	<u>Address of Work Experience</u>
107	DBPR 6C 60-100-1	<u>Continuing Education Course & Reciprocity Approval Application</u>
108	DBPR 6C 60-100-1	<u>Training Program and Training Request Provider Approval Application</u>
109	DBPR 6C 60-100-1	<u>Assessment Review</u>

110	DBPR 6C 60-100-1	<u>Continued Program Approval</u>
111	DBPR 6C 60-100-1	<u>Re-Examination Application for Reciprocity, First Exemption and Reciprocity Course Administration</u>
112	DBPR 6C 60-100-1	<u>Application for Limited License</u>
113	DBPR 6C 60-100-1	<u>Information and Information for Examination Application</u>
114	DBPR 6C 60-100-1	<u>Examination Application</u>
115	DBPR 6C 60-100-1	<u>Information Regarding Continuation of Initial Licensure, Change of Name Application</u>
116	DBPR 6C 60-100-1	<u>Initial Licensure/Change of Name Application</u>
117	DBPR 6C 60-100-1	<u>Qualify Additional Reciprocity Organization</u>
118	DBPR 6C 60-100-1	<u>Information for Continuing Education Provider and Course Approval Application</u>
119	DBPR 6C 60-100-1	<u>Continuing Education Provider and Course Approval Application</u>
120	DBPR 6C 60-100-1	<u>Continuation/Initial Continuation Application</u>
121	DBPR 6C 60-100-1	<u>Reciprocity Application</u>
122	DBPR 6C 60-100-1	<u>Qualify Transfer/Reciprocity Application for Licensure in Education/Training Examination Center</u>
123	DBPR 6C 60-100-1	<u>CPE for Reciprocity Application</u>
124	DBPR 6C 60-100-1	<u>CPE Examination Application, CPE Exam Application</u>
125	DBPR 6C 60-100-1	<u>Safe Practices First Application</u>
126	DBPR 6C 60-100-1	<u>New Reciprocity Transfer, Reciprocity Transfer</u>
127	DBPR 6C 60-100-1	<u>Request for Change of Name, Information for Reciprocity, Exchange of Examination and Licensure Information</u>
128	DBPR 6C 60-100-1	<u>Request for Course Review, Examination Application</u>
129	DBPR 6C 60-100-1	<u>Application for Reciprocity, Reciprocity Exam Reciprocity, Reciprocity Exchange</u>
130	DBPR 6C 60-100-1	<u>Initial Application/Transfer, Reciprocity, License Review, Specific Examination</u>
131	DBPR 6C 60-100-1	<u>Request for Training Provider and Continuing Education Course Approval</u>

673	<u>Administrative Computing</u>
674	<u>Change of Status - Justification</u>
675	<u>Change of Status - Analysis</u>
676	<u>Check Exam - Definition</u>
677	<u>General Information</u>
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791	<u>Application Information - General</u>
792	<u>Application Information - General</u>
793	<u>Application Information - General</u>
794	<u>Application Information - General</u>
795	<u>Application Information - General</u>
796	<u>Application Information - General</u>
797	<u>Application Information - General</u>
798	<u>Application Information - General</u>
799	<u>Application Information - General</u>
800	<u>Application Information - General</u>

DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 22, 2002

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Minsard

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Minsard

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 22, 2002

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE TITLE: HEARING-

Training Regs., Minimum Training

Requirements, and Training Program

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUMMARY: The Board clarifies when the training program shall commence on and end and that a student may repeat the training program one time. From after the person may no longer function as a student, a qualified person may still act for the examination for license on three occasions.

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

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

SPECIFIC AUTHORITY: (F.S.)(201), (F.S.)(201)

LAW IMPLEMENTED: (F.S.)(201), (F.S.)(201)

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Board Executive Director, Board of Hearing Aid Specialists, 4050 Bald Cypress Way, The PCBA, Tallahassee, Florida 32309-0200

THE FULL TEXT OF THE PROPOSED RULE IS:

VIOLATION

(a) through (b) No change.

(c) Attempting to procure a license by fraud, deceit, or misrepresentation or through some act of the department on the record.(400.510 1)(c) ~~30A(7)(7)(b)~~(c) Attempting to obtain an initial license by fraud or deceit.(c) Attempting to renew a license by fraud or deceit.(c) Obtaining or renewing a license by fraud.

(c) Obtaining or renewing a license through some act of the department on the record.

(c) Obtaining or renewing a license through willful or intentional misrepresentation.

(d) through (e) No change.

(f) Filing a false report or failing to file a report as required.

(400.510 1)(f)

(f) Willfully filing a false report or failing to file a report as required.(g) Willfully filing a false report or failing to file a report as required.

(g) False, deceptive, or misleading advertising.

(400.510 1)(g)

(g) Willfully false, deceptive or misleading advertising.

RECOMMENDED RANGE OF PENALTY

(a) Denial of application and \$10,000 fine. ~~Denial of license and suspension of the license for a period of 1 year.~~(c) For the first offense, loss of probation of the license with ability to reapply upon payment of a \$10,000 fine in previous conviction. After the first offense, permanent revocation and a \$10,000 fine. ~~For a second offense, denial of probation or suspension of the license and a \$10,000 fine.~~(c) For the first offense, loss of probation of the license with ability to reapply upon payment of a \$10,000 fine in previous conviction. After the first offense, permanent revocation and a \$10,000 fine.(c) Revocation.(c) For the first offense, from a \$100 fine and 3 hours of continuing education on ethics in advertising and a revocable and a 30-day administrative fine. After the first offense, from suspension and a revocable and a \$1,000 fine in conviction or denial of application.(f) For the first offense, from a fine of amount or denial of application or one (1) year probation and an administrative fine from \$100 to \$1,000. After the first offense, from one (1) year probation in conviction, and an administrative fine from \$1,000 to \$1,500. ~~From a suspension of one year probation with conditions or suspension or denial of the license and an administrative fine from \$1,000 to \$1,500.~~(f) For the first offense, from one (1) year probation in conviction or denial of application, and a \$10,000 fine. After the first offense, from suspension in conviction and a \$10,000 fine. ~~For a second offense, from suspension in conviction and a \$10,000 fine. ~~For a third offense, from suspension or denial of the license and an administrative fine from \$10,000 to \$15,000.~~~~(g) For the first offense, from a fine of amount or one (1) year probation or denial of application, and an administrative fine from \$100 to \$1,000. After the first offense, from revocable to one (1) year suspension or denial of application, and an administrative fine from \$1,000 to \$1,500. ~~From one year probation or suspension or one year suspension followed by no license one year probation with conditions or denial of the license and an administrative fine from \$10,000 to \$15,000.~~

SPECIFIC AUTHORITY: 296.072, 296.079, 296.02(4)FS,
LAW IMPLEMENTED: 296.072, 296.073, 296.079,
 296.02(4)FS.

**IF REQUESTED WITHIN 31 DAYS OF THE DATE OF
 THIS NOTICE, A HEARING WILL BE SCHEDULED AND
 ANNOUNCED IN THE FARE.**

**THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Kaye Harrison, Executive Director,
 Board of Medicine/MQA, 4600 Reid Cypress Way, Ste 600,
 Tallahassee, Florida 32309-1288**

THE FULL TEXT OF THE PROPOSED RULE IS:

VIOLATION

(a) Attempting to obtain a license by bribery, fraud,
 or other improper means, or through some of the department or
 its agents;

(176.FS) (a), (176.FS)(1)(b), F.S.)

(a)(1). Attempting to obtain an initial license by bribery
 or fraud;

(a)(2). Attempting to receive a license by bribery or fraud;

(a)(1). Obtaining, or attempting to obtain, the license;

(a)(1). Obtaining, or attempting to obtain, a license through some of
 the department or its agents;

(a)(2). Obtaining, or attempting to obtain, a license through
 another person's assistance;

(b) through (d) No change.

(d) Filing a false report or failing to file a report as required.

(176.FS) (a), F.S.)

(d)(1). Knowingly filing a false report or failing to file a
 report as required;

(d)(2). Knowingly filing a false report or failing to file a
 report as required;

(e) Falsely, deceptively or misleadingly advertising;

(176.FS) (a), F.S.)

(e)(1). Knowingly falsify, deceive or mislead in advertising;

(176.FS)(1)(b) Disciplinary Conditions.

(1) through (2) No change.

(3) Violation and Range of Penalties. In imposing
 discipline upon applicants and licensees in accordance
 pursuant to Section 120.07(1) and 120.07(2), Florida Statutes,
 the Board shall act in accordance with the following
 disciplinary guidelines and shall impose a penalty as provided
in Section 120.07(2) within the range corresponding to the
 violation set forth below. The identification of offenses are
 descriptive only; the full language of each statutory provision
 cited must be consulted in order to determine the conduct
 included.

RECOMMENDED RANGE OF PENALTY

(a)(1). Period of suspension and \$10,000 fine;

(a)(2). For the first offense, from revocation of the license with
 ability to reapply upon payment of a \$10,000 fine to permanent
 revocation. After the first offense, permanent revocation and a
 \$10,000 fine;

(a)(3). For the first offense, from revocation of the license with
 ability to reapply upon payment of a \$10,000 fine to permanent
 revocation. After the first offense, permanent revocation and a
 \$10,000 fine;

(a)(4). Reprimand;

(a)(5). For the first offense, from a \$200 fine and 3 hours of
 continuing education on ethics to suspension and a reprimand
 and a \$1,000 administrative fine;

(a)(6). For the first offense, from a letter of concern or denial of
 application to one (1) year probation and an administrative fine
 from \$500 to \$1,000. After the first offense, from one (1) year
 probation to suspension, and an administrative fine from \$1,000
 to \$1,500; ~~From one-year probation to suspension and a
 reprimand and an administrative fine from \$1,000 to \$1,500.~~

(a)(7). For the first offense, from one (1) year probation to
 suspension or denial of application, and a \$10,000 fine. After the
 first offense, from suspension to revocation and a \$10,000 fine.
~~After the first offense, from suspension to revocation and an
 administrative fine from \$1,000 to \$1,500.~~

(a)(8). For the first offense, from a letter of concern to one (1) year
 probation or denial of application, and an administrative fine
 from \$500 to \$1,000; ~~From one-year probation to suspension
 and an administrative fine from \$1,000 to \$1,500.~~

(1)(C) ~~Establishes the procedure for withdrawal of notices.~~

(1) through (1) No change.

(1) Providing under a name other than that of Harmon.

(1)(A)(1)(i) (1) (A) (1)

(1)(i) ~~Establishes an existing under a name other than that of the licensee.~~(1)(ii) ~~Establishes providing under a name other than that of the licensee.~~(1)(iii) ~~Establishes the following:~~(1)(iii) ~~Medicine can practice as a doctor (FLA 12A Florida Statutes, or any rule of the Board of Examiners.~~(1)(iv) ~~Establishes:~~(1)(iv) ~~Establishes an existing in practice otherwise on the same subject, a notice of procedure or a notice of procedure or a notice of procedure or a notice of procedure that is specifically intended to be used in the notice's license in an official condition.~~(1)(v) ~~Establishes:~~

(1) through (1)(v) No change.

(ii) Letter of Guidance: The provisions of this rule cannot and shall not be construed to limit the authority of the probable cause panel of the Board to direct the Department to send a letter of guidance pursuant to Section 464.075(3), Florida Statute, in any case for which it finds such action appropriate. However, the Department shall not recommend a finding of evidence in lieu of finding probable cause if the subject has already been issued a letter of evidence for a related offense.

(7) No change.

Specific sections affected: 464.075, 464.076, 464.077, 464.078, 464.079, 464.080, 464.081, 464.082, 464.083, 464.084, 464.085, 464.086, 464.087, 464.088, 464.089, 464.090, 464.091, 464.092, 464.093, 464.094, 464.095, 464.096, 464.097, 464.098, 464.099, 464.100, 464.101, 464.102, 464.103, 464.104, 464.105, 464.106, 464.107, 464.108, 464.109, 464.110, 464.111, 464.112, 464.113, 464.114, 464.115, 464.116, 464.117, 464.118, 464.119, 464.120, 464.121, 464.122, 464.123, 464.124, 464.125, 464.126, 464.127, 464.128, 464.129, 464.130, 464.131, 464.132, 464.133, 464.134, 464.135, 464.136, 464.137, 464.138, 464.139, 464.140, 464.141, 464.142, 464.143, 464.144, 464.145, 464.146, 464.147, 464.148, 464.149, 464.150, 464.151, 464.152, 464.153, 464.154, 464.155, 464.156, 464.157, 464.158, 464.159, 464.160, 464.161, 464.162, 464.163, 464.164, 464.165, 464.166, 464.167, 464.168, 464.169, 464.170, 464.171, 464.172, 464.173, 464.174, 464.175, 464.176, 464.177, 464.178, 464.179, 464.180, 464.181, 464.182, 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464.738, 464.739, 464.740, 464.741, 464.742, 464.743, 464.744, 464.745, 464.746, 464.747, 464.748, 464.749, 464.750, 464.751, 464.752, 464.753, 464.754, 464.755, 464.756, 464.757, 464.758, 464.759, 464.760, 464.761, 464.762, 464.763, 464.764, 464.765, 464.766, 464.767, 464.768, 464.769, 464.770, 464.771, 464.772, 464.773, 464.774, 464.775, 464.776, 464.777, 464.778, 464.779, 464.780, 464.781, 464.782, 464.783, 464.784, 464.785, 464.786, 464.787, 464.788, 464.789, 464.790, 464.791, 464.792, 464.793, 464.794, 464.795, 464.796, 464.797, 464.798, 464.799, 464.800, 464.801, 464.802, 464.803, 464.804, 464.805, 464.806, 464.807, 464.808, 464.809, 464.810, 464.811, 464.812, 464.813, 464.814, 464.815, 464.816, 464.817, 464.818, 464.819, 464.820, 464.821, 464.822, 464.823, 464.824, 464.825, 464.826, 464.827, 464.828, 464.829, 464.830, 464.831, 464.832, 464.833, 464.834, 464.835, 464.836, 464.837, 464.838, 464.839, 464.840, 464.841, 464.842, 464.843, 464.844, 464.845, 464.846, 464.847, 464.848, 464.849, 464.850, 464.851, 464.852, 464.853, 464.854, 464.855, 464.856, 464.857, 464.858, 464.859, 464.860, 464.861, 464.862, 464.863, 464.864, 464.865, 464.866, 464.867, 464.868, 464.869, 464.870, 464.871, 464.872, 464.873, 464.874, 464.875, 464.876, 464.877, 464.878, 464.879, 464.880, 464.881, 464.882, 464.883, 464.884, 464.885, 464.886, 464.887, 464.888, 464.889, 464.890, 464.891, 464.892, 464.893, 464.894, 464.895, 464.896, 464.897, 464.898, 464.899, 464.900, 464.901, 464.902, 464.903, 464.904, 464.905, 464.906, 464.907, 464.908, 464.909, 464.910, 464.911, 464.912, 464.913, 464.914, 464.915, 464.916, 464.917, 464.918, 464.919, 464.920, 464.921, 464.922, 464.923, 464.924, 464.925, 464.926, 464.927, 464.928, 464.929, 464.930, 464.931, 464.932, 464.933, 464.934, 464.935, 464.936, 464.937, 464.938, 464.939, 464.940, 464.941, 464.942, 464.943, 464.944, 464.945, 464.946, 464.947, 464.948, 464.949, 464.950, 464.951, 464.952, 464.953, 464.954, 464.955, 464.956, 464.957, 464.958, 464.959, 464.960, 464.961, 464.962, 464.963, 464.964, 464.965, 464.966, 464.967, 464.968, 464.969, 464.970, 464.971, 464.972, 464.973, 464.974, 464.975, 464.976, 464.977, 464.978, 464.979, 464.980, 464.981, 464.982, 464.983, 464.984, 464.985, 464.986, 464.987, 464.988, 464.989, 464.990, 464.991, 464.992, 464.993, 464.994, 464.995, 464.996, 464.997, 464.998, 464.999, 465.000.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Medicine
 NAME OF SUPERIOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FOR: November 9, 2001

(1)(C) For the first offense, have committed or made over 111 non-compliance or denial of application, and an administrative fine of \$10,000. After the first offense, have committed or made over 111 non-compliance or denial of application, and a fine of \$10,000. After the first offense, have committed or made over 111 non-compliance or denial, and a fine of \$10,000.

(1)(D) For the first offense, have committed or made over 111 non-compliance or denial of application, and an administrative fine from \$100 to \$1,000. After the first offense, committed and an administrative fine from \$1,000 to \$10,000. After the first offense, committed or made over 111 non-compliance or denial, and an administrative fine from \$1,000 to \$10,000.

(1)(E) For the first offense, committed or denied of application, and an administrative fine of \$10,000. After the first offense, committed or denied of application, and an administrative fine from \$10,000 to \$100,000.

(1)(F) Established in violation, and a fine of \$100 to \$1,000, depending on the severity of the offense.

(1)(G) Established in violation, or denied, and a fine of from \$100 to \$1,000. After the first offense, from one non-compliance followed by application to conviction or denial, and a fine of from \$1,000 to \$10,000.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: **BUILDING:**
 Notification and Evidence of Licensure **464.111.000**
 PURPOSE AND EFFECT: The Board finds that this rule is necessary. Staff routinely sends out timely notices to applicants who pass an examination, and the law determines when a successful applicant may lawfully begin practice.
 SUMMARY: The rule is being repealed.

SUBJECTS OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 30 days of this notice.

SPECIFIC AUTHORITY: 464.017(1), 464.006(2) FLA.
 LAW IMPLEMENTED: 464.014, 464.017(1), 464.006(2) FLA.
 IF REQUESTED WITHIN 30 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FOR.

SUMMARY: The proposed rule amendment implements instruction to the prevention of medical errors as a condition of initial licensure.

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

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 31 days of this notice.

SPECIFIC AUTHORITY: 496.004(3), 496.001, 496.003(7) FS.

LAW IMPLEMENTED: 496.001, 496.003(7) FS.

IF REQUESTED WITHIN 31 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED THEREFOR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Hesterman, Executive Director, Board of Psychology/MSQA, 4000 Gulf Cypress Way, Box 1050, Tallahassee, Florida 32309-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

SECTION 496.001 Licensure by Examination *Additional Educational Requirements for Initial Licensure*

(1) Before licensure, each applicant shall comply with the requirements of Section 496.001, F.S., and shall demonstrate compliance by completing and submitting FT FORM 1-0-0001 (rev. 12/01), "Domestic Violence Affidavits Form," effective 1/20/02, which is incorporated herein by reference and which may be obtained from the Board office. Causes of domestic violence approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 496.011, Florida Statute, are approved by this Board.

(2) Before licensure, each applicant shall comply with the requirements of Section 496.003(7), F.S., regarding instruction in prevention of medical errors.

Specific Authority: 496.001(3), 496.001, 496.003(7) FS. Law Implemented: 496.001, 496.003(7) FS. History: New 4/20/02. Initials: (none) (1/20/02). Primary: MS, (1/20/02), Amended: 4/20/02. Primary: MSFS, (1/20/02), Amended: 4/20/02. Primary: MSQA, (1/20/02), Amended: 4/20/02. 1/20/02.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FOR: March 18, 2002

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: **HEARING:**
Income and Resource Criteria **MSA-1708**

PURPOSE AND EFFECT: This proposed rule amendment updates federal poverty income guidelines used in determining Medicaid eligibility.

SUMMARY: This rule amendment will bring federal poverty standards in the rule to 2002 levels.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 31 days of this notice.

SPECIFIC AUTHORITY: 499.009 FS.

LAW IMPLEMENTED: 499.001, 499.004, 499.009 FS.

IF REQUESTED WITHIN 31 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

TIME AND DATE: 2:00 pm, May 20, 2002
PLACE: Building 5, Room 100, 1017 Westwood Boulevard, Tallahassee, FL 32309-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, 1017 Westwood Boulevard, Building 5, Room 100, Tallahassee, FL 32309-0700. Telephone: (904) 903-8990

THE FULL TEXT OF THE PROPOSED RULE IS:

499.1708 Income and Resource Criteria.

(1) The monthly federal poverty level figures based on the size of the filing unit are as follows:

Living Unit Size	100% of Poverty Standard	150% of Poverty Standard	200% of Poverty Standard	250% of Poverty Standard
1	\$468	\$702	\$936	\$1,170
2	\$600	\$900	\$1,200	\$1,500
3	\$732	\$1,098	\$1,464	\$1,830
4	\$864	\$1,296	\$1,728	\$2,160
5	\$996	\$1,494	\$1,992	\$2,490
6	\$1,128	\$1,692	\$2,256	\$2,820
7	\$1,260	\$1,890	\$2,520	\$3,150
8	\$1,392	\$2,088	\$2,784	\$3,480
9	\$1,524	\$2,286	\$3,048	\$3,810
10	\$1,656	\$2,484	\$3,312	\$4,140
11	\$1,788	\$2,682	\$3,576	\$4,470
12	\$1,920	\$2,880	\$3,840	\$4,800
13	\$2,052	\$3,078	\$4,104	\$5,130
14	\$2,184	\$3,276	\$4,368	\$5,460
15	\$2,316	\$3,474	\$4,632	\$5,790
16	\$2,448	\$3,672	\$4,896	\$6,120
17	\$2,580	\$3,870	\$5,160	\$6,450
18	\$2,712	\$4,068	\$5,424	\$6,780
19	\$2,844	\$4,266	\$5,688	\$7,110
20	\$2,976	\$4,464	\$5,952	\$7,440
21	\$3,108	\$4,662	\$6,216	\$7,770
22	\$3,240	\$4,860	\$6,480	\$8,100
23	\$3,372	\$5,058	\$6,744	\$8,430
24	\$3,504	\$5,256	\$7,008	\$8,760
25	\$3,636	\$5,454	\$7,272	\$9,090
26	\$3,768	\$5,652	\$7,536	\$9,420
27	\$3,900	\$5,850	\$7,800	\$9,750
28	\$4,032	\$6,048	\$8,064	\$10,080
29	\$4,164	\$6,246	\$8,328	\$10,410
30	\$4,296	\$6,444	\$8,592	\$10,740
31	\$4,428	\$6,642	\$8,856	\$11,070
32	\$4,560	\$6,840	\$9,120	\$11,400
33	\$4,692	\$7,038	\$9,384	\$11,730
34	\$4,824	\$7,236	\$9,648	\$12,060
35	\$4,956	\$7,434	\$9,912	\$12,390
36	\$5,088	\$7,632	\$10,176	\$12,720
37	\$5,220	\$7,830	\$10,440	\$13,050
38	\$5,352	\$8,028	\$10,704	\$13,380
39	\$5,484	\$8,226	\$10,968	\$13,710
40	\$5,616	\$8,424	\$11,232	\$14,040
41	\$5,748	\$8,622	\$11,496	\$14,370
42	\$5,880	\$8,820	\$11,760	\$14,700
43	\$6,012	\$9,018	\$12,024	\$15,030
44	\$6,144	\$9,216	\$12,288	\$15,360
45	\$6,276	\$9,414	\$12,552	\$15,690
46	\$6,408	\$9,612	\$12,816	\$16,020
47	\$6,540	\$9,810	\$13,080	\$16,350
48	\$6,672	\$10,008	\$13,344	\$16,680
49	\$6,804	\$10,206	\$13,608	\$17,010
50	\$6,936	\$10,404	\$13,872	\$17,340
51	\$7,068	\$10,602	\$14,136	\$17,670
52	\$7,200	\$10,800	\$14,400	\$18,000
53	\$7,332	\$11,000	\$14,664	\$18,330
54	\$7,464	\$11,200	\$14,928	\$18,660
55	\$7,596	\$11,400	\$15,192	\$18,990
56	\$7,728	\$11,600	\$15,456	\$19,320
57	\$7,860	\$11,800	\$15,720	\$19,650
58	\$7,992	\$12,000	\$15,984	\$19,980
59	\$8,124	\$12,200	\$16,248	\$20,310
60	\$8,256	\$12,400	\$16,512	\$20,640
61	\$8,388	\$12,600	\$16,776	\$20,970
62	\$8,520	\$12,800	\$17,040	\$21,300
63	\$8,652	\$13,000	\$17,304	\$21,630
64	\$8,784	\$13,200	\$17,568	\$21,960
65	\$8,916	\$13,400	\$17,832	\$22,290
66	\$9,048	\$13,600	\$18,096	\$22,620
67	\$9,180	\$13,800	\$18,360	\$22,950
68	\$9,312	\$14,000	\$18,624	\$23,280
69	\$9,444	\$14,200	\$18,888	\$23,610
70	\$9,576	\$14,400	\$19,152	\$23,940
71	\$9,708	\$14,600	\$19,416	\$24,270
72	\$9,840	\$14,800	\$19,680	\$24,600
73	\$9,972	\$15,000	\$19,944	\$24,930
74	\$10,104	\$15,200	\$20,208	\$25,260
75	\$10,236	\$15,400	\$20,472	\$25,590
76	\$10,368	\$15,600	\$20,736	\$25,920
77	\$10,500	\$15,800	\$21,000	\$26,250
78	\$10,632	\$16,000	\$21,264	\$26,580
79	\$10,764	\$16,200	\$21,528	\$26,910
80	\$10,896	\$16,400	\$21,792	\$27,240
81	\$11,028	\$16,600	\$22,056	\$27,570
82	\$11,160	\$16,800	\$22,320	\$27,900
83	\$11,292	\$17,000	\$22,584	\$28,230
84	\$11,424	\$17,200	\$22,848	\$28,560
85	\$11,556	\$17,400	\$23,112	\$28,890
86	\$11,688	\$17,600	\$23,376	\$29,220
87	\$11,820	\$17,800	\$23,640	\$29,550
88	\$11,952	\$18,000	\$23,904	\$29,880
89	\$12,084	\$18,200	\$24,168	\$30,210
90	\$12,216	\$18,400	\$24,432	\$30,540
91	\$12,348	\$18,600	\$24,696	\$30,870
92	\$12,480	\$18,800	\$24,960	\$31,200
93	\$12,612	\$19,000	\$25,224	\$31,530
94	\$12,744	\$19,200	\$25,488	\$31,860
95	\$12,876	\$19,400	\$25,752	\$32,190
96	\$13,008	\$19,600	\$26,016	\$32,520
97	\$13,140	\$19,800	\$26,280	\$32,850
98	\$13,272	\$20,000	\$26,544	\$33,180
99	\$13,404	\$20,200	\$26,808	\$33,510
100	\$13,536	\$20,400	\$27,072	\$33,840

Agency Title	Special Permits Substantive		Special Opportunity Substantive		Special Opportunity Non-Substantive	
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(1) through (5) No change.

Specific Authority: ARTICLE IV, LAW ENFORCEMENT SYSTEM, ARTICLE XXVIII, FLORIDA STATUTES, § 204.01, § 204.02, § 204.03, § 204.04.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rodney McLean, Operations/Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy Bureau - Policy Support Unit

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FWW: March 6, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Recreative Fish and Wildlife

RULE TITLE: _____ RULE NO.: _____

Quick Hunt Permits and Special-Opportunity

Revises - Application/Selection/Issuance. **PURPOSE AND EFFECT:** The purpose of the proposed changes is to modify the permit selection procedures for special opportunity licenses to establish a selection preference for unsuccessful applicants and to apportion permits among residents and non-residents.

SUMMARY: The proposed changes would establish a preference for special opportunity hunt applicants who were unsuccessful the previous year. Each application submitted by performance-eligible applicants will count as two applications for the purpose of the drawing thereby doubling that individual's chances for being selected for the same WMA and same type of hunt.

The proposed changes would limit the proportion of special opportunity hunt permits available for non-residents. Under this proposal, no more than 10% of the total permits

available for each specific hunt would be available for issuance to non-residents, except where 10% is less than one permit, in which case 1 permit may be available for non-residents.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY CONSEQUENCES: It is estimated that the proposed action will cost the agency approximately \$278 for administrative preparation and \$483 for legal advertising. No other significant economic impacts are reported.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 8:00 a.m., each day, May 29, 30 and 31, 2007

PLACE: World Golf Village Renaissance Event, 900 South Legacy Trail, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Austin, General Counsel, Florida Fish and Wildlife Conservation Commission, 626 South Meridian Street, Tallahassee, Florida 32394-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

REG-5.001 Quick Hunt Permits and Special-Opportunity Permits - Application/Selection/Issuance.

- (1) through (2) No change.
 (a) through (i) No change.

(ii) Notwithstanding when residents of this state are successful applicants for special opportunity hunts, shall be eligible to receive preference in the drawing for subsequent years. Preference shall only apply to applications submitted for the same year of hunt and for the same area for which the applicant was unsuccessful in receiving a permit the previous year. The preference drawn shall be for each such applicant submitted and count as two applications for the purpose of the drawing. The preference drawn shall permit the effort for each successive year provided an application is submitted annually or until such time that a permit is issued.

(iii) No more than one percent of the special opportunity permits for each specific hunt shall be issued to non-residents provided that, at least one permit may be available to a non-resident in the event that the same permit combination results in a resident from that area.

- (3) through (4) No change.

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented: Art. IV, Sec. 9, Fla. Const., 1975(2)(b) F.S., Chapter 320, 320.01, 320.02, 320.03, 320.04, 320.05, 320.06, 320.07, 320.08, 320.09, 320.10, 320.11, 320.12, 320.13, 320.14, 320.15, 320.16, 320.17, 320.18, 320.19, 320.20, 320.21, 320.22, 320.23, 320.24, 320.25, 320.26, 320.27, 320.28, 320.29, 320.30, 320.31, 320.32, 320.33, 320.34, 320.35, 320.36, 320.37, 320.38, 320.39, 320.40, 320.41, 320.42, 320.43, 320.44, 320.45, 320.46, 320.47, 320.48, 320.49, 320.50, 320.51, 320.52, 320.53, 320.54, 320.55, 320.56, 320.57, 320.58, 320.59, 320.60, 320.61, 320.62, 320.63, 320.64, 320.65, 320.66, 320.67, 320.68, 320.69, 320.70, 320.71, 320.72, 320.73, 320.74, 320.75, 320.76, 320.77, 320.78, 320.79, 320.80, 320.81, 320.82, 320.83, 320.84, 320.85, 320.86, 320.87, 320.88, 320.89, 320.90, 320.91, 320.92, 320.93, 320.94, 320.95, 320.96, 320.97, 320.98, 320.99, 321.00, 321.01, 321.02, 321.03, 321.04, 321.05, 321.06, 321.07, 321.08, 321.09, 321.10, 321.11, 321.12, 321.13, 321.14, 321.15, 321.16, 321.17, 321.18, 321.19, 321.20, 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NAME OF PERSON ORIGINATING PROPOSED RULE:
 Timothy A. Bensch
**NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE:** Dr. Allan L. Eghtes
**DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD:** April 9, 2002
**DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW:** November 30, 2001

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Recreative Fish and Wildlife

RULE TITLE: _____ **RULE NO.:** _____

Permits for Hunting or Other Recreational

Use on Type I Wildlife Management Areas **88A-5.004**
PURPOSE AND EFFECT: The purpose of the proposed
 changes is to establish a recreational use permit for all-ports
 for Twelve Mile Swamp Wildlife Management Area
 depending upon the outcome of negotiations with the
 landowner.

SUMMARY: The proposed changes would establish a
 recreational use permit for all-ports for Twelve Mile Swamp
 Wildlife Management Area. The specific permit for all-ports
 will be determined through negotiations with the landowner.

**SUMMARY OF STATEMENT OF ESTIMATED
 BUDGETARY COST:** It is estimated that the proposed
 action will cost the agency approximately \$200 for
 administrative preparation and \$100 for legal advertising. No
 other significant economic impacts are reported.

Any person who wishes to provide information regarding the
 statement of estimated regulatory costs, or to provide a
 proposed for a lower cost regulatory alternative outside of its
 writing within 30 days of publication.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

**A HEARING ON THE PROPOSED RULE WILL BE HELD AT
 THE TIME, DATE AND PLACE SHOWN BELOW.**

TIME AND DATE: 9:00 a.m., each day, May 29, 30 and 31,
 2002

PLACE: World Golf Village Renaissance Resort, 599 South
 Legacy Trail, St. Augustine, Florida 32080

**THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE AND ECONOMIC STATEMENT IS:**
 James Antino, General Counsel, Florida Fish and Wildlife
 Conservation Commission, 620 South Meridian Street,
 Tallahassee, Florida 32399-1400

THE FULL TEXT OF THE PROPOSED RULE IS:

88A-5.004 Permits for Hunting or Other Recreational Use
 on Type I Wildlife Management Areas.

- (1) No change.
 (a) No change.

(b) The cost of recreational use permits as required for
 hunting on the following privately owned wildlife management
 areas as provided by s. 372.87(4)(b)(2), F.S., shall be:

1. Noonan WMA - \$197
2. Sea Pines/Sea WMA - \$229
3. Moore's Station WMA - \$118
4. Silverstar Creek - \$180
5. Pine Bluff - \$26
6. Twelve Mile Swamp - an adjustment to the cost may be

established by the Commission upon its sole discretion in
 negotiations with the landowner.

(c) The total number of permits available for each of the
 following privately owned wildlife management areas
 established pursuant to s. 372.87(4)(b)(2), F.S., shall be:

1. Noonan WMA - 600
2. Sea Pines/Sea WMA - 300
3. Moore's Station WMA - 600
4. Silverstar Creek - 400
5. Pine Bluff - 400
6. Twelve Mile Swamp - an adjustment to the number of

permits established by the Commission upon its sole discretion in
 negotiations with the landowner.

- (d) through (f) No change.
 (2) No change.

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented: F.S. 372.87,
 372.88, 372.89, 372.90, 372.91, 372.92, 372.93, 372.94, 372.95, 372.96, 372.97,
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SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$75 for administrative preparation and \$75 for legal advertising. No other significant economic impacts are expected.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATE: 9:30 a.m., each day, May 29, 30 and 31, 2007

PLACE: World Golf Village Renaissance Resort, 500 South Legacy Trail, St. Augustine, Florida 32082

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS James Antea, General Counsel, Florida Fish and Wildlife Conservation Commission, 420 South Meridian Street, Tallahassee, Florida 32309-1400

THE FULL TEXT OF THE PROPOSED RULE IS:

38A-10.000 Aquatic Regulations for the Type 1 Wildlife Management Area... Northeast Region.

(1) through (30) No change.

(31) **Florida Minnow Crayfish Wildlife Management Area.**

~~Remove any regulation that has modified pursuant to provisions with the following:~~

Specific Authority: Art. IV, Sec. 9, Fla. Const. (as implemented by Art. IV, Sec. 9, Fla. Const., 1978) (F.S. (Hunting, Fishing, and Trapping), 32.001, 32.002, 32.003, 32.004, 32.005, 32.006, 32.007, 32.008, 32.009, 32.010, 32.011, 32.012, 32.013, 32.014, 32.015, 32.016, 32.017, 32.018, 32.019, 32.020, 32.021, 32.022, 32.023, 32.024, 32.025, 32.026, 32.027, 32.028, 32.029, 32.030, 32.031, 32.032, 32.033, 32.034, 32.035, 32.036, 32.037, 32.038, 32.039, 32.040, 32.041, 32.042, 32.043, 32.044, 32.045, 32.046, 32.047, 32.048, 32.049, 32.050, 32.051, 32.052, 32.053, 32.054, 32.055, 32.056, 32.057, 32.058, 32.059, 32.060, 32.061, 32.062, 32.063, 32.064, 32.065, 32.066, 32.067, 32.068, 32.069, 32.070, 32.071, 32.072, 32.073, 32.074, 32.075, 32.076, 32.077, 32.078, 32.079, 32.080, 32.081, 32.082, 32.083, 32.084, 32.085, 32.086, 32.087, 32.088, 32.089, 32.090, 32.091, 32.092, 32.093, 32.094, 32.095, 32.096, 32.097, 32.098, 32.099, 32.100, 32.101, 32.102, 32.103, 32.104, 32.105, 32.106, 32.107, 32.108, 32.109, 32.110, 32.111, 32.112, 32.113, 32.114, 32.115, 32.116, 32.117, 32.118, 32.119, 32.120, 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32.996, 32.997, 32.998, 32.999, 33.000)

NAME OF PERSON ORIGINATING PROPOSED RULE: Timothy A. Rowell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allan L. Righter

DATE PROPOSED RULE APPROVED BY AGENCY HEADS: April 11, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN RSW: November 30, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE TITLES:	38B-21.000
Minimum Size Limits	38B-21.001
Bag Limit	38B-21.002
Clear Traps, Buoys, Identification Requirements, Modified Devices	38B-21.003

PURPOSE AND EFFECT: The purpose of these rule amendments is to increase the number of marine spiny lobster that may be possessed aboard a commercial trawling vessel for use as attractants, clarify the vessel possession limit applicable to special recreational harvesters, and specify the spacing in vessel traps allowed to be secured with wire on vertical surfaces. The effect of these changes will be to allow commercial spiny lobster trappers more flexibility in securing and baiting trap lines, assure that special recreational harvesters cannot possess more spiny lobster aboard a vessel than was originally intended, and clarify that secured vessel traps must be capable of harvesting spiny lobster prior to wire being attached on the vertical surfaces.

SUMMARY: Subsection (3) of Rule 38B-21.001, F.A.C., is amended to allow commercial spiny lobster trappers to possess 50 marine lobsters to use as attractants plus one marine lobster for each trap aboard the vessel. Subsection (3) of Rule 38B-21.002, F.A.C., is amended to clarify that the vessel possession limit applicable to special recreational harvesters of spiny lobster is 50 regardless of the number of special or regular harvesters aboard the vessel. Paragraph (2)(a) of Rule 38B-21.003, F.A.C., is amended to specify minimum and maximum spacing of vessel slots in traps using wire for securing, beginning in August, 2007.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES: None prepared

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING, AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m. - 4:00 p.m., each day, May 29-31, 2007

PLACE: World Golf Village Renaissance Resort, 500 South Legacy Trail, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES AND ECONOMIC STATEMENT IS James Antea, General Counsel, Florida Fish and Wildlife Conservation Commission, 420 South Meridian Street, Tallahassee, Florida 32309-1400

THE FULL TEXT OF THE PROPOSED RULES IS:

38B-21.000 Minimum Size Limits.

(1) through (2) No change.

(3) The holder of a valid commercial license on trap numbers lobster trap certificates, and a valid advance products license issued by the Fish and Wildlife Conservation Commission may

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING AT THE TIME, DATE, AND PLACE SHOWN BELOW. TIME AND DATE: 9:30 a.m. - 1:00 p.m., each day, May 29-31, 2002

PLACE: World Golf Village Renaissance Resort, 580 South Legacy Trail, St. Augustine, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Justice, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1480

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-16.002 Harvestable Crabs, Harvest Restrictions, License Requirements, Gear Specifications, Daily Bag and Possession Limits.

(1) No person shall harvest, possess, or sell any harvestable crab unless that person possesses a valid saltwater product license. Harvestable crabs shall be considered saltwater products for purposes of Section 320.07(1), Florida Statute.

(2) The harvest or attempted harvest of any harvestable crab by or with the use of any means or gear other than by hand is prohibited.

(3)(a) Except as provided in paragraph (b), no person shall harvest in any day, within or without the waters of the state, land, or possess while in or on the waters of the state more than 25 harvestable crabs. No such person shall possess more than 25 harvestable crabs while in, on, or above the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters.

(b)(1) The following bag and possession limits apply to a person with a valid saltwater product license with a marine life endorsement:

a. No such person shall harvest in any one day, within or without the waters of the state, land, or possess while in or on the waters of the state more than 100 harvestable crabs.

b. No such person shall possess more than 100 harvestable crabs while in, on, or above the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters.

3. The following bag and possession limits apply to a person with a valid saltwater product license and a valid permit to harvest crab commercially in the fisheries of the state:

a. No such person shall harvest in any one day, within or without the waters of the state, land, or possess while in or on the saltwaters of the state more than 100 harvestable crabs.

b. No such person shall possess more than 100 harvestable crabs while in, on, or above the saltwaters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters.

4. The following provisions apply to each person collecting harvestable crabs for commercial purposes:

a. No person shall collect harvestable crabs for commercial purposes without possessing a valid Harvestable Crab Harvestable Collector's Permit. This is not a harvestable permit, but rather, allows the holder to temporarily possess harvestable crabs for the purpose of collecting the blood of the animal.

b. Harvestable crabs collected for commercial purposes shall be handled on an ice container before, maintained alive, and released alive in the sea when collected.

c. Persons possessing a valid Harvestable Crab Harvestable Collector's Permit are exempted from bag and possession limits specified in paragraph 1 of this subsection. If the Harvestable crabs collected are commercial and released alive.

d. The Harvestable Crab Harvestable Collector's Permit shall be renewed each year if the holder files the permit renewal in accordance to:

e. Each person holding a Harvestable Crab Harvestable Collector's Permit shall file with the Director of Marine Fisheries by May 1 each year a permit disclosing the use of harvestable crabs. Such permits will be filed on forms provided by the Director. Forms FDW-100001-07 shall and shall include, a complete account of the number of crabs collected, exact dates harvestable crabs were collected, statement of person(s) using crabs in the context of culture, and a certification that collected harvestable crabs are solely used for the Harvestable Crab for the Harvestable Collector and not the other purpose.

Specific authority for (1) has to be drawn from requirement (B) for (1)(b). Code History: New 1. 2002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Florida Fish and Wildlife Conservation Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Allen L. Eby/ret

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 19, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Marlin Brunson

RULE TITLE: **BUILDING:**
Conservation Policy Regarding the Assessment of Administrative Penalties

68B-16.002

PURPOSE AND EFFECT: The purpose of this new rule is to establish the policy of the Fish and Wildlife Conservation Commission regarding the assessment of administrative penalties against those who fish using lobster traps without trap tags required by law and rule. The effect of this rule will be to place violators on notice how the Commission will assess out penalties within the maximums established by law for this section offense.

SUMMARY: Proposed new Rule 68B.000, F.A.C., establishes the Commission's policy for assessing administrative penalties for first, second, and third and subsequent violations involving use of agency lobster traps without current-year trap tags attached thereto.

A STATEMENT OF ESTIMATED BUDGETARY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.

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

SPECIFIC AUTHORITY: Art. IX, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IX, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD DURING THE COMMISSION'S REGULAR MEETING AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATES: 9:30 - 9:00 p.m., each day, May 29-31, 2007

PLACE: World Golf Village Restaurant Event, 500 South Legacy Trail, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antiva, General Counsel, Florida Fish and Wildlife Conservation Commission, 420 South Meridian Street, Tallahassee, Florida 32309-1400

THE FULL TEXT OF THE PROPOSED RULE IS:

68B.000 Commission Policy Regarding the Assessment of Administrative Penalties.

It shall be the policy of the Commission to assess administrative penalties imposed in s. 17B.001(1), Florida Statutes, for a violation involving use of agency lobster trap without current year trap tags as assessed by s. 17B.001(1)(a), FL.

1) For a first violation of the administrative condition, a penalty of up to \$1000 shall be assessed and the overall trap number shall remain on the overall endorsement issued pursuant to s. 17B.001(1)(b), FL, even if suspended for the remainder of the current license year. The Commission shall assess these penalties as follows:

(a) \$200 per untagged trap for the assessment of one or two traps and up to \$1000 per untagged lobster trap.

(b) \$1000 and suspension of the overall endorsement for the remainder of the current license year for suspension of use of 21 or more untagged lobster traps.

2) For a second violation of the referenced condition, occurring within 24 months of any previous such violation, an administrative penalty of up to \$2000 shall be assessed and the overall endorsement may be suspended for the remainder of the current license year. The Commission shall assess these penalties as follows:

(a) \$1000 assessed trap for the suspension use of one (1) or more such traps, after suspension of the overall endorsement for the remainder of the current license year.

(b) \$7500 assessed trap for suspension of use of 10 or to and including 20 such traps, after suspension of the overall endorsement for the remainder of the current license year.

(c) \$2000 and suspension of the overall endorsement for the remainder of the current license year for suspension of use of 21 or more untagged traps, lobster traps.

3) For a third or subsequent violation within 24 months of any previous such violation, an administrative penalty of up to \$5000 shall be assessed and the overall endorsement may be suspended for up to 24 months or permanently revoked at the Commission's sole discretion upon the violation. The Commission shall assess these penalties as follows:

(a) \$1000 per untagged trap, lobster trap and suspension of the overall endorsement for 12 months for suspension of use of one or two untagged traps.

(b) \$2500 assessed trap, lobster trap and suspension of the overall endorsement for 24 months for suspension of use of three (3) untagged traps.

(c) \$5000 and suspension of the overall endorsement and permanent revocation license for suspension of use of 21 or more untagged traps, lobster traps.

Specific authority: Art. IX, Sec. 9, Fla. Const. Law Enforcement: FL, Art. 17B.001(1)(a), Florida Statutes.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED: THE PROPOSED RULE: Dr. Allan L. Elyton
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.: April 19, 2007

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.

18.1372

RULE TITLE:

Uniform Primary and General

Election Rules

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 18.1372, published in the Florida Administrative Weekly, Pages 5840-5843, Vol. 27, No. 06, on December 14, 2006, has been changed to reflect

comments received from the public as well as the Joint Administration Board's Committee Changes were made in Rule 18, 2002, F.A.C., as that it now reads:

(1) The purpose of this rule is to prescribe a uniform primary and general election ballot design for each certified voting system.

(2) The title shall be printed across the top of an optical scan ballot and on the first ballot screen of a touchscreen ballot in all caps/field.

(a) The title of the presidential preference primary ballot shall read as follows:

Line one -- **OFFICIAL PRESIDENTIAL PREFERENCE PRIMARY BALLOT**

Line two -- _____ **PARTY**

Line three -- _____ **COUNTY-FLORIDA**

Line four -- _____ (date)

(b) The title of the primary ballot shall read as follows:

Line one -- **OFFICIAL PRIMARY BALLOT**

Line two -- _____ **PARTY**

Line three -- _____ **COUNTY-FLORIDA**

Line four -- _____ (date)

(c) The title of the general election ballot shall read as follows:

Line one -- **OFFICIAL GENERAL ELECTION BALLOT**

Line two -- _____ **COUNTY-FLORIDA**

Line three -- _____ (date)

(3) Ballot instructions shall be printed directly under the title on the front side of an optical scan paper ballot ~~and under the title on the reverse of a touchscreen ballot. The instructions, the ballot instructions may appear on any page before the listing of candidates or may be permanently printed in each voting booth.~~

(a) For optical scan voting systems, the following shall apply:

1. The ballot instructions for these certified voting systems using marks to be filled in next to the voter's choice, shall read as follows:

a. **TO VOTE, COMPLETELY FILL IN THE OVAL NEXT TO YOUR CHOICE.**

• Use only the marking device provided as a number 2 pencil.

• If you make a mistake, don't hesitate to ask for a new ballot. If you want to make other marks, your vote may not count.

b. In a general election, if there are write-in candidates, add the following:

• To vote for a candidate whose name is not printed on the ballot, fill in the oval, and write in the candidate's name on the blank line provided for a write-in candidate.

2. The ballot instructions for these certified voting systems using an arrow to point to the voter's choice, shall read as follows:

a. **TO VOTE, COMPLETE THE ARROW POINTING TO YOUR CHOICE.**

• The only the marking device provided as a number 2 pencil.

• If you make a mistake, don't hesitate to ask for a new ballot. If you want to make other marks, your vote may not count.

b. In a general election, if there are write-in candidates, add the following:

• To vote for a candidate whose name is not printed on the ballot, complete the arrow, and write in the candidate's name on the blank line provided for a write-in candidate.

(b) For certified touchscreen voting systems the following shall apply:

1. For the Global ES 2000 Blendit system, the instructions shall be as follows:

a.

• Make your selection by touching the screen on the candidate's name or anywhere in the candidate area or on the Yes or No position until the X appears.

• If you change your mind, touch the candidate's name on the Yes or No position again to undo the mark.

• Touch the NEXT button at the bottom right of the screen to move to the next ballot page.

• Touch the PREVIOUS button at the bottom left of the screen to move back one page.

• Touch CASH BALLOT button on the last ballot screen to record your vote.

• To begin voting, touch the START button. **This instruction may be modified to instruct the voter to touch the NEXT button if necessary because of the placement of the START button.**

b. In a general election, if there are write-in candidates, add the following prior to the next ballot instruction:

• To vote for a candidate whose name is not printed on the ballot, touch

WRITEIN and a touch keyboard will appear. Key in the candidate's name on the keyboard and then touch RECORD WRITEIN.

2. For the EAS 5000s, the instructions shall be as follows:

a.

• Make your selection by touching the screen on the box to the right of the candidate or response of your choice or anywhere in the candidate area until the X appears.

• If you change your mind, touch the area choice and the X will appear on your area choice.

• Touch the NEXT button at the bottom right of the screen to move to the next ballot page.

- Touch the **PREVIOUS** button at the bottom right of the screen to move back one page.
- Touch **REVIEW BALLOT** on the last ballot page to review your selections.
- Press the **YES/NO** button at the top of the machine to cast your ballot.
- To begin voting, touch the **NEXT** button.
- In a general election, if there are write-in candidates, add the following page to the cast ballot instruction:
- To vote for a candidate whose name is not printed on the ballot, touch the **WRITE IN** candidate box and a touch keyboard will appear. Key in the candidate's name and then touch **ACCEPT**.

3. For the Spanish **SPC** Ballot, the instructions shall be as follows:

- a.
- Make your selection by touching the screen on the circle to the right of the candidate or response of your choice or anywhere in the candidate area until the check mark appears.
- If you change your mind, touch the check mark again to make the mark.
- Touch the **NEXT** button at the bottom right of the screen to move to the next ballot page.
- Touch the **BACK** button at the bottom left of the screen to move back one page.
- Touch the yellow **CAST VOTE** button in the middle of the last screen to cast your ballot.
- To begin voting, touch the **NEXT** button.
- In a general election, if there are write-in candidates, add the following page to the cast vote instruction:
- To vote for a candidate whose name is not printed on the ballot, touch **WRITE IN** on the bottom of the line of candidates and a touch keyboard will appear. Key in the candidate's name on the keyboard, then touch **OK**.

(4) Following the instructions, the headings, office titles, and candidates shall be listed in the order provided in s. 101.161, FS. The headings and office titles shall be in all caps bold. The last name of the candidate shall be in all caps. The first name shall be in upper and lower case.

(5) Under each office heading shall be printed "(Vote for One)". For joint candidates, there shall be printed "(Vote for One Pair)". In cases where more than one vote is permitted, there shall be printed "(Vote for no more than [number] in the election)".

(6) The marking space for a voter to make a choice shall be as follows:

- (a) For Global **Language**, on the left of the voter's choice.
- (b) For **ESPA** and Spanish **Opnd**, on the right of the voter's choice.
- (c) For **ESPA** M, 100, 150, and 200, on the left of the voter's choice.

(d) For Global **ES 2000** (Bilingual), on the left of the voter's choice.

(e) For **ESPA** (Spanish), on the right of the voter's choice.

(f) For Spanish **SPC** Ballot, on the right of the voter's choice.

(7) When required, the appropriate abbreviation of a party name or no party affiliation shall be to the right of the candidate's name.

(8) No mark shall appear in more than one column on an optical scan ballot or in more than one column of a touch-screen ballot. ~~Whenever a candidate has more than one column of a touch-screen ballot, the candidate's name, the appropriate abbreviation of the candidate's name, and a graphic image of the proposed balloting area shall be printed on the ballot to the appropriate column of the ballot.~~

(9) On optical scan ballots, when names and/or questions are printed on both sides of the ballot, the words "FRONT BACK SIDES OF BALLOT" shall be printed on the bottom of the front and back of the ballot in all caps bold.

(10) For counties offering multiple languages on touch-screen ballots, the language choice may appear prior to the first ballot screen.

(11) The ballot title for an issue shall be in upper and lower case bold. The substance of the issue shall be in upper and lower case. YES and NO shall be in all caps bold.

(12) When a primary includes one or more Universal Primary Centers as defined in Rule 18.2002, F.A.C., the following shall apply:

(a) The word "Universal Primary Center" shall appear underneath the office title of the Universal Primary Center and before the "(Vote for ...)" line.

(b) The names of all candidates for all positions offices, including candidates for the Universal Primary Centers, shall be displayed with an appropriate abbreviation of party name.

~~(13) Each separation of elections shall determine the date, time, based on the number of candidates, and screen on the ballot. However, on optical scan ballots, no time limit shall be applied. On ES 2000 and on touch-screen ballots, the ballot screen displayed on the voter on the screen must remain on for less than 30 minutes. On any ballot, each category shall have maximum 10 votes. The number of votes candidate's name is in all caps bold, the names of all candidates on the ballot shall be in all caps bold.~~

~~(14) If in any election there are more candidates than will fit on one column on screen, on a candidate's name to include that the party abbreviation will not fit to the right of the candidate's name, on a candidate's name to include to fit on one line in the column, then also, the separation of elections shall specify that line and provide a copy of the proposed ballot under the direction of Elections the appropriate column in that direction of the ballot.~~

~~(15) All other specifications for ballots must comply with the Florida Election Code.~~

(177999) A primary ballot for the Global Accession voting system shall be substantially in accordance with Form DS-08 03, of. **(177)**, **(188)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the Global Accession voting system shall be substantially in accordance with Form DS-08 03, of. **(177)**, **(188)**, hereby incorporated by reference and available from the Division of Elections.

(17844) A primary ballot for the ES&S Chrono voting system shall be substantially in accordance with Form DS-08 03, of. **(177)**, **(188)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the ES&S Chrono voting system shall be substantially in accordance with Form DS-08 03, of. **(177)**, **(188)**, hereby incorporated by reference and available from the Division of Elections.

(1814) Primary ballot for Spanish Church voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the Spanish Church voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections.

(1815) A primary ballot for the ES&S M-100, 150, and 300 voting systems shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the ES&S M-100, 150, and 300 voting systems shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections.

(20099) A primary ballot for the Global ES-3000 Blended touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, **(188)**, hereby incorporated by reference and available from the Division of Elections. A general ballot for the Global ES-3000 Blended touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, **(188)**, hereby incorporated by reference and available from the Division of Elections.

(211) A primary ballot for the ES&S Chrono touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the ES&S Chrono touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections.

(212) A primary ballot for the ES&S M-100 touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the ES&S M-100 touchscreen voting system shall be substantially in accordance with Form DS-08 04, of. **(187)**, hereby incorporated by reference and available from the Division of Elections.

(213) The ES&S Chrono voter ballot cover meets the following:

(1) Language:

(a) Language options shall be as follows:

(i) In English to the only language available, the message "Please the desired language to begin voting" shall be given.

(ii) Available language options are available. The following message shall be given: "Please select your ballot language. Please vote choice by using the arrow keys below. Press the desired choice button on the screen every choice." The message is to be read orally to each language offered as a choice until a selection is made.

(b) General instructions shall be as follows:

(i) "To press these instructions once the screen. The will be read to candidates. The second time screen read you movement from screen to screen and available to voters. The vote a screen you must press the desired choice button on the screen the candidate on screen selection. Move on or close through the candidate on screen all being on back on the screen until. When you arrive at a screen the selection for that screen will be entered on screen as that screen screen voter ballot on one time. If you wish to change your selection, you may do so by pressing to vote your choice and selecting to be reading the desired button. To begin voting press the desired button. End of instructions."

(ii) After the instructions are given and the desired button is pressed, the screen will read the election title, date, and number of screens on the ballot selection history. Following the election history, the screen will read the correct number of votes for each the candidate and number of candidates.

(iii) After the desired button is pressed to vote a candidate, the screen shall read the candidate number, name of candidate, name description, if required, and an indication of whether or not the candidate has been selected by the voter.

(iv) Vote to Instructions: "When a vote has selected by voter in the name of a candidate, the following message shall be given:

"You are done voting on this the other selection screen. Press the desired button to select a letter. Screen read the one and done screen button. When complete, screen then will use mark the screen to ballot message at the end of the election Press the desired button. The vote is complete will be reading you. To accept the voter is candidate press the desired button."

4. If the voter dies or becomes a convict, the following provisions shall be added:

"You have already checked the previous candidate in this county. If you wish to select a different candidate in this county, you must first uncheck a previous selection by moving to the candidate and pressing the discard button."

5. At the end of the ballot, the following message shall be added:

"You have reached the end of the ballot. To continue, please go to the next page. If you have any questions, please call the toll-free number on the back of the ballot. To return to the previous screen, press the return button located at the top center of the screen."

6. When a constitutional amendment is on the ballot the answer shall read as follows:

2. ~~Constitutional amendments number _____ proposed as amendments to Article _____ of the Florida Constitution.~~

a. The ballot title will then be read:

b. Following the ballot title, the substance of the amendments shall be read:

c. Following the substance of the amendments, the choice of Yes and No shall be given.

For all other ballot propositions and information shall be given a choice voter indication which either favors or disfavors the proposed provision.

(c) The order of the main ballot shall be the same as the order of the sub-ballot ballot.

(d) All items referenced in this rule may be obtained from the Division of Elections, Department of State, 100 West Gaines Street, Tallahassee, FL 32304-0000, (904)241-6000.

(e) All other provisions of the ballot must comply with _____ of the Florida Constitution.

Specific authority: 201.011 (5), Law Implemented: 201.011 (5), History: New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

9E-14 Toxicology and Pest Control Regulations;

RULE NO.: RULE TITLE:

9E-14 102 Definitions;

9E-14 103 Contractual Agreements in Public's Interest - Control and Preventive Treatment for Weed-Erasing Organisms;

9E-14 104 Pestigation Requirements - General Pestigation;

9E-14 105 Identification Card - Training 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)(a), F.S., published in Vol. 28, No. 7, February 13, 2007, issue of Florida Administrative Weekly.

THESE AMENDED THE PROPOSED RULE WILL BE ADDED AS FOLLOWS:

9E-14 102 Definitions;

(10) "Classroom" - A student or student studying a subject in a setting conducive to learning, other than field training as required by Section 900.99(3), F.S., with an instructor or other multimedia instructional tools, computer instruction, or correspondence courses.

Specific authority: 201.011 (5), Law Implemented: 201.011 (5), History: New 1.1.07, Amended 1.1.07, 1.20.07, Formerly: 201.011 (5), Amended 1.1.07.

9E-14 103 Contractual Agreements in Public's Interest - Control and Preventive Treatment for Weed-Erasing Organisms.

Specific authority: 201.011 (5), Law Implemented: 201.011 (5), History: New 1.1.07, Last Amended: Florida Statutes Official Code of Laws for 2007, Vol. 3, No. 14, July 29, 2007, Amended 1.1.07, 1.1.07, 1.20.07, Formerly: 201.011 (5), Amended 1.1.07.

9E-14 104 Pestigation Requirements - General Pestigation.

(2) The Department shall issue an immediate stop order or stop-work order, DACS 11609 (01-02), incorporated by reference, for pestigation performed in a manner that presents an immediate serious danger to the health, safety or welfare of the public. Pesticide use or work cannot be resumed until corrections are made, verified and the release section of the stop order is completed by Department personnel.

Specific authority: 201.011 (5), Law Implemented: 201.011 (5), 201.011 (5), (5), History: New 1.1.07, Amended: 1.1.07, Formerly: 201.011 (5), Amended 1.1.07.

9E-14 105 Identification Card - Training Verification.

(1) The licensee shall maintain written training records on all identification cardholders within their employ and make those records available during routine inspection or upon request of the Department. Licensees must maintain the training record for at least a two-year period.

(2) The Department will accept any one of the following as verifiable training:

(a) Written record of attendance on a form prescribed by the Department and furnished by the licensee or trainer, DACS 11602 (01-02), which is incorporated by reference, with a complete copy of all training materials used during the training session that covers the training topics required by Section 900.99(3)(3), F.S.; or

(b) Written record of attendance at a Department approved certified operator continuing education course on the form prescribed by the Department and furnished by the licensee.

INSECT ILLUSTRATIONS), which is incorporated by reference, provided the course content covers the training topics as required by Section 481.094(1)(b), FS.

(3) Each training session shall be at least 90 minutes in length or one contact hour. Partial contact hours will not be accepted. Pesticide safety deals with any aspect of pesticide formulation, handling and use. Example topics would include pesticide types and formulations, human poisoning symptoms, signs of exposure and protective equipment, pesticide storage, transport and use, spray drift and groundwater runoff. Integrated pest management deals with any aspect of pest management. Example topics would include inspection (searching and monitoring pests), establishing treatment thresholds, sanitation/habitat modification, trapping, biological and use of pesticides, and pesticide application equipment. Applicable federal and state laws and rules deals with any aspect of government regulation of the pest control industry. Example topics would include reviewing federal FIFRA requirements, reviewing or discussing modifications in Chapter 482, Florida Statutes, and/or Chapter 6E-14, Florida Administrative Code, and reviewing other regulatory agencies or legislative bodies regulations dealing with pesticide use, hazardous waste storage/disposal and/or transportation.

Specific statutory authority: 481.094(1)(b), FS; Law Enforcement 481.094(1)(c), 481.094(1)(d), FS; Chapter 482

DEPARTMENT OF CONNECTIONS

RULE NO.: RULE TITLE:
13-001.200 Use of Force

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(7)(a)(1), F.S., published in Vol. 38, No. 8, February 1, 2002, issue of the Florida Administrative Weekly:

13-001.200 Use of Force.

(1) through (14) No change.

(17) Medical Attention Following Use of Force. Appropriate medical treatment shall be provided in the case of a riot or other mass made or natural disaster, if an inmate or employee is injured. Any treatment or follow-up action shall be documented in section 8E of Form DCJ-230, Institution Report of Force Used. A qualified health care provider shall examine any person physically involved in a use of force within one working day (Monday through Friday) to determine the extent of injury, if any, and shall prepare a report which shall include ~~the name of the institution~~, a statement of whether further examination by a physician is necessary. Any noticeable physical injury shall be examined by a physician and the physician shall prepare a report documenting the extent of the injury and the treatment provided. Such report shall be completed within 1 day of the incident and shall be submitted to the warden for initial review. The qualified health provider and physician shall use Form DCJ-788C, Emergency Room

Report in document as examination following use of force. Form DCJ-788C, Diagram of Injury, shall be used along with Form DCJ-788C, to document obvious physical injuries. A copy of the report, along with the referenced forms, shall be attached to the Institution Report of Force Used. The original reports shall be filed in the medical record.

(18) through (19) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
60215.20-007 Foreign Degree

AMENDED NOTICE OF CHANGE

Pursuant to subparagraph 120.54(7)(a)(1), F.S., notice is hereby given that the following changes have been made to the proposed rule and notice of change, as published in the Vol. 38, No. 13, March 29, 2002 and Vol. 38, No. 18, April 12, 2002 issues of the Florida Administrative Weekly. The changes are in response to comments received from the staff at the Joint Administrative Procedures Committee.

Rule 60215.20-007, Subsection(5) shall now read:

(5) The applicant must request an evaluation of substantial equivalency of his or her credentials to ABET standards through Engineering Credentials Evaluation International, P. O. Box 13964, Baltimore, MD 21203-3964.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS Natalie Loren, Administrator, Board of Professional Engineers, 2807 Calloway Road, Suite 300, Tallahassee, Florida 32303-6100

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
6021.17-002 Real Estate Class/Exam

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(7)(a)(1), F.S., originally published in Vol. 33, No. 41, October 2001, issue of the Florida Administrative Weekly. The changes are in response to comments received by the Joint Administrative Procedures Committee and for the purpose of publishing the entire text of the rule as amended and proposed by the Florida Real Estate Commission.

6021.17-002 Real Estate Class/Exam

(3) Each person, school, or institution permitted pursuant to s. 475.451, Florida Statutes, is required to keep registration records, course records, attendance records, a file copy of each examination and progress test and all related course sheets for

(ii) The "YOUR NUMBER" play symbol and play symbol options in HIGH STAKES BUCKLETT are as follows:

ADD SYMBOL

(iii) The wild number play symbol and play symbol options in HIGH STAKES BUCKLETT are as follows:

ADD SYMBOL

(iii) The play symbol and play symbol options in HIGH STAKES BUCKLETT are as follows:

ADD SYMBOL

(iii) The layout in HIGH STAKES BUCKLETT is as follows:

ADD SYMBOL

(iii) The play symbol and play symbol options in BUCKLETT MONEY are as follows:

ADD SYMBOL

(iii) The "BUCKET" play symbol and play symbol options in BLACKJACK are as follows:

ADD SYMBOL

ADD SYMBOL

(iii) The "TRAILING SEVEN" play symbol and play symbol options in BLACKJACK are as follows:

ADD SYMBOL

(iii) The play symbol and play symbol options in BLACKJACK are as follows:

ADD SYMBOL

(iii) The layout in BLACKJACK are as follows:

ADD SYMBOL

(iii) The play symbol and play symbol options in the BUCKLETT play area are as follows:

ADD SYMBOL

(iii) The layout in the BUCKLETT play area are as follows:

ADD SYMBOL

(iii) Determination of Determination: Each of the five areas in Game Game Number 011 (CLASSIC SLOTS) are as follows: play conditions. The determination of determinations for each game is as follows:

(a) Game 1 – HIGH BUCKLETT in HIGH BUCKLETT area are as follows: A ticket having one to five play area of one roll (one roll 7 or 11 shall yield the dividend in the corresponding play area for that roll. The values are: BUCKET: \$1.00, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000, 2000.

(b) Game 2 – HIGH STAKES BUCKLETT in HIGH STAKES BUCKLETT: a ticket having a number in the "YOUR NUMBER" play area that matches one number in the wild play area shall yield the dividend in the corresponding play area for that number. The prizes are: BUCKET: \$1.00, \$100, \$1,000, \$10,000, \$100,000, \$1,000,000, \$10,000,000, \$100,000,000, \$1,000,000,000.

(c) Game 3 – SLOTS OF MONEY in SLOTS OF MONEY area are five rolls. A ticket having three six symbols in the play area of one roll shall yield the dividend in

for corresponding rates shown for that symbol in the legend. The prices are \$1, \$10, \$25, \$50, \$100, \$200, \$300, \$400, \$500, \$750, and \$1,000.

(c) Class 1 – PLAYERS

1. In BALANCEBOOK, there are five "PLAYERS" books. A player's name may occur in the other area of any book, the total of which is greater than the total in the "BALANCEBOOK" plus area. shall include the charges for the corresponding rates shown in this book. The prices are TICKET, \$1, \$10, \$25, \$50, \$100, \$200, \$300, \$400, \$500, \$750, and \$1,000.

2. A rider between a "TRAVELER RIDER" also included in the "BALANCEBOOK" plus area shall include the charges for all the rates shown in the "BALANCEBOOK" book.

3. The rates apply to persons in Class 1, Class 2, and Class 3, and the rates apply to persons in Class 4, 5, and 6.

(d) Class 2 – RIDERS

A rider between two members may be in the "RIDERS" also area and include the charges in excess of \$10.

10. In Classes 1, 2, and 3, a rider who is certified as a rider of a "TRAVEL" shall be certified as a rider of a \$100 rider. An combination of person and another rider that equals \$100, except as follows. A person who wishes to send a CASHIER'S TICKETS rider who wishes the charges in excess of a \$100 rider and a cash selling address is made for one of Florida will continue about the \$100 in line of an individual.

11. Number and Size of Riders. The minimum value of riders, rates and number of persons in Classes 1, 2, 3, 4, 5, and 6 are as follows:

		CLASS 1-5	
		CLASS 1	CLASS 2-5
		CLASS 1	CLASS 2-5
CLASS 1	100	100	100
CLASS 2	100	100	100
CLASS 3	100	100	100
CLASS 4	100	100	100
CLASS 5	100	100	100
CLASS 6	100	100	100
CLASS 7	100	100	100
CLASS 8	100	100	100
CLASS 9	100	100	100
CLASS 10	100	100	100
CLASS 11	100	100	100
CLASS 12	100	100	100
CLASS 13	100	100	100
CLASS 14	100	100	100
CLASS 15	100	100	100
CLASS 16	100	100	100
CLASS 17	100	100	100
CLASS 18	100	100	100
CLASS 19	100	100	100
CLASS 20	100	100	100
CLASS 21	100	100	100
CLASS 22	100	100	100
CLASS 23	100	100	100
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CLASS 25	100	100	100
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CLASS 197	100	100	100
CLASS 198	100	100	100
CLASS 199	100	100	100
CLASS 200	100	100	100

FLORIDA LOTTERY GAME RULES

Game Name	Game Number	Game Type
Florida Lotto	100	6/52
Florida Cash 5	101	5/39
Florida Cash 4	102	4/39
Florida Cash 3	103	3/39
Florida Cash 2	104	2/39
Florida Cash 1	105	1/39
Florida Cash 0	106	0/39
Florida Cash 50	107	50/50
Florida Cash 40	108	40/40
Florida Cash 30	109	30/30
Florida Cash 20	110	20/20
Florida Cash 10	111	10/10
Florida Cash 5	112	5/5
Florida Cash 2	113	2/2
Florida Cash 1	114	1/1
Florida Cash 0	115	0/0

(11) The overall odds of winning any prize in Instant Game Number 110 are 1 in 2.75. Money values, including the jackpot, may be paid out in one or more installments.

(12) The number of Instant Game Number 110, the estimated total of winning values and number of prizes shall be determined in accordance with the schedule.

(13) By purchasing a CASHING-NIGHTS Instant Game ticket, the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(14) Payment of prizes for CASHING-NIGHTS Instant Game shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rules can be obtained from the Florida Lottery, Office of the General Counsel, 290 Marlin Drive, Tallahassee, Florida 32399-3001.

These emergency rules are effective until the Florida Lottery Board meets to consider the permanent rules.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: April 23, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: Instant Game Number 111, PART
SUMMARY OF THE RULE: CASHING-NIGHTS

(1) SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 111, "FAST SPINNING CASH," in which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the estimated odds of winning, number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 290 Marlin Drive, Tallahassee, Florida 32399-3001

THE FULL TEXT OF THE EMERGENCY RULE IS:

INSTANT GAME NUMBER 111, "FAST SPINNING CASH"

(1) Name of Game: Instant Game Number 111, "FAST SPINNING CASH."

(2) Price: FAST SPINNING CASH Instant Game will be \$1.00 per ticket.

FAST SPINNING CASH Instant Game shall have a series of numbers in Florida Scratch-Offs can be made on the back of the ticket along with a Mini 50 Bonus Number (VINO) under the term area on the ticket. To be a valid winner FAST SPINNING CASH Instant Game, a combination of awarded elements will have to win the ticket may be present in an order to purchase FAST SPINNING CASH Instant Game. In the event a player wins on or in the vicinity of any FAST SPINNING CASH Instant Game, as set in the prize schedule, the VINO number under the term shall prevail over the term code.

(3) The "VINO NUMBER" also controls and also special features are as follows:

ADD SYMBOL.

(4) The "SPINNING NUMBER" also controls and also special features are as follows:

ADD SYMBOL.

(5) The prize controls and prize special features are as follows:

ADD SYMBOL.

(6) The benefits are as follows:

ADD SYMBOL.

(7) Determination of Prize Winner:

(a) A ticket having a number in the "VINO NUMBER" also area that matches either number in the "SPINNING NUMBER" also area shall enable the player to the corresponding prize shown for that number. A ticket may have

A copy of the Department's notice may be obtained from the Clerk of Agency Proceedings, Department of Transportation, 885 Southwest River, M.S. 88, Tallahassee, Florida 32389-0488. For additional information, contact James C. Myers at (904)622-5390.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received a Petition for Writers from the State of Florida Department of Health for A.G. Holly Hospital, Lantana, Florida pursuant to Section 395.005(2), Florida Statutes and paragraph 6A.1.2005(1)(b), Florida Administrative Code. The petition requests a variance from the requirement that its Nutritional Care Department employ the services of a registered dietitian and that the hospital be permitted to employ the services of a licensed dietitian instead.

Comments received within 30 days of publication will be considered by the Agency prior to making a determination for Denial of Writers.

Additional information may be obtained by writing to the Agency for Health Care Administration, 1117 Mahan Drive, MS 630, Tallahassee, Florida 32309, by phone at (904)877-2717 or by e-mailing James R. (JR) Stone, Hospital and Outpatient Services Unit at jstone@flhca.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP received on March 7, 2007, a petition from Legacy Incorporated for a variance to waive permit to subsection 39.507(1)(2)(b), P.A., of certain record keeping requirements under subsection 39.507(1)(2)(a), P.A., for the Davis Yacht Club Marina. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEP received on March 30, 2007, a petition from MAH TEC, INC., c/o Suncoast and Sims TeCom of Florida, Inc., for a waiver pursuant to subsection 39.507(1)(2)(b), P.A., of certain record keeping requirements under subsection 39.507(1)(2)(a), P.A. On April 4, 2007, upon execution of a Settlement Agreement Petitioner voluntarily withdrew its petition. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Department of Environmental Protection gives notice of its intent to grant a variance (File No. 038258-003-03) to the Santa Rosa Island Authority, from the provisions of paragraph 62.424(7)(a), F.A.C., to allow the turbidity mixing zone to exceed 180 meters. The regulated mixing zone would extend

1,500 meters along shore and 500 meters shore perpendicular from the point of sand discharge onto the beach disposal area (within the Gulf Islands National Seashore - Surrounding Florida Waters), for a period not to exceed 30 months. The variance is associated with the proposed beach restoration project at Rosencrans Beach (File No. 038258-003-03). The entire project area is located on a golfward of Pensacola Beach, Escambia County, Florida. The beach restoration project area is located within the limits of the Gulf Islands National Seashore, which extends one mile seaward of the MSH line, and is designated as an Surrounding Florida Water (SFW). The feature area is located in the Gulf of Mexico, approximately 1.5 miles offshore from Pensacola Beach and is situated in Class III Waters, not SFW.

A person whose substantial interests are affected by the Department's proposed action may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (submitted by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 55, Tallahassee, Florida 32309-3000.

Because the administrative hearing process is designed to determine that agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the variance or even a denial of the application. Under subsection 62.110.10(1), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 55, Tallahassee, Florida 32309-3000, before the applicable deadline. A timely request for extension of time shall end the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding judge upon the filing of a motion in compliance with Rule 28.098-205, F.A.C.

In accordance with subsection 39.506.01(2) and paragraph 62.110.100(3)(a)(1), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice

under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.599 and 120.61, F.S.

In accordance with Rule 28.098-261, F.A.C., a petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific relief or remedies that the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with regard to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28.098-261, F.A.C. Under Sections 120.595(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.100 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 1980 Commissioner's Boulevard, Mail Station 33, Tallahassee, Florida 32399-3900 and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date

when the final order is filed with the Clerk of the Department. The applicant, at any party within the meaning of Section 171.144(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 171.144(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Beaches and Coastal Systems, 6950 West Tennessee Street, Building 8, Tallahassee, Florida 32304-9204. The "CONSOLIDATED NOTICE OF INTENT TO GRANT JOINT COASTAL PERMIT AND AUTHORIZATION TO USE SUBMERGED SUBMERGED LANDS" (the "DRAFT CONSOLIDATED JOINT COASTAL PERMIT AND INTENT TO GRANT SUBMERGED SUBMERGED LANDS AUTHORIZATION" and the "DRAFT VARIANCE FINAL ORDER" can be viewed at the Department's Internet Web site at <http://www.dep.state.fl.us/beaches/petitioning/petition.htm>.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on April 11, 2002, on behalf of Yveline E. Bayona-Scholaris, M.D., seeking a waiver from Rule 68B-0300, F.A.C., with regard to the time frame for the passage of the USMLE Comments on this petition should be filed with Board of Medicine, MQA, 4093 Baldwin Cypress Way, Box 9020, Tallahassee, Florida 32399-1210, within 10 days of publication of this notice.

For a copy of the petition, contact Larry G. Matheson, Jr., Executive Director, Board of Medicine, at above address or telephone (904)247-4110.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on April 26, 2002, Florida Housing Finance Corporation received a Petition for Emergency Variance from its Waiver of the Florida Housing Finance Corporation Development Penalty List, from Allagarth Builders, Ltd. ("Petitioner"). The Petitioner is seeking a variance from Rule 67-25002(11a), F.A.C., which provides for the Development Penalty List ("List") which lists "Wyemond Truss, ID 2001-0519" ("Wyemond"), as set out as set to apply that petition to the List which lists Wyemond to the Petitioner in this context only. A copy of the Petition can be obtained from Herlin A. Finney, Public Records Clerk, Florida Housing Finance Corporation, 217 North Broadway Street, Suite 5000, Tallahassee, Florida 32399-1125. Florida Housing will accept comments concerning the Petition for 10

days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. Eastern Standard Time, on the 14th day after publication of this notice at Florida Hearing/Panoramic Corporation, 127 North Renaissance Street, Suite 8000, Tallahassee, Florida 32309-1129.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of the Knott House, Inc.**, announces a Public meeting to which all persons are invited.
DATE AND TIME: May 7, 2002, 9:00 a.m.

PLACE: Knott House Museum, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and membership strategy.

A copy of the agenda may be obtained by writing: The Friends of the Knott House, Inc., 600 E. Renaissance St., Tallahassee, Florida 32309.

Should any person wish to appeal any decision made with respect to the above mentioned meeting, he or she may need to make verbatim recording of the proceedings in order to provide a record of judicial review.

Pursuant to Rule 38B.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours before, in order to request any special accommodations.

NOTICE IS HEREBY GIVEN that at the **Department of State, Division of Elections** will determine the order of candidates for circuit judges on the primary ballot, pursuant to Section 105.041, Florida Statutes. The determination will be conducted in a drawing by lot.

DATE AND TIME: May 07, 2002, 1:00p.m.

PLACE: Division of Elections, Training Room, Room 112, The Collins Building, 607 West Gaines Street, Tallahassee, Florida

Any persons wishing additional information or directions may contact: L. Clayton Roberts, Director, Division of Elections, (904)243-6200.

The **Private Investigation, Emergency and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 26, 2002, 9:00 a.m.

PLACE: Broward Auditorium, 9900 International Drive, Orlando, Florida, (407)318-1390

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 491.810(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by writing: Department of State, Division of Licensing, Attention: April Howard, Post Office Box 6007, Tallahassee, Florida 32311-6007.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact the Director, Division of Licensing not later than 48 hours prior to the meeting at the address given on the notice, (904)243-6962.

The **Department of State, Division of Licensing** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 05, 2002, 9:00 a.m.

PLACE: Broward Auditorium, 9900 International Drive, Orlando, Florida, (407)318-1390

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Division will receive input regarding training and examination for private investigators and assessors.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact the Director, Division of Licensing not later than 48 hours prior to the meeting at the address given on the notice, (904)243-6962.

DEPARTMENT OF LEGAL AFFAIRS

The **Annual Report Committee of the Florida Commission on the Status of Women** will hold a telephone conference on

DATE AND TIME: Wednesday, May 8, 2002, 10:00 a.m.

PLACE: C-6 (889)44-1390 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify PCOM in writing at least three days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1099.

The **Annual Report Committee of the Florida Commission on the Status of Women** will hold a telephone conference on

DATE AND TIME: Wednesday, May 8, 2002, 10:00 a.m.

PLACE: C-6 (889)44-1390 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify PCOM in writing at least three days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1099.

The LGSW Task Force Committee of the Florida Commission on the Status of Women will hold a telephone conference on: **DATE AND TIME:** Wednesday, May 8, 2002, 3:00 p.m.

PLACE: Call (888)614-1000 for instructions on participation. **GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify PCOF in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1000.

The Finance and Budget Committee of the Florida Commission on the Status of Women will hold a telephone conference on: **DATE AND TIME:** Thursday, May 9, 2002, 10:00 a.m.

PLACE: Call (888)614-1000 for instructions on participation. **GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify PCOF in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1000.

The Rules Committee of the Florida Commission on the Status of Women will hold a telephone conference on: **DATE AND TIME:** Friday, May 10, 2002, 10:00 p.m.

PLACE: Call (888)614-1000 for instructions on participation. **GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify PCOF in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1000.

DEPARTMENT OF BANKING AND FINANCE

The Bureau of Unclaimed Property announces a public meeting and all persons are invited to attend.

DATE AND TIME: Thursday, May 9, 2002, 2:00 p.m. - 4:00 p.m.

PLACE: Room 610C, Fletcher Building, 100 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the implementation of FR 9543 entitled an act relating to public records.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Don McKay, (888)618-9962, at least 48 hours before the meeting. If you are

having an speech impaired, contact Don McKay via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The Department of Insurance, Division of State Fire Marshal announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2002, 9:00 a.m.

PLACE: St. Petersburg College, Room 1261, 1300 14th Street, South, St. Petersburg, Florida 33711

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting of the Florida State Code Advisory Council to discuss fire code issues pertaining to CS 688.113 as it relates to public schools.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-8342.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 8 calendar days before the program by contacting William King, (888)613-3619.

The Department of Insurance, Division of State Fire Marshal announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2002, 10:00 a.m.

PLACE: City of Lake Buena Vista, Ready Creek Improvement District, Administration Building, 1st Floor, 1980 Reed Plaza Blvd., Lake Buena Vista, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-8342.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2002, 1:00 p.m. - 4:00 p.m.

PLACE: Sheraton's Emerald Inn and Conference Center, Ballroom Room, 175 and US 27, Gadsden, Florida, (352)752-1111

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This is a meeting of the Florida Program Education, Safety and Research Council and representatives of the SAIC Marketing Division to discuss current and proposed Council programs and budget issues.

Additional information may be obtained by writing Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, Suite N, 3123 Conner Blvd., Tallahassee, FL 32399-0600 or by calling Vicki O'Neil, (904)921-8001.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 30 days in advance by contacting Ms. O'Neil at the number above.

The Department of Agriculture and Consumer Services announces a meeting of the Viticulture Advisory Council.

DATE AND TIME: May 6, 2007, 9:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Welcome Dinner

Committee meetings:

1:00 p.m. Promotion/Committee.

2:00 p.m. Research Committee.

1:00 p.m. Industry/Organizational Issues.

1:00 p.m. Risk Management Practices.

4:00 p.m. Legislative Committee.

5:00 p.m. Tour of Blue Room Vineyard.

DATE AND TIME: May 7, 2007, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Welcome Dinner

Committee reports:

Report on local fund collection.

Progress report on increased average program.

Report on Viticulture Trust Fund Collections.

Vote on Budget for 2007/2008.

PLACE: Blue Room Vineyard, 331 Lewis Road, Lufkin, FL 33427, (813)431-6461

A copy of the agenda can be obtained by contacting George Drexler, Room 423, Meyer Building, 407 South Columbia Street, Tallahassee, FL 32399-0600 or calling (904)484-4111.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Drexler as soon as possible.

The Florida Department of Agriculture and Consumer Services, Division of Forestry announces a meeting of the Florida Forestry Council which is open to all interested persons.

DATE AND TIME: Thursday, May 03, 2007, 9:00 a.m.

PLACE: Florida Division of Forestry, Room 230, 3123 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Updates on Division of Forestry programs.

A copy of the agenda may be obtained by contacting: L. Paul Petersen, Director, Division of Forestry, 3123 Conner Boulevard, Tallahassee, Florida 32399-1400, (904)488-4274.

IMPLEMENTATION OF ORDINANCES

The Florida Department of Education (DOE) announces a meeting of the Partnership for School Safety and Security to which all persons are invited.

DATE AND TIME: May 16, 2007, 10:00 a.m. - 1:00 p.m.

PLACE: West Palm Beach Career Place, 1600 Robinson Road, West Palm Beach, Florida 33409

DATE AND TIME: May 17, 2007, 9:00 a.m. - 12:00 Noon

PLACE: Atlantic High School, 2801 Seward Boulevard, Delray Beach, Florida 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Meeting of the Partnership for School Safety and Security Members, appointed by Governor Jeb Bush in October 2005.

The Partnership for School Safety and Security welcomes participation from any interested members of the public.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Felicia Williams-Elliott, Office of Safe Schools, (904)244-7777, at least five calendar days prior to the meeting.

Additional information may be obtained by writing Department of Education, Office of Safe Schools, Room 301, 128 West Gaines Street, Tallahassee, Florida 32399-0400.

The Gulf Coast Community College District, Board of Trustees, will hold its monthly meeting as follows:

DATE AND TIME: May 9, 2007, 10:00 a.m. (EST)

PLACE: GulfFrontline Center

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular monthly meeting.

Contact person for the meeting is: Dr. Robert L. McSpadden, President.

IMPLEMENTATION OF COMMUNITY AFFAIRS

The Department of Community Affairs announces a meeting of the Sun Energy Program (SEP) Clean Fuel Florida Advisory Board (CFP) to which all interested parties are invited.

SEP CFP MEETING

DATE AND TIME: May 2, 2007 9:00 a.m. - 4:00 p.m.;
May 3, 2007 9:00 a.m. - 1:00 p.m.

PLACE: University of South Florida, Center for Urban Transportation Research, Room C17 - 100, 430 East Fowler Avenue, Tampa, Florida 33620-5770

ACTIONS TO BE TAKEN: The CFP will consider the following items:

1. Report on State Energy Initiatives.
2. Legislative Initiative Report.
3. State EFACT Compliance.
4. State Regional/National Transportation Meeting.
5. Education and Child Reach Program.
6. Long Range Plan.

APPEAL INFORMATION: If a person desires to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceedings, and for each program he or she may need to ensure that a record of the proceedings is made which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Rosie Torres, Staff Assistant, Department of Community Affairs, 2205 Shumard Oak Boulevard, Tallahassee, Florida 32399-2000, (904)928-2275.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the DEP, (904)928-2275, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the DEP, (904)928-2275, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the DEP using the Florida Relay Party System which can be reached at 1(800)955-8778 (Voice) and 1(800)955-8771 (TDD).

The Florida Communities Trust sponsors pre-application technical assistance workshops to which all interested persons are invited. No advanced application fee is required to attend these workshops.

FIRST WORKSHOP

DATE AND TIME: May 14, 2002, 9:00 a.m. - 12:00 Noon (EST)

PLACE: Ragan Park Community Center, 1200 East Lake Jerome, Tampa, Florida, (813)311-1330

SECOND WORKSHOP

DATE AND TIME: May 15, 2002, 9:00 a.m. - 12:00 Noon (EST)

PLACE: South Florida Regional Planning Council, Conference Room, Suite 100, 5620 Hollywood Boulevard, Hollywood, Florida, (954)983-4144

THIRD WORKSHOP

DATE AND TIME: May 16, 2002, 9:00 a.m. - 12:00 Noon (EST)

PLACE: East Central Florida Regional Planning Council, Suite 100 Conference Room, 611 N. Wycoff Road, Maitland, Florida, (407)231-1875

FOURTH WORKSHOP

DATE AND TIME: May 17, 2002, 9:00 a.m. - 12:00 Noon (EST)

PLACE: Northeast Florida Regional Planning Council, 6000 Bellini Oaks Place, Jacksonville, Florida, (904)279-6000
FIFTH WORKSHOP

DATE AND TIME: May 21, 2002, 9:00 a.m. - 12:00 Noon (EST)

PLACE: Department of Community Affairs, Kelly Training Center, Room 100, Balchovich Building, 2500 Shumard Oak Boulevard, Tallahassee, Florida, (904)922-2207
SIXTH WORKSHOP

DATE AND TIME: May 22, 2002, 2:00 p.m. - 5:00 p.m. (EST)

PLACE: Department of Community Affairs, Kelly Training Center, Room 100, Balchovich Building, 2500 Shumard Oak Boulevard, Tallahassee, Florida, (904)922-2207
SEVENTH WORKSHOP - VIDEO TELECONFERENCE

DATE AND TIME: May 22, 2002, 1:00 p.m. - 4:00 p.m. (EST)

PLACE: Room 101, General Daniel Jones Building, 100 Government Center, Pensacola, Florida, (904)993-8801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to provide information and technical assistance to eligible applicants to assist in the preparation of applications for awards for land acquisition under the Florida Communities Trust Florida Preserve Program. **ACTION TO BE TAKEN:** Information will be presented to assist local governments in completing the Florida Communities Trust Florida Preserve application form and in understanding the review, evaluation and acquisition procedures.

The Agenda for the workshops will be as follows:

1. Call to order.
2. Explanation by representatives of the Trust as to the purpose of the Florida Communities Trust Florida Preserve Program and the application procedure.
3. Public questions.
4. Adjournment.

WHERE TO OBTAIN COPIES: A copy of the Florida Communities Trust Florida Preserve Program application PP-2 (08- _____) and Rule Chapter 9C7, F.A.C., the rules governing the Florida Preserve Program of the Florida Communities Trust, will be available at the workshops or may be obtained by visiting the website www.dca.state.fl.us, calling (904)922-2207, Extension 290-2207 or by writing: Florida Communities Trust, 2005 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Communities Trust, (904)922-2207, Extension 290-2207, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida

Communications Text using the Florida Dual Party Relay System which can be reached at 1(800)999-8776 (Voice) and 1(800)999-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 5 conducted a Public Hearing on:
DATE AND TIME: April 2, 2007, 6:30 p.m.
PLACE: Riverside Elementary School, 11301 Lakemont Trail, Orlando, Orange County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Public Hearing was conducted to afford interested persons the opportunity of expressing their views concerning the reclassification of the existing access management classification from an Access Class I to an Access Class 3, per Rule Chapter 14-07.008, F.A.C. and HDOT Procedure 02-0300-1034, at S.R. 50 (Colonial Drive) from Green Road in Old County Highway.

With the public's concurrence, the Department has determined that an Access Class 3 would be the most appropriate classification for this section of S.R. 50. This change will allow for median openings and driveways to be spaced more closely than were allowed under the previous classification, subject to approval by the Department.

The Florida High Speed Rail Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. - Conclusion
PLACE: Orange County Convention Center, Room 300, 1900 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business. Information may be obtained by contacting Nanci Hoidal, 605 Newnam Street, Tallahassee, Florida 32399-5450, (850)414-2800.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 28 hours before the meetings by contacting Betty Stevens, (850)414-2814.

The Department of Transportation announces a rule development workshop to be held on Rule 14-10.0021, F.A.C., Comprehensively Enclosed Parking and Parking Enclosed Primarily to Permit Signs.

The rule development workshop is scheduled as follows:
DATE AND TIME: May 30, 2007, 10:00 a.m.
PLACE: The Newnam Room, Room 280, 605 Newnam Street, Tallahassee, Florida

The notice of Proposed Rule Development was published in Florida Administrator Weekly, Vol. 35, No. 14, dated April 9, 2007, pages 1540 and 1541. A rule development workshop has been requested by the Florida Outdoor Advertising Association.

SUBJECT AREA TO BE ADDRESSED: A new rule is being adopted pertaining to comprehensively enclosed parking and parking enclosed primarily to permit signs. The text of the proposed new rule was included in the notice of rule development as published.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the State Board of Administration of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: Friday, May 4, 2007, 10:00 a.m. - 11:00 a.m. (Eastern Standard Time)

PLACE: This meeting will be a teleconference call. Persons who wish to participate on-line may call (888)688-6200 or Success 376-8298 on the date and at the time indicated the access to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain approval, contingent upon modified bills CBH8 1033, CBH8 1032 and/or CBH8 1031 becoming law, to engage in emergency rebanding with respect to Rules 19-8.010, F.A.C. (Reinsurance Contract) and 19-8.020, F.A.C. (Insurer Reporting Requirements) and with respect to Loss Report Form, PRCP-1.1A, PRCP-1.1B and PRCP-1.1C. PRCP coverage for certain additional living expenses is provided for in CBH8 1033 and PRCP coverage for certain collected protection policies is provided for in CBH8 1032 and CBH8 1031. Permission will also be sought, should these bills become law, to begin rebanding, under the usual non-emergency process, with respect to these rules and forms. In addition, other general business of the Council may be addressed.

Anyone wishing a copy of the agenda for either meeting should contact: Paul Elshover, Florida Hurricane Catastrophe Fund, Post Office Drawer 1380, Tallahassee, FL 32307-1380.

In compliance with the Americans with Disabilities Act any person needing special accommodations to participate in the meeting is requested to contact Paul Elshover by mail, at the address given immediately above or by telephone, (850)413-1300, as soon as possible prior to the meeting so that appropriate arrangements can be made.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hear oral arguments in the following docket:

Speaker No.: 02000301 - Petition for Determination of Need for an Electrical Power Plant in Martin County by Florida Power & Light Company.

Speaker No.: 02000302 - Petition for Determination of Need for an Electrical Power Plant in Manatee County by Florida Power & Light Company. The oral argument will be heard at the following:

DATE AND TIME: May 1, 2002, 9:30 a.m. (EST)

PLACE: The Betty Eady Conference Center, Room 108, 4079 Highway 90Y Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this oral argument is to provide parties the opportunity to argue the Joint Motion for Summary Final Order filed by Calpine Energy Services, L.P. and Reliant Energy Power-Generation, Inc.

Any person inquiring about accommodations at this oral argument because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)441-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at (888)995-8771 (TDD).

For additional information, please contact Martha Carter Brown, Office of General Counsel, 2400 Shomard Old Boulevard/Tallahassee, FL 32399-0000, (850)411-0307.

WATER MANAGEMENT DISTRICTS

The **Lawrence River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: May 15, 2002, 9:00 a.m.

PLACE: Tommy Urban Center, 506 E. W. 4th Avenue, Highway 148, Chiefland, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting - to consider District business, and conduct public hearings on regulatory and land acquisition matters.

PURPOSE: Public hearing in accordance with Section 375.136(5)(a), F.S., concerning the proposed purchase of property for the **Walden Park** (Levy, Waterway Trust, 807 acres +/-, Hamilton County, Florida); the proposed purchase of the **Curtis Davis** Tract, 180 acres +/-, Hamilton County, Florida; the proposed purchase of the **Handel and Cheryl Spauldy** (Pine Creek Tract, 20 acres +/-, Columbia County, Florida); proposed acceptance of the **Editha County Damaged/Shell Springs Addition**, 26.7 acres, Editha County, Florida; and proposed acceptance of the **USF Santa Fe River Migration** (Dunston, 41.7 acres +/-, Gilchrist County, Florida, all using funds from the Florida Forever Trust Fund.

DATES AND TIMES: May 9, 2002, 1:00 p.m.; May 16, 2002, 9:30 a.m.

PLACE: Cedar Key Historical Museum, Second Street and Highway 24, Cedar Key, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop on FY 2003 Budget.

A copy of the agenda may be obtained by writing: **SRWMD, 9025 CR 16 Live Oak, Florida 32060.**

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Chordis, (386) 662-0881 or (386) 226-0066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following Project and Land Committee meetings and new **PROJECTS AND LAND COMMITTEE MEETINGS:**

DATE AND TIME: Tuesday, May 1, 2002, 1:00 p.m. - 3:00 p.m.

PLACE: Harvard County Government Complex, 2728 Judge Post Boulevard Way, Yemassee, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: For A Prioritization of Projects meeting. (For Discussion Only)

DATE AND TIME: Thursday, May 3, 2002, 6:00 p.m.

PLACE: Harvard County Government Complex, 2728 Judge Post Boulevard Way, Yemassee, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: Overview of the Upper Basin Project and Presentation on Midstream's Water Supply History.

PROJECTS AND LAND COMMITTEE BUSINESS MEETING

DATE AND TIME: May 3, 2002, 10:00 a.m. - 11:00 Noon

PLACE: Harvard County Government Complex, 2728 Judge Post Boulevard Way, Yemassee, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Business meeting will be followed by lunch and a tour of the Water Plant and Moccasin Island.

A copy of the agenda can be obtained by writing: **St. Johns River Water Management District, P. O. Box 1629, Palatka, FL 32978-1629** or by calling **Stacie Karcher, 888-793-Water Services, (864) 612-2030.**

Persons to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mrs. Linda Lawrence, (904) 379-4262. If you are hearing or speech impaired, please contact the agency by calling (904) 379-4480 (TDD).

The St. Johns River Water Management District announces the following public meetings and hearings, which may be conducted by means of or in conjunction with communications technology, to which all persons are invited:

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Tuesday, May 7, 2007, 9:30 a.m.

PLACE: District Headquarters, Highway 100, West Palatka, Florida 32977

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE MEETING

DATE AND TIME: Tuesday, May 7, 2007, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West Palatka, FL 32977

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance, Facilities/Planning/Construction, Information Technology and Personnel agenda items followed by committee recommendations to be approved by the full Governing Board.

REGULATORY COMMITTEE MEETING

DATE AND TIME: Tuesday, May 7, 2007, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West Palatka, FL 32977

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, May 7, 2007, 1:00 p.m.

PLACE: District Headquarters, Highway 100, West Palatka, Florida 32977

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GOVERNING BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Wednesday, May 8, 2007, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West Palatka, Florida 32977

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff will recommend approval of annual budget amendments. Discussion and consideration of District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

NOTE: In the event of a declared emergency or emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference.

A copy of the agenda for these meetings may be obtained by writing to St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32976-1429, Attention: Ann Freeman, Executive Office.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings, is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (386)276-4101. If you are hearing or speech impaired, please contact the District by calling (386)276-4100 (TDD).

If any person desires to appeal any decision with respect to any matter considered at the above listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The South Florida Water Management District announces a public meeting(s) to which all interested parties are invited:

DATE AND TIME: May 7, 2007, 8:30 a.m.

PLACE: South Florida Water Management, Jacksonville, 1301 One Club Road, West Palm Beach, FL 33409

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting.

DEFINITIVE MEETING DATES FOR MAY 8 at the May 7, 2007, meeting, the Water Resources Advisory Commission decides to hold additional meetings and/or hear Workshops, the following dates are being scheduled and notified. If you're planning to attend any of the following meetings please call the staff identified in this notice to ensure that a meeting has not been cancelled:

EXTER AND TIMES: Monday May 8, 2007, 10:30 a.m.; Monday May 11, 2007, 10:30 a.m.; Monday May 28, 2007, 10:30 a.m.; Thursday May 21, 2007, 8:30 a.m.

PLACE: SRWMD Headquarters, 1301 One Club Road, West Palm Beach, FL 33409

A copy of the agenda(s) may be obtained at the District website area (Tulips) prior to the meeting at <http://www.sfwmd.gov/gov/tra/agenda.html> or by writing South Florida Water Management District, Mail Stop 6115, P. O. Box 24690, West Palm Beach, Florida 33409-0690.

Agenda items on any South Florida Water Management District Board decision require a record of the proceedings. Although Water Resources Advisory Commission (WRAC) meetings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moore, District Deputy Clerk, (863)682-6427, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact John Fajal, (863)682-7569 or Paula Moore, (863)682-6427, Governing Board Operations Department, District Headquarters, 3301 Gooch Club Road, West Palm Beach, Florida 33409.

The South Florida Water Management District announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, May 8, 2002, at or after 2:00 p.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 3301 Gooch Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(2)(2001), Laws of Florida, in various litigation strategy in *Missaukee Tribe of Indians of Florida, v. South Florida Water Management District and Ken Fazio*, and *People of Everglades v. South Florida Water Management District*, United States Court of Appeals Eleventh Circuit, Case No. 00-11703.

ATTENDEES: Governing Board Members T. Williams, P. Beutler, Thomas, M. Collins, B. English, G. Frenzel, P. Glendon, N. Gaither, L. Lindell, B. Thornton; Executive Director H. Dean; District attorneys J. Fawcett, S. Glavin, D. MacLaughlin and J. Nott.

The subject matter shall be confined to the pending litigation. Pursuant to Florida Law, the entire attorney-client session shall be attended by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of governing board members.

A copy of the agenda may be obtained: (1) District website <http://www.sfwmcd.gov/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2150, First Office Bldg. 21600, West Palm Beach, Florida 33411-2480.

The South Florida Water Management District announces a public meeting which may be conducted by means of or in conjunction with communication technology, to which all interested parties are invited:

DATE AND TIME: May 8, 2002, 9:00 a.m. - 12:00 Noon

PLACE: 16100 S. E. Federal Highway, Hobe Sound, FL 33458, (888)732A-8221

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFWMD Board Workshop Governing Board Members will participate in a tour at Jonathan Dickinson State Park in Hobe Sound. <http://www.sfwmd.com/3300park/3300park/3300park.html>

DATE AND TIME: May 8, 2002, 2:00 p.m.

PLACE: South Florida Water Management District, Headquarters, Auditorium, Building B-1, 3301 Gooch Club Road, West Palm Beach, FL 33409, (863)682-6800

GENERAL SUBJECT MATTER TO BE CONSIDERED: A. Regular Governing Board Workshop/Meting to discuss and consider District business including regulatory and non-regulatory matters. B. Conflict meeting of the Human Resources Committee.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items scheduled for Thursday, May 9, 2002, meeting agenda, including regulatory and non-regulatory items.

NOTE: Due to extensive demolition and construction at the main complex for the next 12 months, parking will be severely impacted. Additional parking for the public will be available at the National Coastal Agency just east of the main complex or at Lake Lynd Park, located west of the main complex.

DATE AND TIME: May 9, 2002, 9:30 a.m.

PLACE: District Headquarters, Auditorium, Building B-1, 3301 Gooch Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public meetings.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24800, West Palm Beach, Florida 33416-2480, or may be acquired via the SFWMD Web Site at <http://www.sfwmcd.gov/agenda.html>.

Agenda items any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, official processes are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moore, Assistant District Clerk, (863)682-6427, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Christi Williams, District Clerk, 1041 Cox Club Road, West Palm Beach, Florida 33410-4090.

The South Florida Water Management District announces a private closed door attorney-client session in the event this subject matter is unresolved as noticed by May 9, 2002, on the Friday, April 26, 2002 issue of the Florida Administrator Weekly.

DATE AND TIME: Thursday, May 9, 2002, at or after 8:00 a.m.

PLACE: South Florida Water Management District, Governing Board Chambers, 1041 Cox Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.003(3)(2001), Laws of Florida, in diverse litigation strategy in Miscellaneous Table of Indexes of Florida, v. South Florida Water Management District and South Florida and Friends of Everglades, v. South Florida Water Management District, United States Court of Appeals Eleventh Circuit, Case No. 00-13780.

ATTORNEYS: Governing Board Members: T. Williams, F. Reicks-Tomas, M. Collins, B. English, G. Fernandez, P. Chazan, N. Chidister, L. Lindell, B. Thornton; Executive Director B. Dean; District attorneys: J. Parsons, E. Glavin, D. MacLaughlin and J. Noss.

The subject matter shall be confined to the pending litigation. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be on the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of governing board members.

A copy of the agenda may be obtained: (1) District's website <http://www.sfwmd.gov/pubs/index.html> or (2) by writing: South Florida Water Management District, Mail Stop 2136, Post Office Box 24993, West Palm Beach, Florida 33416-0993.

SPACEFLORIDA FLORIDA AUTHORITY

The Florida Space Authority announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: May 9, 2002, 10:00 a.m. - 12:00 Noon (EDT)

PLACE: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will continue discussion on the status of negotiations regarding the financing, acquisition, and leasing of a research park, status of Authority projects, development and

administrative issues of the Authority, and to consider other matters related to the business of the Authority and other State agencies.

For more information, contact Patricia Reardon, (321)730-0301, Ext. 1216. To obtain a copy of the agenda, write: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-0001.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Florida Space Authority at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF CORRECTION - The Agency for Health Care Administration announces a meeting pertaining to regulatory issues for Long Term Care and Adult Living Facilities for all interested persons.

DATE AND TIME: May 13, 2002, 10:00 a.m.

PLACE: The Agency for Health Care Administration, P.O. Box Complex, Conference Room E, Bldg. 3, 2727 Mahan Drive, Tallahassee, Florida, contact Barbara Roberts Taylor, (904)933-6038

Agenda items should be sent to collective@flhca.state.fl.us, by COB, May 4, 2002.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Division of Health and Restaurants announces a meeting of the Elevator Safety Technical Advisory Committee in which all interested parties are invited.

DATE AND TIME: Monday, May 6, 2002, 10:00 a.m.

PLACE: Conference Call Room 377-8846 or (888)827-8876, Division of Health and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1002

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss the regulation of elevator safety.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 30 hours before the meeting by contacting Cathy White, (888)827-8877. Hearing or speech impaired please call Florida Relay 1(800)955-8771 (TDD) or (888)955-8776 (Voice).

The person to be contacted regarding the meeting is Cally White, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-3012, (850)488-9997 or The Johns Building, 720 South Remond Street, Tallahassee, Florida.

The Division of Hotels and Restaurants announces a meeting of the Hotels and Restaurants Advisory Council in which all persons are invited:

DATE AND TIME: May 3, 2002, 9:00 a.m. - 1:00 p.m.

PLACE: Florida Restaurant Association, The Board Room, 350 South Adams Street, Tallahassee, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the meeting by contacting Lee M. Comman, Management Review Specialist, (850)488-9262. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by contacting: Lee Comman, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-3012, (850)488-9262.

The person to be contacted regarding the public meeting is Lee M. Comman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-3012, (850)488-9262.

The Florida Board of Architecture and Interior Design announces the following meeting in which all persons are invited to attend:

DATE AND TIME: May 17, 2002, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-9993

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting, portions which are closed to the public and a Petitionary-Committee meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person desires to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be heard.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-9999, at least five calendar days prior to the meeting. 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).

The Board of Accountancy announces the following public meetings in which all persons are invited:

INDEPENDENCE TASK FORCE

DATE AND TIME: Wednesday, May 29, 2002, 9:00 a.m.

PLACE: Hilton Airport, 2229 Lois Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independence Task Force meeting to discuss possible changes to Rule 60B.21,004, F.A.C., Independence. This is a public meeting.

A copy of the Board agenda may be obtained by writing: Martha F. Wells, Division Director, Division of Certified Public Accounting, Suite A, 140 N. W. 79th Drive, Gainesville, Florida 32607.

If a person desires to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Martha Wells, (352)333-2860. If you are hearing or speech impaired, please contact the agency by calling (800)955-8711.

The Florida Real Estate Appraisal Board announces a meeting of its Probable-Cause Board.

DATE AND TIME: Monday, May 6, 2002, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Third Floor, North Tower, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Real Estate Appraisal Board Probable Cause Panel. Portions of the probable cause panel meeting are not open to the public.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Real Estate Appraisal Board, Division of Real Estate, (407)245-0800, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Real Estate Appraisal Board, Division of Real

Begin using the Florida Dual Party Relay System which can be reached at 1(800)995-8770 (Voice) and 1(800)995-8771 (TDD).

The Probable Cause Panel of the Florida Real Estate Commission announces a meeting to which all interested persons are invited.

DATE AND TIME: May 14, 2002, 1:30 p.m. at the second floor

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (887)245-8888 (between the hours of 9:00 a.m. - 5:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)995-8770 (Voice) and 1(800)995-8771 (TDD).

The Florida Real Estate Commission (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: May 16, 2002, 9:00 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

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 61E rule amendments, budget discussion, current delinquent requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person desires to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Orlando, Florida 32834-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (887)245-8888, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)995-8770 (Voice) and 1(800)995-8771 (TDD).

IMPLEMENT OPEN ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public hearing on:

DATE AND TIME: May 29, 2002, 10:00 p.m.

PLACE: Room 411, Tom Turner Office Building, 2000 East State Road Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to make final action on the management of the FY 2002 State Revolving Fund (SRF) loan priority for the water pollution control projects under Rule 62-401.005, Florida Administrative Code. Approximately \$80 million is projected to be available for assignment to qualifying wastewater treatment or municipal sewer projects.

The full text of this notice is published on the internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." For more information regarding the Notice, please contact Clay Powell, (904)205-8167.

IMPLEMENT OF HEALTH

The Department of Health, Abstinence Education Program is conducting a national abstinence workshop. All Department of Health's funded abstinence projects in Pinellas, Pasco, Orange, Duval, Hillsborough, Lake, Volusia and Seminole Counties are invited to attend.

DATE AND TIME: May 6, 2002, 9:00 a.m. - 4:00 p.m.

PLACE: Orange County Health Department, 833 West Central Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is designed to assist abstinence education programs in completing required documentation and to assist the programs in problem solving programmatic issues. Additionally, discussions will be held on enhanced accountability and evaluation requirements and community based media campaigns.

Workshop facilitators will include Abstinence Education Program Staff, Colleen Hunter of Kidd and Driscoll, Tom Parry of Department of Health-Communications Bureau, The School of Social Work at Florida State University, and The Institute of Public Health at Florida A & M University.

The Department of Health, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2002, 12:00 Noon - 4:00 p.m.

PLACE: Baywood General Medical Center, 1600 South Andrews Avenue, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: A committee appointed by the Bureau of Emergency Medical Services is holding a meeting to assist the Department of

Health in the implementation of the 1999 trauma legislation, which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and non-trauma hospitals.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, Southwest, Rm 8C18, Tallahassee, FL 32309-1708 or by calling George Schellin, (904)249-4646.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before May 14, 2002, by contacting George Schellin, (904)249-4646. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8778 (Voice) and 1(800)955-8771 (TDD).

FORWARD ORDER NUMBER F00026

The Florida Board of Medicine announces a telephone conference call to be held via voice and text.

DATE AND TIME: Wednesday, May 8, 2002, 12:00 Noon

PLACE: Main Me Number Florida Board of Medicine, (904)249-4133 for the voice and number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (904)249-4133, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8778 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry Matheson, Board Director, Medical Quality Assessment, 8002 Hall Cypress Way, Rm 8C03, Tallahassee, Florida 32309-1260.

Please note that if a person desires to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be heard. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Department of Health, Board of Nursing Home Administrators announces an Application Review Committee meeting to which all interested persons are invited.

DATE AND TIME: May 9, 2002, 3:00 p.m.

PLACE: Quality Inn & Suites, 2020 Apalachee Parkway, Tallahassee, Florida 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for the 2002/2003 NHA exam. The Board will also discuss a declaratory statement for meeting home administrator duties.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 8002 Hall Cypress Way, Rm 8C-04, Tallahassee, Florida 32309-1264.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Dany King, Board of Nursing Home Administrators, (904)249-4262, fax 1902, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8778 (Voice) and 1(800)955-8771 (TDD).

If a person desires to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The Department of Health, Board of Nursing Home Administrators announces a General Board Meeting to which all interested persons are invited.

DATE AND TIME: May 10, 2002, 9:00 a.m.

PLACE: Quality Inn & Suites, 2020 Apalachee Parkway, Tallahassee, Florida 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve applications, conduct disciplinary proceedings, and general business of the Board. The Board will also discuss a declaratory statement for meeting home administrator duties.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 8002 Hall Cypress Way, Rm 8C-04, Tallahassee, Florida 32309-1264.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Dany King, Board of Nursing Home Administrators, (904)249-4262, fax 1902, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8778 (Voice) and 1(800)955-8771 (TDD).

If a person desires to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The Department of Health and the Board of Occupational Therapy Practice announces a Conference Call to which all persons are invited.

DATE AND TIME: April 26, 2007, 9:00 a.m. (EST) or soon thereafter

PLACE: Number 1 (889)489-8299, Room 275-8299

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by Potable Case Panel.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4092 Bold Cypress Way, BSN 8C08, Tallahassee, Florida 32399-3138 or by calling the Board Office, (889)249-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/meeting is asked to advise the department at least 28 hours before the meeting/hearing/meeting by contacting the Board Office, (889)249-4373. If you are hearing or speech impaired, please contact the department by calling 1(889)955-8770 (Voice) or 1(889)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Community Hospital Education Council announces a conference call to be held for which all persons are invited:

DATE AND TIME: May 3, 2007, 2:00 p.m. -- 3:00 p.m. (EST)

PLACE: Call: 1(889)955-7127

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the council.

A copy of the agenda may be obtained by writing: Judith Roberts, Office of Community Health Resources, 4092 Bold Cypress Way, BSN 8C18, Tallahassee, Florida 32399-3138, (889)249-4449, Ext. 3904.

If you are hearing or speech impaired, please call the Office of Community Health Resources using the Florida Relay Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Council on Homelessness announces the meeting of their Application and Rule Committee in which all persons are invited.

DATE AND TIME: Thursday, May 3, 2007, 9:00 a.m.

PLACE: Department of Children and Family Services, Room 303, Building 1, 1317 Westwood Boulevard, Tallahassee, FL 32399-0708

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will begin to review the Challenge Grant and Homeless Housing Assistance Grant applications received for this year's awards, to see what changes are recommended to prepare for the 2008 applications.

A copy of the agenda may be obtained by contacting: Tom Peters, State Office on Homelessness, Room 303-A, Building 2, 1317 Westwood Boulevard, Tallahassee, FL 32399-0708, (889)952-9999, Tom_Peters@flda.state.fl.us

Pursuant to Section 280.26, Florida Statute, any disabled person wishing to attend this meeting in order to request any needed special assistance should contact the office at least 28 hours in advance of the meeting.

OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY

The Miami Dade Local Acquisition and Facilities Advisory Board announces its meeting.

DATE AND TIME: April 26, 2007, 1:00 p.m. -- 4:00 p.m.

PLACE: Miami Dade-School Board Administration Building, 1499 N.E. 2nd Ave., Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Board will consider several matters relating to Miami Dade Local Acquisition and Facilities. These matters may include the costs of facilities and operations, potential sites for purchase, and reviews in the local acquisition process. The advisory board will also consider information regarding any recommendations it may make to the school district.

A copy of the agenda can be obtained by contacting: Melissa Crawford, Office of Program Policy Analysis and Government Accountability, Suite 303, 111 West Madison Street, Tallahassee, FL 32399-1479, (889)442-9286.

If special accommodations are needed to attend this meeting because of a disability, please contact the above-mentioned individual in advance of the meeting.

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The Council for Education Policy, Research and Improvement announces a public meeting in which all interested persons are invited.

DATE AND TIME: Monday, May 4, 2007, 4:00 p.m. -- 6:00 p.m.; Tuesday, May 7, 2007, 8:30 a.m. -- 9:00 p.m.

PLACE: North Broward Preparatory School, 7600 Lyons Road, Coconut Creek, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The aforementioned on May 4, 2007, is for committee meetings. The Council will take action on reports related to faculty productivity and student progression and will discuss the Master Plan and other ongoing assignments.

For further information contact: Dr. William S. Peatoy, Executive Director, Council for Education Policy Research and Improvement, Tallahassee, Florida 32399-1400, (904)228-7894.

SPACE COAST WORLD TRADE COUNCIL

The Space Coast World Trade Council, The U.S. Census Bureau, and the Regional Small Business Development Center at Brevard Community College offer three Automated Export System or AES Workshops in Brevard County. Enjoy the benefits of free electronic filing of Shippers Export Declarations (SEDs) via the Internet. The workshops include an overview of the Automated Export System and hands-on PC training on the Census Bureau's free on-line AEDirect system. Upon successful completion of a certification quiz, participants may start filing exports electronically immediately.

All registrants take note: AES replaces the paper Shippers Export Declaration on October 1st. You need this training!

DATE AND TIME: May 7, 2002, 2:00 p.m. - 5:00 p.m.

PLACE: BCC Titusville Campus, Room 214, Building 1, 1333 N. US 1, Titusville FL 32780

DATE AND TIME: May 8, 2002, 8:30 a.m. - 12:00 Noon

PLACE: BCC Cocoa Campus, Building 12 BCC-103, 1419 Clearlake Road, Cocoa FL 32922

DATE AND TIME: May 8, 2002, 2:00 p.m. - 5:00 p.m.

Enjoy the benefits of free electronic filing of Shippers Export Declarations (SEDs) via the Internet. The workshops include an overview of the Automated Export System and hands-on PC training on the Census Bureau's free on-line AEDirect system. Upon successful completion of a certification quiz, participants may start filing exports electronically immediately at BCC Palm Bay Campus, 200 Community College Parkway, Palm Bay FL 32909. Cost: ECWTC Members, \$35. Non-Members, \$45. To register, please email aworkshop@spacecoast.org.

For more information, please call (321)728-3611.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2002, 8:00 a.m.

PLACE: Levander, Donald, Deane, Kester & Reed, 215 South Lake, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

FLORIDA CENTER FOR ADVISING AND ACADEMIC SUPPORT

The Florida Center for Advising and Academic Support (FCAAS) announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2002, 10:00 a.m. - 1:00 p.m.

PLACE: Marston Road, Tampa International Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the FCAAS Board will be held to discuss the ongoing development and administration of the FACTS project.

A copy of the agenda may be obtained by writing: FCAAS, Suite 1410, 120 West Gandy Street, Tallahassee, Florida 32399-6200.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Yvette Haggren, FCAAS, (904)228-7340, at least seven days in advance so that their needs can be accommodated.

PALM BEACH COMMUNITY COLLEGE

The Region XII Training Council and Assessment Center, Board of Directors announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, May 14, 2002, 10:00 a.m.

PLACE: Palm Beach Community College, Criminal Justice Room 101, 1200 Congress Avenue, Lake Worth FL 33460

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to: F.E.D.E.C.A.R.T.C. updates; Palm Beach Community College/ Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.

A copy of the agenda may be obtained by contacting: Ben Yonick, Secretary of the Criminal Justice Institute, Palm Beach Community College, 1200 Congress Avenue, Lake Worth, FL 33461, (561) 868-3203.

NORTHEAST FLORIDA CRIMINAL JUSTICE TRAINING AND EDUCATION CENTER

The Region V Training Council will hold its Bi-Annual Advisory Meeting.

DATE and TIME: May 15, 2002, 2:00 p.m.

PLACE: Northeast Florida Criminal Justice Center, Conference Room, 1801 Copper Road, Jacksonville, FL

For an advance copy of the agenda, contact: Frank Hines, Northeast Florida Criminal Justice Training and Education Center, (904)713-8578, Fax: (904)713-8598.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN THAT THE Agency for Health Care Administration has issued a final order (MCA Case No. 20060141), entitled by its Petition for Declaratory Statement of Adornata Health System/Sunbelt, Inc., v. The Florida Hospital. The final order was rendered on April 17, 2007 in response to the petition, which was noticed in the Florida Administrative Weekly, Vol. 37, No. 31 (August 20, 2006). The petition sought the Agency's opinion on the following question: Is surgery required to be reported under the "arranging the surgical procedure" language of Section 394.009(7)(b)(3), Florida Statutes, when the surgical site is modified during surgery, not due to an error or mistake as to the site, or a misidentification or error in pre-surgical preparing of the patient, but due to the clinical indications that manifest or can be observed only after the surgery has begun. The Agency responded in the affirmative.

A copy of the petition and the final order may be obtained by writing: Agency Clerk, Agency for Health Care Administration, 1707 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a final order by its Petition for Declaratory Statement, River Keyswick, Unit One, State Island Avenue Condominium, Petitioner; Docket Number CX2006-047. The division denied the petition because this matter is the subject of litigation presently before the circuit court.

A copy of the final order may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1949 North Monroe Street, Tallahassee, Florida 32309-2217.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, noticed a petition for declaratory statement by its Petition for Declaratory Statement, John J. Johnson, Unit One, Reynolds Condominium, Petitioner, on April 4, 2007.

The Petitioner requests an interpretation as to whether the association may prepare revised financial statements in accordance with Section 708.111(1)(c)(2), Florida Statutes, when the bylaws provide for the preparation of audited financial statements.

A copy of the Petition for Declaratory Statement, Docket Number CX20061628, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1949 North Monroe Street, Tallahassee, Florida 32309-2217. Please note all comments to Joseph Goswami, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1949 North Monroe Street, Tallahassee, Florida 32309-2202.

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 Denigration 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

INVITATION TO BID-SP04M26.1

Direct Fuel and Grease

PURPOSE: The purpose of this bid is to establish an indefinite quantity, fixed make-up agreement to be used as the primary source for the purchase of Direct Fuel and Grease for the Florida State University, located in Tallahassee, Florida. Vendors shall respond to this bid with only the make-up to the price per gallon for each product shown as listed in the Oil Price Information Service for St. Marks. The successful vendor must invoice each shipment at the cost per gallon on St. Marks at the time of the delivery to the University plus the markup outlined on this bid. The make-up per gallon you offer must include all costs to the University except taxes.

TERMS OF AGREEMENT: The effective period of any agreement resulting from this invitation to bid will begin July 1, 2005 and end June 30, 2006. Florida State University shall have the option, at its discretion, to extend this agreement for two (2) additional one-year periods, July 1, 2006-June 30, 2007 and July 1, 2007-June 30, 2008, upon the written notice to, and written acceptance from the vendor.

AVAILABILITY OF FUNDS: The obligations of Florida State University under the agreement are subject to the availability of funds (initially appropriated annually for this purpose by the Legislature of the State of Florida).

RIGHT OF VENDOR TO REScind: In the event that the vendor violates any of the provisions of the agreement, the University may serve written notice upon such vendor of its intention to terminate the agreement. Such notice is to state the reasons of such intention to terminate the agreement, and unless within (30) ten days after receiving such notice upon the vendor, such violation has ceased and satisfactory arrangements for correction be made, the agreement shall, upon expiration of said ten (30) days, cease and terminate, but the liability of such vendor and his surety for any and all such violation(s) shall not be affected by any such termination.

RIGHT OF TERMINATION: Either party for any reason or without cause, damages or penalty can cancel this bid contract with a 30 day written notice to the other. However, during the thirty (30) day period after such notice is given, the rights, obligations and liability of each party to this agreement shall remain in full force and effect. Such cancellation shall end the obligations of both parties with regard to the purchase order.

DELIVERY: In cases where "KEEP FULL" IS NOT specified, fuel will be delivered only upon request and scheduled into tanks indicated on specific work requests issued by Facilities Operations and Maintenance. Delivery must be made within 24 hours after receipt of a delivery order unless the ordering

department for that one order grants approval for a longer delay. In the event of a longer delay, Florida State University reserves the right to buy from any vendor other than the one awarded the contract if said other vendor can provide delivery within a shorter period than the contract supplier can. This provision will not be used to circumvent the intent of this bid. In the event that Florida State University declares an emergency, fuel must be delivered to the "KEEP FULL" site within two hours of receiving notice from an authorized University representative.

URGENT REQUIREMENTS: In the event of a feasible emergency, otherwise immediate delivery of an order is needed and the successful vendor cannot meet such a requirement, the University reserves the right to order from any vendor that can meet such a delivery requirement, without penalty to the contract vendor. This provision will not be used to circumvent the intent of this agreement.

PURCHASING METHOD:

A. PURCHASING ORDER: Accepted purchase order will be issued in instances where there is a known requirement, fixed quantity or one-time delivery.

B. BLANKET ORDER: Blanket purchase orders for delivery on an "AS NEEDED" basis will be issued in those instances where there is a recurring need for indefinite quantities of the item covered by this agreement. Each blanket order should be referenced and invoiced by the blanket purchase order number. The blanket delivery orders will specify an estimated dollar amount to cover anticipated purchases, the period to be covered by that particular order (the day(s) and hour(s) of the month), the department or unit and the name of the individual(s) authorized to request release against that order. Only the Facilities Operations and Maintenance Department can change the dollar amount of this purchase order by a written change order. Some orders may specify "KEEP-FULL" service for that particular order only.

BIDDING INSTRUCTIONS: In cases where "KEEP FULL" service is NOT specified, any item delivered on a purchase order based on this agreement which is not delivered to the Maintenance Supply receiving dock, 100 Meridian Hall Building A, must be accounted for by a signed delivery receipt by one of the individuals listed on the purchase order authorized to request releases on the order. This signed/delivery receipt must be submitted with the vendor invoice. Invoices must include the number of gallons delivered, the Oil Price, and the firm make-up offered on this bid. A copy of the report for the period must accompany each invoice for audit purposes. In cases where "KEEP FULL" service IS specified, the Facilities Operations and Maintenance, Unit/line location must be notified in advance of delivery. Due to DHP low specifying tanks to be no more than 7.5 full, the Maintenance Specialist in charge of Emergency Generators must be present when the tanks are filled.

TELEPHONE SERVICE: Please indicate below if the vendor will provide toll free telephone service during the performance period of any other resulting from this agreement:

Y/N (provide): _____

NO (see provided): _____

AGREEMENT CONTACT PERSON: Name, Address, and Telephone number of person to contact concerning agreement, delivery, and/or performance.

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

FRIGHT: Any bid submitted which requires Florida State University to pay freight in addition to the amount bid WILL NOT be accepted. Unit price MUST include freight.

TAXES: Prices bid on all items shall be firm mark-up per gallon for 92 diesel fuel and gasoline.

EXCLUSIONS OF STATE AND FEDERAL TAXES: Appropriate State of Florida taxes should be added to each invoice. The taxes should be clearly itemized and documentation justifying the taxes presented if requested by the University. Federal Excise tax on diesel fuel should not be charged to the University. A certificate of exemption will be provided to the successful vendor as required by the Internal Revenue Service. The University reserves the right to negotiate with the successful vendor the best avenue for addressing the collection and payment of taxes on diesel fuel.

ARREAR: Arrear will be based on the firm mark-up per gallon including delivery cost, overhead, profit, and other costs. The University reserves the right to amend this bid on an "all or none" basis only type of fuel, as to contract interests.

SUPPORT DOCUMENTATION: Bids must submit complete Support Documentation with his bid. Documents for prompt payment WILL NOT be considered in determining the low responsive bidder. Any such document a bidder wishes to offer should be reflected in the bid price quoted.

NOTE TO VENDOR: The successful vendor will be required to clean up any and all fuel oil spills on University property, which are caused by the vendor. The vendor must send a representative to clean up any spill within one (1) hour from the time that he is aware of or has been notified by the University that a spill has occurred. The Florida State University Environmental Health and Safety Office will be the sole judge as to whether a spill has been cleaned up satisfactorily. Due to the possible threat to human life and property caused by spills, failure to comply with this provision shall be grounds for cancellation of any purchase order(s) resulting from this bid.

ESTIMATED USAGE: The below listed quantities represent the estimated Diesel Fuel and Gasoline requirements of the University for the time period listed in this bid. The University

does not guarantee that the listed quantities will be purchased. However, the University does reserve the right to purchase more or less depending upon actual needs.

Unleaded Gasoline... approximately 300,000 gallons.

Diesel Fuel... approximately 80,000 gallons.

DELIVERY SITE: Fuel will be delivered to the following sites:

A. Facilities Operation and Maintenance Supply, 305 Medical Hall Building A.

B. Seminoole Golf Course.

C. Kary Hall West/Emergency Generators.

Special Note: **NO MAINTENANCE REQUESTS WITHOUT DELIVERY RECEIPT FOR EACH DELIVERY.**

NOTICE TO BIDDERS:

THERE WILL BE A PUBLIC BID-OPENING:

April 29, 2007, 2:00 p.m.

Florida State University

Fuels Maintenance, Medical Hall Building A, Room 315
Tallahassee, FL 32306

TO ENSURE YOUR BID OR NO-BID RESPONSE REMAINS SEALED-UNTIL OPENING TIME, YOU MUST PUT BID NUMBER, DATE, AND TIME OF OPENING ON THE OUTSIDE OF THE ENVELOPE OR INTERNAL EXPENSE, ETC.

PLEASE INDICATE ON ENVELOPE IF THIS IS A "NO-BID".

QUOTE PRICES FOR FLORIDA STATE UNIVERSITY TALLAHASSEE, FLORIDA USING ALL NO-BID RESPONSES MUST INCLUDE FREIGHT. IF NOT INCLUDED IN THE PRICE FOR EACH ITEM, IT MUST BE LISTED SEPARATELY AND INDIVIDUALLY FOR EACH ITEM.

BIDDERS MUST SUBMIT COMPLETE DESCRIPTIVE LITERATURE AND SPECIFICATIONS ALONG WITH THEIR BID FAILURE TO COMPLY WITH EITHER OF THE ABOVE CONDITIONS MAY BE GROUNDS TO REJECT THE OFFERING. VENDOR'S BID.

I CERTIFY BY THE SIGNING OF THIS INSTITUTION TO BID THAT THE PRICES OFFERED TO FLORIDA STATE UNIVERSITY ON THE ITEMS INCLUDED ARE LESS THAN OR EQUAL TO THOSE OFFERED OTHER STATE UNIVERSITIES FOR THE SAME OR SIMILAR ITEMS.

TERMS DELIVERY DATE: IT IS ESSENTIAL THAT YOUR BIDDERS EMPLOYEE IDENTIFICATION NUMBER (EID) OR SOCIAL SECURITY NUMBER IS INCLUDED ON YOUR BID SHOULD YOU BE THE LOW BIDDER. A PURCHASE ORDER CANNOT BE ISSUED WITHOUT THIS NUMBER.

THE AGENCY AND THE COMMISSION ON MEDIOCRITY ECONOMIC AND BUSINESS DEVELOPMENT IS HEREBY GRANTED STANDING TO REQUEST PURSUANT TO SECTION 287.9991, F.S., IN A TIMELY

MANNER, ANY PROPOSED CONTRACT AWARDED IN COMPETITIVE BIDDING FOR CONTRACTUAL SERVICES AND CONSTRUCTION CONTRACTS THAT ARE TO INCLUDE MINORITY BUSINESS ENTERPRISE PARTICIPATION, IF ANY RESPONDING BIDDER HAS DEMONSTRATED THE ABILITY TO ACHIEVE ANY LEVEL OF PARTICIPATION, OR ANY CONTRACT AWARDED FOR COMMODITIES WHERE A REASONABLE AND ECONOMIC OPPORTUNITY TO RESERVE A CONTRACT STATEWIDE OR DISTRICT LEVEL, FOR MINORITY PARTICIPATION WAS NOT EXECUTED OR, AN AGENCY FAILED TO ADOPT PREFERENCE FOR MINORITY PARTICIPATION. ANY LOW BIDDER WITH NO PARTICIPATION MAY BE DEEMED NOT IN "GOOD FAITH."

NOTICE TO BIDDERS: 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 289.07, F.S., FOR CATEGORY TWO FOR A PERIOD OF 36 MONTHS FROM THE DATE OF BEING PLACED ON THE CONVICTED VENDOR LIST.

NOTICE OF BID REQUEST FOR PROPOSALS PROTEST BOND REQUIREMENT: ANY PERSON WHO FILES AN ACTION PROTESTING A DECISION OR INTENDED DECISION PURSUANT TO SECTION 128.04(4), F.S., PERTAINING TO THIS BIDDING REQUEST FOR PROPOSALS, SHALL POST WITH B. J. LEWIS, PURCHASING AGENT, FACILITIES OPERATIONS AND MAINTENANCE AT FLORIDA STATE UNIVERSITY AT THE TIME OF FILING THE FORMAL WRITTEN PROTEST A BOND PAYABLE TO FLORIDA STATE UNIVERSITY IN AN AMOUNT EQUAL TO THE AMOUNT OF YOUR BIDDING PROPOSAL OR BIDS, WHICH EVER IS LESS. THIS BOND SHALL BE CONSIDERED ON THE PAYMENT OF ALL COSTS WHICH MAY BE AWARDED AGAINST THE PROTESTING PARTY IN THE ADMINISTRATIVE HEARING IN WHICH THE ACTION IS REJECTED AND IN ANY SUBSEQUENT APPELLATE COURT PROCEEDING IN LIEU OF A BOND, THE UNIVERSITY

MAY ACCEPT A CARRIER'S CHECK OR MONEY ORDER IN THE AMOUNT OF THE BOND REQUIREMENT.

FAILURE TO FILE THE PROPER BOND AT THE TIME OF FILING THE FORMAL WRITTEN PROTEST SHALL RESULT IN A DENIAL OF THE PROTEST.

Emergency Generator Building #	Building #	Capacity
1. Ballroom	8	400 gal
2. Biomedical Research	9	150 gal
3. Central Utilities, Main Plant	30	600 gal
4. Central Utilities, Satellite Plant	31	150 gal
5. Classroom	111	1,000 gal
6. Debrahnough	7	500 gal
7. Dietz Science	20	100 Gal
8. Distance Chemistry Lab I	38	200 gal
9. Donald Hall Auditorium	49	150 gal
10. DRE - Knowledge Center	147	1,000 gal
11. ITV - Transmission Tower, BNY 20	147	500 gal
12. Hineswright Music Studio	84	500 gal
13. Room - I	41	120 gal
14. Room - II	41	1,000 gal
15. Recreation Music - Studio	89	200 gal
16. Leach Recreation Center	26	80 gal
17. Low	116	150 gal
18. Low	116	2,000 gal
19. Maguire Lab, Innovation Park	33	1,000 gal
20. Memorial Student A	73	500 gal
21. Mission Rd. Conference (off campus)	267	2,500 gal
22. Mission Rd. Conference (off campus)	266	2,000 gal
23. Moore Athletic	266	500 gal
24. Multivision Biophysics - DMR	146	500 gal
25. N. Redford Rd. Nursery	499	1,000 gal
26. Parking Garage	76	500 gal
27. Pepper Center	87	500 gal
28. Roubin	113	500 gal
29. Shivers	19	275 gal
30. Stone	80	120 gal
31. Sumner Library	144	250 gal
32. Tamm - FSU Police	76	500 gal
33. Theatrical Conference - CPD	10	200 gal
34. University Center - A	111	500 gal
35. University Center - B	114	500 gal

16. University Center - C	220	1,000 gal
17. Westcott	1	1,000 gal
18. Williams	3	750 gal
19. WPKL - TV (Observation Park)	38	800 gal

COMPETITIVE SOLICITATION

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Proposals may be brought to the proposal opening in person:

Purchasing Department
 Suite A-1400, University Center
 Florida State University
 Tallahassee, FL 32306-3220

price in bid opening. Proposer must reference proposal number, opening date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are not acceptable. For information relating to the Competitive Solicitation contact the Purchasing Agent identified in the proposal.

K 4436.7: Non-Linear Sports Film Editing System for the Basketball Program

Public Proposal Opening:
 11:00 am (EST)
 Wednesday, May 17, 2007
 Suite A-1400, University Center
 Purchasing Department
 Florida State University

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of the State of Florida, Board of Education announces that professional services for Minor projects are required in the following disciplines: **ARCHITECTURE**.

Project(s) Campus Service for the Minor Project.

Project(s) Location Florida Atlantic University, All campuses.

Projects included in the scope of this agreement will be specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the opening fiscal year, July 1-June 30. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period. These firms will be selected by contract under this discipline for the opening fiscal year.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Priority of location will be a prime factor in the selection of the firm. Design ability will be considered as a selection category.

Attach to each letter of application:

1. The most recent version of the Board of Regents "Professional Qualification Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice his profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit two (2) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for All projects are subject to review in accordance with the provisions of Section 227.003, Florida Statutes. As required by Section 287.13, Florida Statutes, a consultant may not submit a proposal for this project if it is, on the awarded vendor list for a public entity whose contract was awarded within the past 36 months. The selected consultant must warrant that it will neither within the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the awarded vendor list.

Professional Qualification Supplement forms, descriptive project information and selection criteria may be obtained by contacting Facilities Planning Department, Florida Atlantic University, Attention: Alan R. Mohr, 777 Glades Road, Bldg. T-10, Room 9, Boca Raton, Florida 33431, (561)297-3039. FQS forms are available on the Florida Atlantic University Division of the University Architect web page at <http://www.fsu.edu/bsdept/arcweb/>.

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, 777 Glades Road, Bldg. T-10, Room 9, Boca Raton, Florida 33431, by 5:00 p.m. (Local Time), May 18, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of the State of Florida, Board of Education announces that professional services for Miami projects are required in the following disciplines: **CIVIL/MECHANICAL ENGINEERING**.

Project(s): Campus Service for Miami Projects.

Project(s) Location: Florida Atlantic University, All campuses. Projects included in the scope of this agreement will be specific projects for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Priority of location will be a primary factor in the selection of the firm. Design ability will not be considered as a selection category.

Attach to each letter of application:

1. The most recent version of the Board of Regents "Professional Qualification Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E projects are subject to issue in accordance with the provisions of Section 287.005, 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 must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$45,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplement forms, descriptive project information, and selection criteria may be obtained by contacting Facilities Planning Department, Florida Atlantic University, Attention: Alan R. Mohler, 777 Glades Road, Bldg. T-10, Room 9, Boca Raton, Florida 33431,

(561)997-5099. PQS forms are available on the Florida Atlantic University Division of the University Architect web page at <http://www.fsu.edu/division/uaarch/>.

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, 777 Glades Road, Bldg. T-10, Room 9, Boca Raton, Florida 33431, by 1:00 p.m. (Local Time), May 28, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of Engineering will be required for the project listed below:

Project Name and Number: Central Utilities Plant Sub-Station BR-412

Project Location: This facility will be located at Florida International University, University Park.

Project Description: This project is for construction of a new sanitary utility plant station with two 1,000-ton chillers. This sub station and transport loop will be integrated with the existing chilled water loop which will produce a double looped, single distribution system. This proposed expansion must be capable of providing the necessary capacity and redundancy for the growth projections outlined in the University's Campus Master Plan and in accordance with guidelines for research Universities. A new tower to support the two chillers is required to be included within this substation. This facility will include a structure of approximately 5000-SF.

The selected firm will provide design development, construction documents, and construction administration. Bidder professional liability insurance will be required in the amount of \$500,000 and will be provided as a part of Basic Services.

INSTRUCTIONS

Firms and firm Treasurers desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualification Supplement (PQS)" dated September 1999. Applications on any other form will not be considered. The BRFE goes with the PQS on a large sized. Diverged paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board.

An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit seven (7) copies of the above requested data found in the order listed above. Applications that do not comply with the above instructions will not be considered. State of Florida Minority Business Enterprise certification is no longer required. Application material will not be returned.

The plans and specifications for A/E projects are subject to award in accordance with the provisions of Section 287.085, Florida Statutes. As required by Section 287.115, Florida Statutes, a firm may not submit a proposal for this project if it is on the excluded vendor list for a public entity crime committed within the past 36 months. The selected firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the excluded vendor list.

Professional Qualifications Supplement forms may be obtained on line at <http://www.flidas.com/procure.asp> (Architect/Engineer Selection CM-N-06-03-09-09) and the Project Fact Sheet may be obtained by written request to Facilities Planning and Construction, Florida International University, Campus Support Complex, Room 204, University Park, Miami, Florida 33199, or by FAXING a request to (305)348-6050. Requests for meetings by individual firms will not be granted.

Submit qualifications to Mary Neale Wilham, Facilities Planner, Florida International University, Facilities Planning and Construction, Campus Support Complex, University Park, Miami, Florida 33199, by 2:00 p.m. (Local Time), Monday, May 27, 2007. Late submittals shall be disqualified. Faxable (FAX) submittals are not acceptable and will not be considered.

CM SELECTION RESULTS

The Florida School for the Deaf and the Blind announced that on the date listed below sealing was determined and an intent was issued to negotiate and enter into a contract for Construction Management Services in accordance with the Construction Competitive Negotiation Act for the following:

DATE: April 11, 2007

NAME OF AGENCY: The Florida School for the Deaf and the Blind

PROJECT NUMBER: FPMR 000000

PROJECT NAME: McLean Hall Renovation

1. Hinson-Cook-Company Jacksonville
 2. W. C. Mills, Inc. Jacksonville
 3. Auld & White-Construction, Inc., Jacksonville
 4. Perry McCall-Construction, Inc., Jacksonville
-

NOTICE OF CORRECTION NOTICE TO PROFESSIONAL CONSULTANTS FOR

Request for Proposal (RFP)
Professional Services

Pursuant to the publication on April 12, 2007 of this advertisement, the project entitled "Addition of Two Science Labs at Ponce Middle School No. 7182008 Project No. C-99030" should read "Addition of Two Science Labs at Ponce Middle School No. 7182008 Project No. C-99030". Please note this change in the school name. All other information remains the same.

If you have any questions, call James Scott, Project Manager, (904)990-2274.

BID REQUEST FOR

FRESH MILK AND OTHER DAIRY PRODUCTS

BID NO. 0009

OPENING DATE: WEDNESDAY, MAY 9, 2007, 2:00 P.M. (EST)

Request a bid package by:
Phone: (336)678-4288, Fax: (336)678-8300

In Person or Mail: 188 Canal Street, Fort Myers, Florida 33903-6994

Requests must be received by Wednesday, April 25, 2007, 2:00 P.M.

Complete bid packages available only upon request.

By Linda Owen, Justin Boyer

Invitation To Bid (ITB)
For a General Contractor

Sealed bids will be received by David County Public Schools, Division of Facilities Services, Room 515, 1701 Presidential Drive, Jacksonville, FL 32207 until the time and date(s) revealed below and immediately thereafter publicly opened and awarded in F16h (614) Plans Conference Room 811 B, School Board Building.

May 28, 2007

2:00 P.M.

EXCER Project No. M-08780 Replacement of Windows at Joseph Edward Middle School No. 219 and Brookshire Elementary School No. 204

Replace Windows at Brookshire Elementary School No. 204 Estimated/Construction Budget is \$450,000

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 15, 2007, 10:00 a.m., Brookshire Elementary School No. 204, 16209 Thomas Drive, Jacksonville, Florida 32216. Failure to attend the pre-bid conference shall result in disqualification of the firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered/companies as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$200 at the office of:

Adin & Associates, Architects, Inc.
6924 Arlington Engineering, Suite B-202
Jacksonville, Florida 32210

DCSB Point of Contact: John Merrill, (904) 690-6110

Contract documents for bidding may be examined at:

F. W. Dodge MacQuay 8th Floor Room

Construction Bulletin
Construction Marketing, Inc.
Business Service Center

MMI Participation Grant Reimbursement Plan

The Bid Award Recommendation will be posted on the First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-6302.

**Invitation To Bid (ITB)
For a General Contractor**

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 510, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in Room 510D, 8th Floor, School Board Building.

BIDS ARE DUE ON OR BEFORE MAY 28, 2002

AND WILL BE ACCEPTED UNTIL 2:00 P.M.

Address to Attend: 1. bid/Post Middle School No. 01 DCSFB PROJECT NO. C-06140

This project will provide new construction for ten (10) classrooms. The estimated construction cost of this project is \$1,800,000.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 8, 2002, 10:30 am., 1701 bid/Post Avenue, Jacksonville, Florida 32207. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered/companies as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$200 at the office of:

White & Mays, Inc., Engineers Planners
6900 N. Southport Drive, Suite 2
Jacksonville, Florida 32216
Telephone: (904) 312-9911

DCSB Point of Contact: Tony Clemens, (904) 690-2279

Contract documents for bidding may be examined at White & Mays, Inc., Engineers Planners at the address listed above.

MMI Participation Grant 10% AA, 5% WBE, 5% BANA. The Bid Award Recommendation will be posted on the First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-6302.

MUNICIPAL TRANSPORTATION AUTHORITIES

**REQUEST FOR PROPOSAL NO. 02-09
PROFESSIONAL AUDITING SERVICES**

The County Commission Rail Authority (TCRA), an agency of the State of Florida, operates a 71 mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward and Palm Beach Counties.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a Certified Public Accounting Firm to audit the financial statements of The County Commission Rail Authority (TCRA). The Contractor will perform audits for the fiscal years ending June 30, 2002, June 30, 2003, and June 30, 2004, with the option of auditing TCRA's financial statements for the next two subsequent years. TCRA has instituted a mandatory exclusion clause prohibiting any firm from participating if it has provided auditing services to TCRA within the past 5 years.

A REQUEST FOR DOCUMENTS should be directed to: Mr. Robert Becker, The Rail, 800 N. W. 11 Street, Suite 100, Pompano Beach, Florida 33064, (954) 786-7999. The cost of the solicitation document is Fifty Dollars (\$50.00) non-refundable. Checks or money orders, made payable to The Rail should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about April 26, 2002.

A PRE-PROPOSAL CONFERENCE will be held in the The Rail Board Room at the address above on May 8, 2002, 2:00 p.m. The purpose of the meeting will be for The Rail to respond to questions from interested bidders and clarify requirements to an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received in a sealed envelope no later than 5:00 p.m., May 10, 2002, at the TCRA office in Pompano Beach.

TCRA reserves the right to program, to accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals must remain in effect for One Hundred Eighty (180) days from the RFP submission date.

DBE PARTICIPATION: TCRB solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals

2007-01 Program Administration/Mortgage Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide services as Program Administration/Mortgage Services for the Single Family Mortgage Revenue Bond Program to submit proposals for consideration. Written, sealed proposals shall be accepted until 11:00 Noon (Eastern Time), May 23, 2007, in the attention of Robin Crawford, Senior Contracts Analyst, Florida Housing Finance Corporation, 227 North Exchange Street, Suite 800, Tallahassee, Florida 32301-1128. For questions or additional information, please contact Robin Crawford, (904)488-1197 or robin.crawford@flhdchousing.org.

To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request in the attention of Robin Crawford, or you can download the Request for Proposals from the Florida Housing Finance Corporation website at <http://www.flhdchousing.org/procure>. Any modifications that occur to the Request for Proposals will be posted at the website and may result in an extension of the deadline.

PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD

REQUEST FOR PROPOSALS FOR CHILD-CARE SERVICES

The Palm Beach County Workforce Development Board, Inc. (WDB) is accepting proposals for the provision of childcare services for dependent children of program participants including infants, pre-schoolers, toddlers and school-age children. Services provided shall be in accordance with the Palm Beach County Health Department's licensing requirements and minimum standards for childcare programs conducted in Palm Beach County and with any other applicable federal, state, county or municipal laws.

The deadline for receipt of RFP responses is 5:00 p.m. (Eastern Daylight Time) as determined by WDB, May 17, 2007 at WDB's administrative office, 2001 Martin Luther King, Jr. Blvd., Suite 502, Riviera Beach, FL 33404, ATTN: Kenneth E. Montgomery, President without exception.

The RFP is available for pickup from 9:00 a.m. to 5:00 p.m., April 18, 2007 through May 17, 2007 at the WDB administrative office address stated above for a non-refundable service charge of \$20.00 per RFP application.

Make checks payable to the "Palm Beach County Workforce Development Board, Inc." The RFP is also available free of charge on WDB's website at www.flhdc.com. WDB may change scheduled dates if it is in the advantage of WDB to do so. WDB will notify applicants of all RFP changes via posting on the WDB website, www.flhdc.com, at the same location as the RFP. A bidder's conference to answer questions regarding the RFP will be held at WDB's administrative office on May 2, 2007, 2:00 p.m. and May 9, 2007, 9:00 a.m. The WDB complies with the provisions of the Americans With Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the WDB, Kenneth E. Montgomery at least 72 hours (3 days) in advance. WDB encourages women and minority businesses to submit proposals. WDB reserves the right to reject any or all proposals.

Section XII Miscellaneous

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE OFFICE OF THE TREASURER

BUREAU OF COLLATERAL MANAGEMENT PUBLIC DEPOSIT SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 395, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 395. (3) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM (DL129) WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM (DL129) WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDs ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC

DEPOSIT ACCOUNTS DEPOSITORS WITHDRAWING FROM THE PROGRAM HAVE A STATED EFFECTIVE DATE OF WITHDRAWAL BEHIND THE NAME AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE LISTED.

IN ORDER FOR DEPOSITORS TO WITHDRAW FROM THE PROGRAM THE BANK MUST:

ALABAMA

BIRMINGHAM

AMERITECH BANK
COMMERCE BANK
SECURITY BANK
SOUTHWEST BANK

MONTELOMERY

COLONIAL BANK

TURKEY

THE BANK
BRANCHES OF THIS QFD CONDUCT BUSINESS IN FLORIDA UNDER THE NAME THE BANK AND EMERALD COAST BANK

CALIFORNIA

SAN FRANCISCO

CITIBANK, F.I.B.

FLORIDA

ALACHUA

FIRST NATIONAL BANK OF ALACHUA

APALACHICOLA

APALACHICOLA STATE BANK

ARCADIA

FIRST STATE BANK OF ARCADIA

AVONDALE

TURNBERRY BANK

BARTOW

COMBINA CYRICAL BANK
COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE

BANK OF BELLE GLADE

BONNAY

BANK OF BONNAY

BRAKELTON

AMERICAN BANK
COAST BANK OF FLORIDA
FIRST BRAKELTON BANK
FIRST NATIONAL BANK & TRUST
PLACER NATIONAL BANK

BRAUNTON

PLATINUM BANK

BRECKENVILLE

DEQUARD COUNTY BANK

CANTONMENT

CITIZENS & PEOPLE BANK, N.A.

CAPE CORRAL

EVERSIDE BANK OF THE GULFCOAST

CLEARWATER

GULF STATE COMMUNITY BANK

CLERMONT

DELMONACO COMMUNITY BANK

CLEWISTON

FIRST BANK OF CLEWISTON
FIRST FEDERAL SAVINGS BANK OF THE CLADES

COOPER CITY

FIRST WESTERN BANK

CORAL GABLES

BANKUNITED, F.I.B.
CENTRAL BANK, F.I.B.
METRO BANK OF DADE COUNTY

CRAWFORDVILLE

CITIZENS BANK OF WAKULLA
WAKULLA BANK

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

CRYSTAL RIVER

CRYSTAL RIVER BANK

DADE CITY

FIRST NATIONAL BANK OF FLORIDA

DADE

REGENT BANK

DELRAY

FIRST COMMUNITY BANK

DEYTON

DEYTON BANK

DUNELLON

DUNELLON STATE BANK

ENCLERWOOD

ENCLERWOOD BANK

PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK

FIRST NATIONAL BANK OF NAHAMI COUNTY

FIRST LAUDERDALE

BANK ATLANTIC, F.B.

EQUITABLE BANK

CANTON AMERICAN BANK OF FLORIDA 0010000

LANDMARK BANK, N.A.

FIRST MIAMI

REGENT NATIONAL BANK

FIRST PRINCE

HARBOR FEDERAL SAVINGS BANK

EVERSIDE NATIONAL BANK OF FLORIDA

FIRST WALTER BEACH

BEACH COMMUNITY BANK

FIRST CITY BANK OF FLORIDA

FIRST NATIONAL BANK & TRUST

FRUITBROOK

CITIZENS BANK OF FRUITBROOK

GAINESVILLE

MERCHANTS SOUTHERN BANK

MILLSTONE BANK

GRACEVILLE

BANK OF JACKSON COUNTY

PEOPLE'S BANK OF GRACEVILLE

GROVELAND

PEOPLE'S STATE BANK OF GROVELAND

HAINES CITY

FIRST NATIONAL BANK OF POLK COUNTY

HALLANDALE

DELAWARE FEDERAL SAVINGS BANK

HOUSTONVILLE

COMMUNITY BANK OF FLORIDA

FIRST NATIONAL BANK OF SOUTH FLORIDA

HOMECOMING SPRINGS

HOMECOMING SPRINGS BANK

INDIAN LAKE

FLORIDA COMMUNITY BANK

INDIAN TOWN

FIRST BANK OF INDIAN TOWN

INTERVIEW

BANK OF INTERVIEW

JACKSONVILLE

FIRST ALLIANCE BANK

JACKSONVILLE BEACH

OCEANSIDE BANK

KEY LARGO

THE BANK OF THE KEYS

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KANSBIE

FIRST NATIONAL BANK OF GADSDEN COUNTY

LAKELAKE

CITIZENS FIRST BANK

LAKE CITY

CNE NATIONAL BANK
 COLUMBIA COUNTY BANK
 PROGRESSIVE BANK

LAKELAND

FLORIDAFIRST BANK

LAKE MARY

COMMUNITY NATIONAL BANK OF MID FLORIDA

LAKE WALES

AMERICAN BANK & TRUST OF POLK COUNTY

LARGO

Premier Community Bank of Florida

LATIMERVILLE

SWEN BANK OF FLORIDA

LEESBURG

FIRST FEDERAL SAVINGS BANK OF LAKE COUNTY

LIVE OAK

FIRST FEDERAL SAVINGS BANK OF FLORIDA

LONGWOOD

LEBERT'S NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MALONE

FCB, THE COMMUNITY BANK

MARATHON

MARINE BANK OF THE FLORIDA KEYS

MAYO

LAFAYETTE STATE BANK

MIAMI

BAC FLORIDA BANK
 CITY NATIONAL BANK OF FLORIDA
 COCONUT GROVE BANK
 COMMERCIAL BANK OF FLORIDA
 CONTINENTAL NATIONAL BANK OF MIAMI
 EAGLE NATIONAL BANK OF MIAMI
 EASTERN NATIONAL BANK
 ESPRITO LAVO BANK

EXECUTIVE NATIONAL BANK

CELF BANK

HEMISPHERE NATIONAL BANK

INTERAMERICAN BANK, F.A.B.

INTERNATIONAL BANK OF MIAMI, N.A.

MELLON UNITED NATIONAL BANK

NORTHERN TRUST BANK OF FLORIDA, N.A.

OCEAN BANK

ROYAL BANK OF FLORIDA

TOTALBANK

TRANSATLANTIC BANK

MELTON

FIRST NATIONAL BANK OF FLORIDA

NEWTOWNVILLE

FARMERS & MERCHANTS BANK

NEWTOWN

FIRST NATIONAL BANK OF MOUNT DORA

FLORIDA CHOICE BANK

NAPLES

BANK OF NAPLES

COMMUNITY BANK OF NAPLES, N.A.

FIFTH THIRD BANK, FLORIDA

FIRST NATIONAL BANK OF FLORIDA

ORION BANK

NEW SMYRNA BEACH

PRINCE BANK

NEELEVILLE

PEOPLES NATIONAL BANK

NORTH LAUDERHILL

SECURITY BANK, N.A.

NORTH MIAMI

RELAX NATIONAL BANK

NORTH PALM BEACH

COMMUNITY SAVINGS, F.A.

ENTERPRISE NATIONAL BANK OF PALM BEACH

PALM BEACH NATIONAL BANK & TRUST COMPANY

OAKLAND PARK

AMERICAN NATIONAL BANK

DECELA

FLORIDA-CITIZENS BANK

DEKALB COUNTY

DE KALB NATIONAL BANK

DELERA PARK

FIRST NATIONAL BANK

HERITAGE BANK OF NORTH FLORIDA

DELAND

CENTURY NATIONAL BANK

CITIBUS BANK

SOUTHERN COMMUNITY BANK

UNITED HERITAGE BANK

DELMONTE BEACH

COQUINA BANK

DEWBERRY

CITIZENS BANK OF DEWBERRY

DEWEE

FIRST COMMUNITY BANK OF PALM BEACH COUNTY

DUNEDIN

FIRST FEDERAL BANK OF NORTH FLORIDA

PUTNAM STATE BANK

DUNEDIN BEACH

BANKERS TRUST FLORIDA, F.L.A.

DUNEDIN BEACH-CARDINAL

ADMIRALTY BANK

DUNEDIN COAST

CYPRUS BANK

DUNEDIN HARBOR

PEOPLES BANK

DUNEDIN PALM CITY

BAY BANK & TRUST COMPANY

FIRST NATIONAL BANK NORTHWEST FLORIDA

PEOPLES FIRST COMMUNITY BANK

DUNEDIN PINE

FOURTH BANK

DUNEDIN PINE

BANK OF PENNACOLA

BANK OF THE SOUTH

DUNEDIN

CITIZENS BANK OF DUNEDIN

DUNEDIN PINE

GULFSTREAM COMMUNITY BANK

DUNEDIN PINE

FIRST PEOPLES BANK

DUNEDIN

QUINCY STATE BANK

ST. AUGUSTINE

BANK OF ST. AUGUSTINE

PROSPERITY BANK

ST. CLOUD

PUBLIC BANK

ST. PETERSBURG

FIRST COMMUNITY BANK OF AMERICA

MERCANTILE BANK

REPUBLIC BANK

UNITED BANK & TRUST COMPANY

SANTA ROSA BEACH

FIRST AMERICAN BANK OF WALTON COUNTY

SEBRING

BANKERS AND NATIONAL BANK

SCOTLAND INDEPENDENT BANK

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARBUCK

COMMUNITY STATE BANK OF STARBUCK

STARBUCK

FIRST NATIONAL BANK & TRUST OF THE TREASURE

COAST

GULFSTREAM BUSINESS BANK

TALLAHASSEE

CAPITAL CITY BANK
 FIRST SOUTH BANK
 TALLAHASSEE STATE BANK

TAMPA

FIRST CITRUS BANK
 FLORIDA BANK, N.A.
 SOUTHERN EXCHANGE BANK

THIRTEEN

TRI-COUNTY BANK

UNIONVILLE

UNITED SOUTHERN BANK

TALPAHOKA

TALPAHOKA BANK & TRUST COMPANY

THIRD BEACH

INDIAN RIVER NATIONAL BANK

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
 WAUCHULA STATE BANK

WEST PALM BEACH

FIDELITY FEDERAL BANK & TRUST
 GRAND BANK & TRUST OF FLORIDA

WESLEYCHIEF

WESLEYCHIEF STATE BANK

WILLISTON

PERSON STATE BANK

WINTER PARK

BANKFIRST

JEFFERSONVILLE

COMMUNITY NATIONAL BANK OF PASCO COUNTY

GEORGIA**ATLANTA**

SUNBELT BANK

DAWSON

SOUTHEASTERN BANK

LOUISIANA**NEW ORLEANS**

WITTEN NATIONAL BANK

MARYLAND**BOSTON**

BOSTON BANK OF COMMERCE
 BRANCHES OF THIS (P)O-COMMERC BANKING IN
 FLORIDA UNDER THE NAME PEOPLES BANK OF
 COMMERCE

MINNESOTA**MINN**

INTER LAMSON BANK, F.I.B.

NEW YORK**NEW YORK CITY**

INTERVIEW NATIONAL BANK

NORTH CAROLINA**CHARLOTTE**

BANK OF AMERICA, N.A.
 WACHSIVA BANK, N.A.

OHIO**CINCINNATI**

PROVIDENT BANK

TENNESSEE**MEMPHIS**

UNION PLANTERS BANK, N.A.

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT

HAD A CHANGE SINCE THE LAST PUBLICATION OF
 THIS REPORT

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT

BANK OF CENTRAL FLORIDA

CELESTIO

MERGED INTO FIRST NATIONAL BANK OF FLORIDA
 (NAFLER).

**CITIZENS FEDERAL SAVINGS BANK OF
FORT ST. JOE
FORT ST. JOE**

MERGED INTO THE BANK (HARRIS, ALABAMA).

**FIRST NATIONAL BANK OF THE FLORIDA KEYS
MARATHON**

CHANGED ITS NAME TO OCEAN BANK AND ITS HOME OFFICE LOCATION TO NAPLES. IT WILL NOW BE FOUND AS OCEAN BANK LISTED UNDER NAPLES IN FUTURE PUBLICATIONS.

**FIRST UNION NATIONAL BANK
CHARLOTTE, NORTH CAROLINA**

AFTER WACHOVIA BANK, N.A. WAS MERGED INTO FIRST UNION NATIONAL BANK, FIRST UNION NATIONAL BANK CHANGED ITS NAME TO WACHOVIA BANK, N.A.

**FLORIDA BANK OF COMMERCE
PALM HARBOR**

**MERGED INTO SOUTHERN EXCHANGE BANK
(TAMPA).**

**GULF COAST NATIONAL BANK
NAPLES**

**MERGED INTO FIRST NATIONAL BANK OF THE
FLORIDA KEYS (MARATHON).**

HUNTINGTON NATIONAL BANK

COLUMBUS, OHIO
CENTURY BANK (ATLANTA, GEORGIA) ACQUIRED THE FLORIDA OPERATIONS OF HUNTINGTON NATIONAL BANK. HUNTINGTON NATIONAL BANK IS NO LONGER A QUALIFIED PUBLIC DEPOSITORY.

WACHOVIA BANK, N.A.

WINSTON-SALEM, NORTH CAROLINA

**MERGED INTO FIRST UNION NATIONAL BANK
(CHARLOTTE, NORTH CAROLINA).**

DCA Final Order No.: DCAGO-06-107

**IS RE: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLANDORA**

VILLAGE OF ISLANDS, ORDINANCE NO. 02-16

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(3) and (11), Fla. Stat., and § 380.09(2)(b), Fla. Stat.

(2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- On March 1, 2005, the Department received the entire Memoranda, Village of Islands Ordinance No. 02-16 which was adopted by the Village Council on February 21, 2005 ("Ord. 02-16"). Ord. 02-16 adopts definitions applicable to the Village's Land Development Regulations.
- Ord. 02-16 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- The Department is required to approve or reject land development regulations that are created, amended or revised by any local government in the Florida Keys Area of Critical State Concern. (§ 380.05(3) and (11), Fla. Stat., and § 380.09(2)(b), Fla. Stat. (2005)).
- Islandora, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. (§ 380.012, Fla. Stat. (2005), and Rule 28.29-002 (superseding Chapter 27F-8), Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. (§ 380.011(8), Fla. Stat. (2005)). The regulations adopted by Ord. 02-16 are land development regulations.
- All land development regulations created, amended or revised within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.05(7), Fla. Stat. (2005). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- Ordinance 02-16 promotes and further the following Principles:
 - To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the contribution of the area of critical state concern designation.
- Ordinance 02-16 is not inconsistent with the remaining Principles. Ord. 02-16 is consistent with the Principles for Guiding Development as a whole. **WHEREFORE, IT IS ORDERED** that Ord. 02-16 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby **APPROVED**.

This Order becomes effective 21 days after publication in the Florida Administrator Weekly unless a petition is filed as described below.

DOKE AND ORSBERG in Tallahassee, Florida.

SCOTT TRIMBERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2001 Raymond-Gold Boulevard
Tallahassee, Florida 32309-1100

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 120.570, FLORIDA STATUTES, AND CHAPTER 28.000, PARTS I AND II, 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 120.571, FLORIDA STATUTES, AND CHAPTER 28.000, 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 CONCLUSIONS; 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 PETITION ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDING" 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, 1000 SEWARD PALM BOULEVARD, TALLAHASSEE, FLORIDA 32309-1100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28.100(2)(c), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28.100(4), FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION MUST BE SUBMITTED IN ACCORDANCE WITH RULE 28.100(3)(c), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28.100(3), FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO EITHER 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 Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of April, 1982.

Final Order Agency Clerk

By U.S. Mail:

Honorable Frank Kelly, Mayor
Islamorada, Village of Islands
Post Office Box 648
Islamorada, FL 33054
Carol Ruppberg, Village Clerk
Islamorada, Village of Islands
Post Office Box 648
Islamorada, FL 33054
John Davis, Esq.

Wynn, Krista, Hollman, Patricia A-Claudio, P.A.
 2010 South Bayshore Drive
 Miami, FL 33133
 By Hand Delivery to Interspace Mail:
 Michael McDonald, General Management Administrator, DCA
 Tallahassee
 Rebecca Irwin, DCA Florida/Keys Field Office
 Richard A. Lutzpelt, Assistant General Counsel, DCA
 Tallahassee

DCA Final Order No.: DCACOL-08-008

ISSUE: A LAND DEVELOPMENT REGULATION
 ADOPTED BY ISLANDORA
 VILLAGE OF ISLANDS ORDINANCE NO. 02-18

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 180.05(3) and (11), Fla. Stat., and § 180.08(2)(b), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below:

FINDINGS OF FACT

- On March 1, 2007, the Department received for review Memorandum, Village of Islands Ordinance No. 02-18 which was adopted by the Village Council on February 2, 2007 ("Ord. 02-18"). Ord. 02-18 adopts the Official Zoning Map for the Village and replaces the Monroe County Zoning Map.
- Ord. 02-18 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 180.05(3) and (11), Fla. Stat., and § 180.08(2)(b), Fla. Stat. (2005).
- Memorandum, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 180.05(2), Fla. Stat. (2005), and Rule 18.29(8)(c) suspending Chapter 31P-8, Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 180.05(3), Fla. Stat. (2005). The regulations adopted by Ord. 02-18 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 180.08(2)(c), Fla. Stat.

(2005). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

- Ordinance 02-18 promotes and features the following Principles:
 - To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hammock hammocks and pinehacks), dune ridges and beaches, wildlife, and their habitat.
 - To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
 - To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or man-made disaster and for a post-disaster reconstruction plan.
 - To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
- Ordinance 02-18 is not inconsistent with the existing Principles. Ord. 02-18 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-18 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below:

DOPE AND ORDERED in Tallahassee, Florida.

 HONNY TIMBERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2010 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 124.04, FLORIDA STATUTES, RELAYING THE AGENCY'S ACTION DEPENDING UPON WHETHER YOU ALIENATE 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 ALIENATE 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 124.04 AND 124.05, FLORIDA STATUTES, AND CHAPTER 124.04, PARTS I AND II, 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 REFUSE 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 HEARD 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 124.04 AND 124.05(1), FLORIDA STATUTES, AND CHAPTER 124.04, 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 RELEVANT 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 PROCEEDING" WITHIN 20 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, 280 SEAGRAM CREEK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2088.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 24.040(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 24.040(1), FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 24.040(2)(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 24.040(2), 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 20 DAYS OF PUBLICATION OF THE FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of April, 1983.

Paula Paul, Agency Clerk

By U.S. Mail:

Honorable Paula Keltley Meyer

Idemecade, Village of Idemec

Post Office Box 918

Idemecade, FL 32044

Carol Hopkins, Village Clerk

Idemecade, Village of Idemec

Post Office Box 918

Idemecade, FL 32044

John Harris, Post

Winn, Brown, Robinson, Patterson & Corbett, P.A.

280 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Intergovernment Mail:

Michael McDaniel, Clerk/Management Administrator, DCA

Tallahassee

Roberta Aron, DCA, Florida Keys Field Office

Richard A. Langreth, Assistant General Counsel, DCA

Tallahassee

DEPARTMENT OF COMMUNITY AFFAIRS

SCA Final Order No.: SCACD-06-109

ISSUE: A LAND DEVELOPMENT REGULATION

ADOPTED BY: HILANDALE
VILLAGE OF ISLANDS, ORDINANCE NO. 02-22

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order pursuant to §§ 180.09(3) and (4), Fla. Stat., and § 180.09(2)(c), Fla. Stat. (2006), approving in part and rejecting in part a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- On March 4, 2007, the Department received for review Ordinance, Village of Islands Ordinance No. 02-22 which was adopted by the Village Council on January 10, 2007 ("Ord. 02-22"). Ord. 02-22 adopts Section 5.1 of Article 5, Chapter 5.0 of the Village Code which establishes a revised zoning district that regulates land use.
- Except for Sections 5.1.2(d)(1), 5.1.2(e)(9) and 5.1.3(d)(1) of the Code, Ord. 02-22 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 180.09(3) and (4), Fla. Stat., and § 180.09(2)(c), Fla. Stat. (2006).
- Islandale, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 180.09(2), Fla. Stat. (2006), and Rule 18.29(8)(c) (pending) (Chapter 27F-6), Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 180.09(3)(b), Fla. Stat. (2006). The regulations adopted by Ord. 02-22 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 180.09(2)(7), Fla. Stat. (2006). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

- Except for Sections 5.1.2(d)(1), 5.1.2(e)(9) and 5.1.3(d)(1) of the Code, Ordinance 02-22 promotes and further the following Principles:
 - To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - To protect shoreline and marine resources including mangroves, seagrass formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
 - To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
 - To preserve the value, efficiency, and effectiveness, and essential life of existing and proposed major public investments, including:
 - The Florida Keys Airport and water supply facilities;
 - Solid waste collection and disposal facilities;
 - Transportation facilities;
 - Other utilities, as appropriate.
 - To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or man-made disaster and for a post-disaster reconstruction plan.
 - To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
- Sections 5.1.2(d)(1), 5.1.2(e)(9), and 5.1.3(d)(1) of the Code are inconsistent with the following Principle:
 - To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- Except for Sections 5.1.2(d)(1), 5.1.2(e)(9), and 5.1.3(d)(1) of the Code, Ordinance 02-22 is not inconsistent with the remaining Principles. Except for Sections 5.1.2(d)(1), 5.1.2(e)(9), and 5.1.3(d)(1) of the Code, Ord. 02-22 is consistent with the Principles for Guiding Development as a whole.

Post-Office Box 558
Islamorada, FL 33050

Carol Knapkins, Village Clerk
Islamorada, Village of Islamo

Post-Office Box 558
Islamorada, FL 33050

John Heine, Eng

Wynn, Krems, Hillman, Patterson & Clarke, P.A.

2045 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Interagency Mail:

Sam Quinn, Bureau of State Planning, DCA Tallahassee
Rebecca Irwin, DCA Florida Keys Field Office

Richard A. Longrich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCAD 06-108

**IN RE: CITY OF MARATHON LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF MARATHON ORDINANCE NO. 01-07-01**

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.09(3) and (11), Fla. Stat., and § 380.09(2)(5), Fla. Stat. (2005), approving City of Marathon Ordinance No. 01-07-01 as set forth below:

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On March 13, 2002, the Department received for review City of Marathon Ordinance No. 01-07-01 which was adopted by the City of Marathon City Council on July 25, 2001 ("Ord. 01-07-01"). Ord. 01-07-01 amends the City Land Use District Map to certain property owned by the Florida Keys Electric Cooperative, legally described as a portion of Government Lot 1, Key View, Section 16, Township 66 South, Range 21 East, to change the Map designation from its current designation of Suburban Commercial (SC) and Commercial Parking Special District 18 (CPSD 18) to Suburban Commercial (SC).
3. Ord. 01-07-01 is consistent with the City's 2000 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are created, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern §§ 380.09(1) and (11), Fla. Stat., and § 380.09(2)(5), Fla. Stat. (2005).

5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.09(1), Fla. Stat. (2005) and Rule 28.29002 (superseding Chapter 27F-6), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.09(1)(b), Fla. Stat. (2005). The regulations adopted by Ord. 01-07-01 are land development regulations.
7. All land development regulations created, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") § 380.09(2)(7), Fla. Stat., see *Baldwin v. Department of Community Affairs*, 21 F.A.L.R. 1903 (Dec. 4, 1998), aff'd, 748 So. 2d 1209 (Fla. 3d DCA, 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.09(2)(7), Fla. Stat. (2005).
8. Ord. 01-07-01 promotes and furthers the following Principles, §§380.09(2)(7), Fla. Stat. (2005):
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect the value, efficiency, and effectiveness, and unimpaired life of existing and proposed major public investments, including:
 - i. City electric service and the Florida Keys Electric Co-op; and
 - ii) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
9. Ord. 01-07-01 is not inconsistent with the existing Principles. Ord. 01-07-01 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 01-07-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby **APPROVED**.

This Order becomes effective 30 days after publication in the Florida Administrator Weekly unless a petition is filed as described below:

DOVE AND ORDERED at Tallahassee, Florida.

RONNY TIMBERMAN, DIRECTOR

Division of Community Planning
Department of Community Affairs
2025 Raymond/Edel Building
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THE ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.60, FLORIDA STATUTES, RECALLED: THE AGENCY'S ACTION DEPENDS UPON WHETHER YOU ALLEGED 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 ALLEGED 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 120.60 AND 120.70, FLORIDA STATUTES, AND CHAPTER 120M, PARTS I AND II, 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 HEARD 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 120.60 AND 120.71, FLORIDA STATUTES, AND CHAPTER 120M, 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 PROCEEDING" WITHIN 20 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, 1999 SEWARD GALE BOULEVARD, TALLAHASSEE, FLORIDA 32309-1100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28.106(1)(c), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28.106(1), FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28.106(2)(c), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28.106.02, 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 20 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 on ___ day of April, 1993.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Robert E. Miller
Mayor
City of Moultrie
1804.01 Governor Highway
Moultrie, Florida 1300
Katherine V. Kerkman
City Clerk
City of Moultrie
200 University Drive
Coral Springs, Florida 1307
Craig Washell
City Manager
City of Moultrie
1804.01 Governor Highway
Moultrie, Florida 1300
John E. Herin, Jr.
Wives, Sons, Daughters, Parents and Grandchildren, P.A.
City Attorney

City of Marathon
 2045 South Bayshore Drive, Suite 100
 Miami, Florida 33139
 By Hand Delivery to Intergency Mail:
 Michael McDonald, Growth Management Administrator, DCA
 Tallahassee
 Rebecca Irwin, DCA Florida Keys Field Office
 Richard A. Lotzperich, Assistant General Counsel, DCA
 Tallahassee

DCA Final Order No. DCAM2.06.111

**IN RE: CITY OF MARATHON LAND DEVELOPMENT
 REGULATIONS ADOPTED BY
 CITY OF MARATHON ORDINANCE NO. 01-07-09**

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 180.09(3) and (11), Fla. Stat., and § 180.09(2)(9), Fla. Stat. (2005), approving City of Marathon Ordinance No. 01-07-09 as set forth below:

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On March 13, 2002, the Department received for review City of Marathon Ordinance No. 01-07-09 which was adopted by the City of Marathon City Council on July 09, 2001 ("Ord. 01-07-09"). Ord. 01-07-09 amends the City Land Use District Map by re-designating the zoning classification of a parcel of land (Florida Keys Marine) from Commercial Fishing Special District II (CFSD II) to Mixed Use (MU), in order to make the Zoning Map consistent with the transitional Future Land Use Map.
3. Ord. 01-07-09 is consistent with the City's 2000 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or amended by any local government in the Florida Keys Area of Critical State Concern, §§ 180.09(3) and (11), Fla. Stat., and § 180.09(2)(9), Fla. Stat. (2005).
5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern, § 180.09(2), Fla. Stat. (2005) and Rule 28.29-002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land, § 180.09(2)(5), Fla. Stat. (2005). The regulations adopted by Ord. 01-07-09 are land development regulations.

7. All land development regulations enacted, amended or amended within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"), § 180.09(2)(7), Fla. Stat., see *Baldwin v. Department of Community Affairs*, 21 F.A.L.R. 1982 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA, 1999). The Principles are construed as a whole and no specific provision is construed to apply in isolation from the other provisions, § 180.09(2)(7), Fla. Stat. (2005).
8. Ord. 01-07-09 promotes and furthers the following Principles, § 180.09(2)(7), Fla. Stat. (2005):
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
9. Ord. 01-07-09 is not inconsistent with the remaining Principles, Ord. 01-07-09 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 01-07-09 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby **APPROVED**.

This Order becomes effective 21 days after publication in the Florida Administrator Weekly unless a petition is filed as described below.

DOPE AND ORDERED in Tallahassee, Florida.

RONNY TIMBERMAN, DIRECTOR

Division of Community Planning
 Department of Community Affairs
 2045 Bayshore Blvd., 6th Floor
 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 120.60, FLORIDA STATUTE, REGARDING THE AGENCY'S ACTION, DEPENDING UPON WHETHER YOU ALIENED 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 ALIENATE 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 120.60 AND 120.67(2), FLORIDA STATUTE,

AND CHAPTER 24.06, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE, IN AN INFORMAL ADMINISTRATIVE PROCEEDING YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITING OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITING STATEMENT CHALLENGING THE DECISION 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 24.06 AND 24.71(1), FLORIDA STATUTES, AND CHAPTER 24.06, 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 REUTAL 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, 2845 SHEPARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2000.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 24.06(2)(1), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 24.06, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 24.06(2)(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUESTED BY

RULE 24.06(3)(C), FLORIDA ADMINISTRATIVE CODE. CHECKING 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 for ____ day of April, 1982.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Robert E. Miller
Mayor

City of Manassas
10841-01 Governor Highway
Manassas, Florida 12690

Katherine V. Kellison
City Clerk

City of Manassas
216 University Drive

Coal Springs, Florida 12671
Craig Winfield

City Manager
City of Manassas

10841-01 Governor Highway
Manassas, Florida 12690
John E. Hearn, Jr.

Wiles, Brown, Holliman, Peterson and Gledhill, P.A.
City Attorneys

City of Manassas
2617 South Bayshore Drive, Suite 420

Miami, Florida 33131

By Hand Delivery or In-person Mail:

Michael McDonald, Clerk/Management Administrator, DCA
Tallahassee

Rebecca Arden, DCA Florida Keys Field Office

Richard A. Longprich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCAS2.08.112

Issued: MONROE COUNTY LAND DEVELOPMENT
REGULATION ADOPTED BY
MONROE COUNTY ORDINANCE NO. 096, 1981

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 385.003(3) and (11), Fla. Stat., and § 385.003(2)(f), Fla. Stat. (2005), approving Monroe County Ordinance No. 090-2001 as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On March 26, 2002, the Department received for review Monroe County Ordinance No. 090-2001 which was adopted by the Monroe County Board of County Commissioners on December 26, 2000 ("Ord. 090-2001"). Ord. 090-2001 amends the City's Land Use District Map by redesignating the zoning classification of several parcels of land (Lots 43, 44, 45 and 46 of Block 3, Baccarat Point Subdivision, Key Largo) from Native Area (NA) and Improved Subdivision (IS) to just Improved Subdivision (IS) in order to make the Zoning Map consistent with the Present Land Use Map.
3. Ord. 090-2001 is consistent with the County's 2000 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject local development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 385.003(1) and (11), Fla. Stat., and § 385.003(2)(f), Fla. Stat. (2005).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 385.003(2), Fla. Stat. (2005) and Rule 28.29-002 (governing Chapter 27F-6), Fla. Admin. Code.
6. "Local development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 385.003(3)(c), Fla. Stat. (2005). The regulations adopted by Ord. 090-2001 are local development regulations.
7. All local development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). § 385.003(2)(f), Fla. Stat.; see Robinson v. Department of Community Affairs, 20 F.A.L.R. 1902 (Dec. 2, 1992), aff'd, 740 So. 2d 1209 (Fla. 3d DCA, 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 385.003(7), Fla. Stat. (2005).
8. Ord. 090-2001 promotes and furthers the following Principles: § 385.003(2)(f):
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
 - (b) To protect the value, efficiency, and effectiveness, and unimpaired life of existing and proposed major public investments, including:
 1. The Florida Keys Aqueduct and water supply facilities;
 2. City electric service and the Florida Keys Electric Corp; and
 3. Other utilities, as appropriate.
 9. Ord. 090-2001 is not inconsistent with the existing Principles. Ord. 090-2001 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 090-2001 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DORE AND ORDERED at Tallahassee, Florida.

RODNEY THOMPSON, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2045 Raymond Oak Boulevard
 Tallahassee, Florida 32399-2300

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.60, 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 120.60 AND 120.67(2), FLORIDA STATUTES, AND CHAPTER 120.60, PARTS 1 AND 2, FLORIDA ADMINISTRATIVE CODE, IN AN INFORMAL

ADMINISTRATIVE PROCEEDINGS, 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 DECISION 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 DEPARTMENT OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.56 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 120A, 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 RELEVANT EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE OBJECTIONS 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 20 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, 2885 SHELDRAVE CIRCLE BOLLINGER, TALLAHASSEE, FLORIDA 32399-2000.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 38.061(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 38.0610, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 38.061(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUESTED BY

RULE 38.061(2), 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 20 DAYS OF PUBLICATION OF THE 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 for ___ day of April, 1993.

Paula Paul, Agency Clerk

By U.S. Mail:

Honorable George Sengco
Mayor of Monroe County

88 Woodland Street
Key West, Florida 33600

Danny L. Kolbago

Chair of the Board of County Commissioners

88 Woodland Street

Key West, Florida 33600

Therese J. McGary, ACP

Director, Growth Management Division
278-Corona Highway, Suite 200

Mission, Florida 33600

By Hand Delivery or Intercity Mail:

Michael McDonald, Growth Management Administrator, DCA
Tallahassee

Rebecca Aron, DCA, Florida Keys Field Office

Richard A. Longprich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DC93-08-120

Re: A LAND DEVELOPMENT REGULATION

ADOPTED BY DELAWAREDA
VILLAGE OF ISLANDS, ORDINANCE NO. 02.17

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 120.57(5) and (11), Fla. Stat., and § 380.092(9), Fla. Stat. (2000), approving in part and approving in part a local development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- On March 1, 2002, the Department received the review Memoranda, Village of Islands Ordinance No. 02-17 which was adopted by the Village Council on February 28, 2002 ("Ord. 02-17"). Ord. 02-17 adopts Division 4.05(a) of Article 4, Chapter 9.8 of the Village Code which establishes an annual allocation system for the issuance of building permits.
- Except for Sections 4.05(d)(1) and 4.10.05(a) of the Code, Ord. 02-17 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- The Department is required to approve or reject land development regulations or provisions deemed that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concerns §§ 180.09(2) and (4), Fla. Stat., and § 180.09(2)(c), Fla. Stat. (2005).
- Idemorado, Village of Islands is a local government within the Florida Keys Area of Critical State Concerns § 180.09(2), Fla. Stat. (2005), and Rule 28.24-020 (superseding Chapter 27F-8), Fla. Admin. Code.
- "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 180.09(2)(c), Fla. Stat. (2005). The regulations adopted by Ord. 02-17 are land development regulations.
- All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 180.09(2)(c), Fla. Stat. (2005). The Principles are consistent as a whole and no specific provision is contained or applied in isolation from the other provisions.
- Except for Sections 4.05(d)(1) and 4.10.05(a) of the Code, Ordinance 02-17 promotes and embodies the following Principles:
 - To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, freshwater hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
 - To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(d) To protect the value, efficiency, and effectiveness, and essential life of existing and proposed major public investments, including:

- The Florida Keys Aqueduct and water supply facilities;
- Transportation facilities;
- City electric service and the Florida Keys Electric Group; and
- Other utilities, as appropriate.

(e) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

- Sections 4.05(d)(1) and 4.10.05(a) of the Code are inconsistent with the following Principles:
 - To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, freshwater hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
 - To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - To protect the value, efficiency, and effectiveness, and essential life of existing and proposed major public investments, including:
 - The Florida Keys Aqueduct and water supply facilities;
 - Storage collection and disposal facilities;
 - Solid waste collection and disposal facilities;
 - Key West Naval Air Station and other military facilities;
 - Transportation facilities;
 - Recreational parks, wildlife refuges, and marine sanctuaries;
 - State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 - City electric service and the Florida Keys Electric Group; and
 - Other utilities, as appropriate.
 - To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or man-made disaster and for a post-disaster reconstruction plan.
- Except for Sections 4.05(d)(1) and 4.10.05(a) of the Code, Ord. 02-17 is not inconsistent with the remaining Principles. Except for Sections 4.05(d)(1) and 4.10.05(a) of the Code, Ord. 02-17 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that except for Sections 1.05(1)(c) and 1.05(1)(d) of the Code, Ord. 82-17 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED. Sections 1.05(1)(c) and 1.05(1)(d) of the Code are found to be inconsistent with the Principles, and are hereby REJECTED.

This Order becomes effective 11 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DOONE AND ORDERED in Tallahassee, Florida.

RONNY TIMMERMAN, DIRECTOR

Division of Community Planning
Department of Community Affairs
2001 Raymond-Geb Road
Tallahassee, Florida 32301-1100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THE ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.56, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDENT UPON WHETHER YOU ALIEN: 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 ALIEN 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 120.56 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28.06, PARTS I AND II, 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 EXERCISE 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 120.56 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28.06, 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 RELEVANT 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 PROCEEDING" WITHIN 11 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, 1000 SEWARD GALE BOULEVARD, TALLAHASSEE, FLORIDA 32301-1100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28.06(1)(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28.06(1), FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28.06(1)(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 28.06(1)(2), FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU HAVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE HEARING 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 Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated on ____ day of April, 2007.

Buck Paul, Agency Clerk

By U.S. Mail:

Honorable Frank Kalfalik, Mayor

Idemecade, Village of Idemecade

Post Office Box 508

Idemecade, FL 33008

Carol Stephens, Village Clerk

Idemecade, Village of Idemecade

Post Office Box 508

Idemecade, FL 33008

John Hertz, Esq.

Wynn, Kenna, Bellman, Peacock & Gardner, P.A.

2010 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Interagency Mail:

Joe Quinn, Bureau of State Planning, DCA Tallahassee

Rebecca Jones, DCA Florida Keys Field Office

Richard A. Longstaff, Aviation General Counsel, DCA Tallahassee

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a

Franchise Motor Vehicle Dealer in a County of More
than 100,000 Population

Pursuant to Section 320.042, Florida Statutes, notice is given that American Honda Motor Co., Inc. intends to allow the relocation of 600 S. C. 616 in Space Coast Florida, as a dealership for the sale of Honda motor vehicles, from its present location at 1700 East Merwin Island Causeway, Merwin

Island, FL 32962, to a proposed location at 1800 West Highway 52B, Cocoa (Brevard County), Florida 32926, on or after April 12, 2007.

The name and address of the dealer operator(s) and principal investor(s) at 600 S. C. 616 in Space Coast Florida are dealer operator: Scott Demarco, 404 Rio Villa Blvd., Indianapolis, FL 32903 principal investor(s): Scott Demarco, 404 Rio Villa Blvd., Indianapolis, FL 32903, Steven G. Buchanan, 824 Longboat Club Rd., Longboat Key, FL 34222 and Kevin S. Braddy, 219 Lassing Island Drive, Indian Harbor Beach, FL 32937.

The notice indicates intent to relocate the franchise in a county of more than 100,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same franchise may have standing, pursuant to Section 320.042, Florida Statutes, as awarded by Chapter 98, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-112, 500 Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0618.

A copy of such petition or complaint must also be sent by US Mail to Bill Green, Market Planning Manager, American Honda Motor Company, Inc., 1919 Torrance, CA 90504-2740.

If no petition or complaint is received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Firm

Franchise Motor Vehicle Dealer in a County of More
than 100,000 Population

Pursuant to Section 320.042, Florida Statutes, Thunder Mountain Customs Cycles, Inc. intends to allow the establishment of Ride-In Style, Inc., as a dealership for the sale

of Thunder Mountain Custom Cycles, at 401 N. Beach Street, Daytona Beach (Volusia County), Florida, on or after April 9, 1992.

The name and address of the dealer operator(s) and principal investor(s) of Hale in Style, Inc. are dealer operator(s) and principal investor(s): Joseph P. Fowler, 119 W. Oak Street, Suite 102, Ft. Collins, CO 80521.

The notice indicates intent to establish the new point location in a county of more than 100,000 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 320.042, Florida Statutes, in this a petition or complaint pending for 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 Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room 4-112, Ned Kuhnman Building, 2000 Apalachee Parkway, Tallahassee, Florida 32399-0619.

A copy of such petition or complaint must also be sent by US Mail to: Todd A. Kuhnman, President, Thunder Mountain Custom Cycles, Inc., 1301 E. W. Frontage Road, Ft. Collins, CO 80504.

If no petition or complaint 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.

LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION

On March 1, 1992, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Ballgame Community Development District (the "District"). The Commission will follow the requirements of Rule Chapter 62.1, Florida Administrative Code (F.A.C.), as amended, and Chapter 195, Florida Statutes (FS.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by Justice Properties, Inc., requests that the Commission establish a community development district located in Duval County, Florida. The land area proposed to be served by the District comprises approximately 1,110 acres. The proposed District is bounded on the east by Lake Tompkinsdale and undeveloped property; bounded on the west by Pleasant Hill Road; bounded on the north by Duval County Regional Park; and bounded on the south by undeveloped property and a single-family residence, which is located in the southeast corner bordering the proposed District. The proposed District is planned as a residential community of approximately 1,700 single family and 100 multi-family residential dwelling units, passive recreational areas, parks and a clubhouse. The land use designation on the Duval County Comprehensive Plan Future Land Use Map for the proposed District is "Agricultural and Suburban/County." The proposed uses are consistent with the Future Land Use Element of the Duval County Comprehensive Plan, as amended and currently in effect for approximately 120 residential single-family units to be constructed within the District. The Petitioner is also pursuing approval of a Development of Regional Impact and related Comprehensive Plan amendments that would permit development of a total of approximately 1,800 units within the District. The District, if established, currently intends to fund off-site roadway improvements, stormwater management, drainage structures, mitigation creation, mitigation area acquisition, stormwater load acquisition, a potable water supply system, and a sanitary sewer system for the lands within the District.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (IERC) supports the petition to establish the District. The complete text of the IERC is contained as Exhibit 7 to the petition to establish the District. The scope of the IERC is limited to evaluating the regulatory costs consequences of approving the proposed to establish the District. The requirements for a IERC are found in Section 120.51(2), F.S. A IERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule of who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues; (c) a good faith estimate of the transactional costs

likely to be incurred by individuals and entities; (2) an analysis of the impact on small business, small counties, and small cities; (3) any additional information that the agency determines may be useful; and (4) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing sections (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, and Orange County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), the FFWAC and State of Florida will incur minimal administrative costs. Orange County will also incur no direct administrative costs which are offset by the required filing fee paid to Orange County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy annual volumetric special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other instruments to fund its improvement program. Progressive future landowners would be required to pay off such instruments over time in the form of annual volumetric special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a positive impact on a small business and will not have any impact on small counties and cities. Orange County is not a small county as defined. Under section (e), the analysis was based on the neighborhood application of economic theory, with input received from the developer's engineers and other professionals associated with the developer.

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

DATE AND TIME: Friday, May 10, 2002, 10:00 a.m.

PLACE: Orange County Courthouse
Courtroom K
2 Courthouse Square
Kissimmee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Teresa Moore, (813)350-7980, at least 2 business days in advance to make appropriate arrangements.

Copies of the petition may be obtained by contacting Teresa Moore, Gateway County, P.A., Post Office Box 20629, West Palm Beach, Florida 33410-0629 or Barbara Lighty, Florida

Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol Room 800, Tallahassee, Florida 32399-8000, (904)487-1084.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

EXEMPTIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 384.002(3), Florida Statutes:

County Group	District 7	
ID #: 000004	Division A	Issue Date: 4/18/2002
Facility/Project: Development/Expansion/Conversion, Inc.		
Applicant: Waters Park Tennis		
Project Description: Delimitate new delineated athletic parking lots.		
Proposed Project/Class ID		
ARC's Purchase Order Number: 02700000004		

The Agency for Health Care Administration has received an application for service exemption from Hialeah Hospital, Miami, Florida pursuant to Section 384.002(3), Florida Statutes and Section 384.0207, Florida Administrative Code.

The service category for which the exemption is requested is medical/surgical. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing to the Agency for Health Care Administration, 2727 Midway Drive, MS 801, Tallahassee, Florida 32309, by phone at (904)487-2717 or by e-mailing info@ahca.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

On April 11, 2002, Kim Hickley-Reyn, Secretary of the Department of Business and Professional Regulation, issued an Order of Emergency Suspension of Licenses with regard to the assistant barman of Joseph A. Bata, license number 007000077. Mr. Bata's last known address is Bata's Associates, 608 Water Oak Lane, Longwood, Florida 32759-2839. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 488.276(2) and 488.600(2), Florida Statutes. The

Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a water quality exemption (DWC Case Number 02-0001) to the City of North Port. The water quality exemption is to allow the Myakka/Alafia Creek Water Treatment Plant aquifer storage and recovery project to recover the secondary drinking water standards for color, iron, and pH.

The full text of this notice is published on the Internet on the Department of Environmental Protection's home page at <http://www.dep.state.fl.us> under the link or button titled "Official Notices," under program area "ground water." For information concerning this intent to grant, contact Richard Rowland, (888)521-6427.

DEPARTMENT OF HEALTH

On April 11, 2002, John G. Agreuschi, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Beverly Conroyan, R.N., Emergency field license number RN 266692. Conroyan's last known address is 1800 E. A1A, Apartment 4051, Daytona Beach Shores, Florida 32118. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 391.07(5) and (2)(b)(5), Florida Statute. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 15, 2002, John G. Agreuschi, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Wilfred

Peter Francisco, M.D., license number ME 000622. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 391.22(5) and (2)(b)(5), Florida Statute. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FISH AND WILDLIFE CONSERVATION COMMISSIONS

The Florida Fish and Wildlife Conservation Commission announces the availability of permits granting alligator farmers the authority to collect alligator headlings pursuant to Rule 68A.29-01(1), F.A.C. Persons wishing to apply for an available permit shall do so in writing within 30 days after original publication of this notice. Late applications shall not be accepted. If all openings are not filled after three (3) days, permits will be granted on a first come first serve basis. Only permits licensed as alligator farmers pursuant to Section 37.6073, Florida Statute, may apply, and only one application per person shall be accepted. The available permits shall be assigned by random drawing of qualified applicants. Individuals assigned an available permit shall be notified. Applicants shall have 180 days after notification to meet the eligibility criteria for alligator farm facilities specified in Florida Administrative Code.

The applications should be sent to The Florida Fish and Wildlife Conservation Commission, State Livestock Dealer Troupe, 620 South Meridian Street, Tallahassee, Florida 32399-0008.

**Section XIII
Index to Rules Filed During Proceeding Week**

**RULES FILED BETWEEN April 9, 2007
and April 12, 2007**

Rule No.	Effective Date	Effective Date	Proposed Title No.	Amended Title No.
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DEPARTMENT OF PUBLIC SAFETY

61.00100	4/10/07	7/10/07	01001	001.1
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**Division of Plant Industry**

9A.00001	4/10/07	4/10/07	0001	0001
9A.00002	4/10/07	4/10/07	0002	0002
9A.00003	4/10/07	4/10/07	0003	0003
9A.00004	4/10/07	4/10/07	0004	0004
9A.00005	4/10/07	4/10/07	0005	0005

Division of Agricultural Environmental Services

9B.00001	4/10/07	4/10/07	0001	0001
9B.00002	4/10/07	4/10/07	0002	0002
9B.00003	4/10/07	4/10/07	0003	0003
9B.00004	4/10/07	4/10/07	0004	0004
9B.00005	4/10/07	4/10/07	0005	0005

DEPARTMENT OF EDUCATION**State Board of Education**

6A.00001	4/10/07	4/10/07	0001	0001
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DEPARTMENT OF COMMUNITY AFFAIRS**Division of Housing and Community Development**

9A.00001	4/10/07	7/10/07	01001	01001
9A.00002	4/10/07	7/10/07	01002	0001
9A.00003	4/10/07	7/10/07	01003	01003
9A.00004	4/10/07	7/10/07	01004	01004
9A.00005	4/10/07	7/10/07	01005	01005

DEPARTMENT OF REVENUE

1A.00001	4/10/07	4/10/07	01001	01001
1A.00002	4/10/07	4/10/07	01002	01002
1A.00003	4/10/07	4/10/07	01003	01003
1A.00004	4/10/07	4/10/07	01004	01004
1A.00005	4/10/07	4/10/07	01005	01005
1A.00006	4/10/07	4/10/07	01006	01006
1A.00007	4/10/07	4/10/07	01007	01007
1A.00008	4/10/07	4/10/07	01008	01008
1A.00009	4/10/07	4/10/07	01009	01009
1A.00010	4/10/07	4/10/07	01010	01010

Rule No.	Effective Date	Effective Date	Proposed Title No.	Amended Title No.
1A.00011	4/10/07	4/10/07	01011	01011
1A.00012	4/10/07	4/10/07	01012	0001
1A.00013	4/10/07	4/10/07	01013	01013
1A.00014	4/10/07	4/10/07	01014	01014
1A.00015	4/10/07	4/10/07	01015	01015
1A.00016	4/10/07	4/10/07	01016	01016
1A.00017	4/10/07	4/10/07	01017	01017
1A.00018	4/10/07	4/10/07	01018	01018
1A.00019	4/10/07	4/10/07	01019	01019
1A.00020	4/10/07	4/10/07	01020	0001

DEPARTMENT OF CITRUS

26.00001	4/10/07	5/10/07	0001	0001
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DEPARTMENT OF CORRECTIONS

11.0001-001	4/10/07	4/10/07	00001	00001
11.0001-002	4/10/07	4/10/07	00002	00002
11.0001-003	4/10/07	4/10/07	00003	00003
11.0001-004	4/10/07	4/10/07	00004	00004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Pilot Commissioners**

60001.01001	4/10/07	5/10/07	0001	0001
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DEPARTMENT OF HEALTH**Board of Clinical Laboratory Personnel**

6001.10001	4/10/07	4/10/07	0001	0001
6001.10002	4/10/07	4/10/07	0002	0002
6001.10003	4/10/07	4/10/07	0003	0003

Board of Dentistry

6001.20001	4/10/07	5/10/07	0001	0001
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Board of Nursing

6001.30001	4/10/07	5/10/07	0001	01001
6001.30002	4/10/07	5/10/07	0002	0002
6001.30003	4/10/07	5/10/07	0003	01003

Board of Optometry

6001.40001	4/10/07	5/10/07	0001	0001
6001.40002	4/10/07	5/10/07	0002	0002
6001.40003	4/10/07	5/10/07	0003	0003
6001.40004	4/10/07	5/10/07	0004	0004

Division of Family Health Services

6001.50001	4/10/07	5/10/07	0001	0001
6001.50002	4/10/07	5/10/07	0002	0002