

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9K-7	Florida Forever Program
RULE NOS.:	RULE TITLES:
9K-7.001	Purpose
9K-7.002	Definitions
9K-7.003	General Requirements and Eligibility Standards
9K-7.004	Submission of Application and Application Materials
9K-7.005	Communications to the Governing Board
9K-7.006	Application Review
9K-7.007	Project Evaluation Criteria
9K-7.008	Ranking and Selection of Applications
9K-7.009	Project Approval
9K-7.010	Modification to the Project Boundary
9K-7.011	Preparation and Acceptance of the Management Plan
9K-7.012	Title, Acquisition Procedures, Project Plans, Lease Agreements and Transfer of Title
9K-7.013	Annual Stewardship Report Requirement

PURPOSE AND EFFECT: To improve Florida Communities Trust’s efficiency in administering Florida Forever Funds and ensure the rules are user-friendly for the customers.

SUBJECT AREA TO BE ADDRESSED: Florida Communities Trust Grant Application Procedures and Land Acquisition Procedures.

SPECIFIC AUTHORITY: 380.507(1) FS.

LAW IMPLEMENTED: 259.105, 380.508, 380.501-.515, 380.508, 380.510 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

DATE AND TIME: August 23, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the workshops because of a disability or physical impairment should contact Ken Reecy, Community Program Manager, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)922-2207, SUNCOM 292-2207, at

least seven days before the date of the workshops. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Ken Reecy, Community Program Manager, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)922-2207, SUNCOM 292-2207

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9K-8	Land Acquisition Procedures With Florida Forever Program
RULE NOS.:	RULE TITLES:
9K-8.001	Purpose
9K-8.002	Definitions
9K-8.003	General Information
9K-8.004	Election by Recipient of Titleholder and Negotiating Entity; Rules Governing Acquisitions; Title Report and Evidence of Marketable Title
9K-8.005	Certified Survey
9K-8.006	Appraisal Procedures, Appraisal Report Requirements and Determination of Maximum Approved Purchase Price
9K-8.007	Confidentiality of Appraisals, Other Reports Relating to Value, Offers and Counteroffers
9K-8.008	Negotiation of Offers and Counteroffers
9K-8.009	Purchase Agreements
9K-8.010	Preparation and Acceptance of Project Plans
9K-8.011	Examination for Hazardous Materials Contamination
9K-8.012	Trust Governing Board Action
9K-8.013	Closing

PURPOSE AND EFFECT: To improve Florida Communities Trust’s efficiency in administering Florida Forever Funds and ensure the rules are user-friendly for the customers.

SUBJECT AREA TO BE ADDRESSED: Florida Communities Trust Grant Application Procedures and Land Acquisition Procedures.

SPECIFIC AUTHORITY: 380.507(11) FS.

LAW IMPLEMENTED: 259.105, 380.501-.515, 380.507(11), 380.508, 380.510 FS.

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

DATE AND TIME: August 23, 2006, 2:00 p.m. – 4:00 p.m.
 PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Ken Reecy, Community Program Manager, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)922-2207, SUNCOM 292-2207

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.010	Reimbursement Contract
19-8.013	Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

PURPOSE AND EFFECT: The 2006 Legislature passed CS/CS for SB 1980 on Friday, May 5, 2006 and this Bill became law on May 16, 2006. Due to this legislation, emergency rules were necessary. On May 16 and May 31, 2006, respectively, Emergency Rules 19ER06-1 (19-8.010 Reimbursement Contract) and 19ER06-2 (19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.) were filed and became effective. Pursuant to Section 120.54(4), Florida Statutes, these emergency rules are effective for only 90 days. Thus, the Florida Hurricane Catastrophe Fund (FHCF) is now entering into the rulemaking process to incorporate the changes made by the emergency rules into permanent rules.

SUBJECT AREA TO BE ADDRESSED: Contract requirements for the 2006-2007 Contract Year and Revenue Bonds.

SPECIFIC AUTHORITY: 215.555(3), (6) FS.

LAW IMPLEMENTED: 215.555 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE FHCF WEBSITE www.sbafla.com/fhcf OR MAY BE OBTAINED AT NO CHARGE FROM: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341.

STATE BOARD OF ADMINISTRATION

RULE NO.:	RULE TITLE:
19-15.001	Insurance Capital Build-Up Incentive Program

PURPOSE AND EFFECT: The 2006 Legislature passed CS/CS for SB 1980 on Friday, May 5, 2006 and this Bill became law on May 16, 2006. Due to this legislation, an emergency rule was necessary. On May 31, 2006, Emergency Rule 19ER06-3 “Insurance Capital Build-Up Incentive Program” was filed and became effective. Pursuant to Section 120.54(4), Florida Statutes, this emergency rule is effective for only 90 days. Thus, the State Board of Administration is now entering into the rulemaking process to incorporate the language in the emergency rule into a permanent rule.

SUBJECT AREA TO BE ADDRESSED: The rule addresses all aspects of the new Insurance Capital Build-Up Incentive Program created by Section 215.5595, F.S.

SPECIFIC AUTHORITY: 215.5595 FS.

LAW IMPLEMENTED: 215.5595 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE FHCF WEBSITE www.sbafla.com/icbi OR MAY BE OBTAINED

AT NO CHARGE FROM: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.405
RULE TITLE: Employment of Relatives

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address nepotism and the employment of relatives within the department.

SUBJECT AREA TO BE ADDRESSED: Nepotism and the employment of relatives.

SPECIFIC AUTHORITY: 944.09, 945.0311 FS.

LAW IMPLEMENTED: 112.3135, 944.09, 945.0311 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.405 Employment of Relatives.

(1) For the purposes of this rule, the following definitions shall apply:

(a) Hiring Authority – the Secretary, Deputy Secretary, Chief of Staff, General Counsel, Assistant Secretaries, Directors, Circuit Administrators, and Wardens as designated by the Secretary to be responsible for ensuring that work assignments do not violate the provisions of this rule or its authorizing statutes.

(b) Line of Authority – refers to any position having supervisory authority within the direct chain of command or supervisory path that organizationally links any position in the department.

(c) Relative – as defined by Sections 112.3135 and 945.0311, F.S., refers to an individual who is related to an employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(d) Unit – refers to a work section within the department that has overall responsibility for:

1. A specific function in an institution (e.g., security, education, medical, health services, maintenance, warehouse, classification, chaplaincy);

2. A specific function within the central office (a bureau or comparable unit); or

3. A specific function within a regional office such as administrative services, health services, personnel, programs, or operations;

4. A work release center, road prison, forestry camp or boot camp; or

5. A probation and parole circuit office or field office.

(2) The employment of relatives in positions in which one employee would be in the line of authority over the other or under the direct supervision of the other is prohibited. The hiring authority is responsible for ensuring that relatives are not employed in such positions unless an exception is granted pursuant to subsection (4) below.

(3) Relatives who are not in the same line of authority shall be permitted to work in the same unit, but shall be assigned to different shifts or areas unless an exception is granted pursuant to subsection (4) below.

(4) When circumstances exist where the employment of relatives in a capacity prohibited by subsections (2) and (3) of this rule is necessary or beneficial to the department, the hiring authority shall make requests for such exceptions through the chain of command to the Secretary.

(5) In accordance with Section 112.3135, F.S., an employee is prohibited from appointing, employing, promoting, advancing or advocating for appointment, employment, or advancement any relative to a position in the department or to a position over which the employee exercises jurisdiction or control. In the event of an emergency as defined in Section 252.34(3), F.S., the Secretary is authorized to approve the temporary employment of individuals whose employment would otherwise be prohibited by Section 112.3135, F.S., when such employment is necessary to carry out emergency management responsibilities.

Specific Authority 944.09, 945.0311 FS. Law Implemented 112.3135, 944.09, 945.0311 FS. History–New _____.

INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

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

PURPOSE AND EFFECT: The purpose is to develop amendments to existing Rule 54C-1.001, F.A.C., the tariff of Lake Apopka Natural Gas District (District), modifying the rate schedules for labor, equipment and material, residential sales service, commercial sales service, interruptible sales service, and transportation service by increasing the fees and charges made by the District, eliminating the rate schedule for residential air conditioning sales service, and increasing the deposit requirement for residential customers. All classes of customers will experience an increase in the cost of gas.

SUBJECT AREA TO BE ADDRESSED: The rate schedules for all gas sales and transportation service, the rate schedule for District labor, equipment and material and the deposit requirements for residential customers in Rule 54C-1.001, F.A.C.

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

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

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

DATE AND TIME: June 26, 2006, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: George F. Crabtree, General Manager, Lake Apopka Natural Gas District, 1320 South Vineland Road (CR 535), Winter Garden, Florida 34787; Telephone (407)656-2734, Facsimile (407)656-9371

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

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER NO.: RULE CHAPTER TITLE:

58A-5 Assisted Living Facilities

RULE NOS.: RULE TITLES:

58A-5.0181 Residency Criteria and Admission Procedures

58A-5.0182 Resident Care Standards

58A-5.0191 Staff Training Requirements and Competency Test

58A-5.024 Records

PURPOSE AND EFFECT: The proposed rule amendments were developed in consultation with the Agency for Health Care Administration. Pursuant to Section 400.441(1)(l), F.S., the department is required to establish specific policies and procedures on resident elopement.

SUBJECT AREA TO BE ADDRESSED: Resident elopement policies and procedures as they relate to residency criteria and admission procedures, resident care standards, staff training requirement and competency test, and records.

SPECIFIC AUTHORITY: 400.407, 400.426, 400.441 FS.

LAW IMPLEMENTED: 400.402, 400.407, 400.4075, 400.426, 400.441 FS.

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

DATE AND TIME: June 28, 2006, 9:00 a.m. – 10:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Crochet, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, telephone (850)414-2000, E-Mail address: crochetj@elderaffairs.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-5.0181 Residency Criteria and Admission Procedures.

(1) through (2) No change.

(3) ADMISSION PACKAGE.

(a) The facility shall make available to potential residents a written statement or statements which includes the following information. A promotional brochure prepared by the facility or a copy of the facility resident contract form used by the facility which contains all of the required information shall meet this requirement:

1. through 10. No change.

11. If the facility also has an extended congregate care program, the ECC program's residency criteria, and a description of the additional personal, supportive, and nursing services provided by the program, additional costs, and any limitations, if any, on where ECC residents must reside based on the policies and procedures described in Rule 58A-5.030, F.A.C.; ~~and~~

12. If the facility advertises that it provides special care for persons with Alzheimer's disease or related disorders, a written description of those special services as required under Section 400.4177, F.S.; ~~and~~

13. A copy of the facility's resident elopement protocol.

(b) through (c) No change.

(4) through (5) No change.

Specific Authority 400.407, 400.426, 400.441 FS. Law Implemented 400.402, 400.407, 400.4075, 400.426, 400.441 FS. History—New 9-17-84, Formerly 10A-5.181, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0181, Amended 10-30-95, 6-2-96, 10-17-99, _____.

58A-5.0182 Resident Care Standards.

An assisted living facility shall provide care and services appropriate to the needs of residents accepted for admission to the facility.

(1) through (5) No change.

(6) RESIDENT RIGHTS AND FACILITY PROCEDURES.

(a) through (d) No change.

(e) The facility shall have a written statement of ~~its~~ ~~the~~ ~~facility's~~ house rules and procedures which shall be included in the admission package provided pursuant to Rule 58A-5.0181,

F.A.C. The rules and procedures shall address the facility's policies with respect to such issues, for example, as resident responsibilities, the facility's alcohol and tobacco policy, medication storage, the delivery of services to residents by third party providers, resident elopement, and other administrative and housekeeping practices, schedules, and requirements.

- (f) through (h) No change.
- (7) No change.

(8) ELOPEMENT STANDARDS.

(a) Residents Assessed At Risk for Elopement.

All residents assessed at risk for elopement or with any history of elopement shall be identified so staff can be alerted to their needs for support and supervision.

1. The facility shall ensure at risk residents have identification on their persons that includes their name and the facility's name, address, and telephone number. Staff attention shall be directed towards residents assessed at high risk for elopement and those with Alzheimer's disease and related disorders.

2. The facility shall have current photo identification of at risk residents on file that is accessible to all facility staff and law enforcement as necessary.

(b) Facility Resident Elopement Response Protocol.

The facility shall develop a detailed written protocol for responding to a resident elopement. At a minimum, the protocol shall include:

1. An immediate staff search of the facility and premises, including a periodic re-check of where the resident was last seen;

2. The identification of staff responsible for implementing each part of the elopement response protocol, including specific duties and responsibilities;

3. The identification of staff responsible for contacting law enforcement, the resident's family, guardian, health care surrogate, and case manager; and

4. The continued care of all residents within the facility in the event of an elopement.

(c) Facility Resident Elopement Drills.

The facility shall conduct resident elopement drills pursuant to Section 400.441(1)(l), F.S.

~~(9)~~(8) OTHER STANDARDS. Additional care standards for residents residing in a facility holding a limited mental health, extended congregate care or limited nursing services license are provided in Rules 58A-5.029, 58A-5.030 and 58A-5.031, F.A.C., respectively.

Specific Authority 400.402, 400.441 FS. Law Implemented 400.402, 400.4255, 400.4256, 400.426, 400.428, 400.441 FS. History—New 9-17-84, Formerly 10A-5.182, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0182, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, _____.

58A-5.0191 Staff Training Requirements and Competency Test.

- (1) No change.

(2) STAFF IN-SERVICE TRAINING. Facility administrators or managers must provide or arrange for the following in-service training to facility staff:

- (a) through (e) No change.

(f) All facility staff shall receive a minimum of one hour of in-service training regarding the facility's resident elopement response protocol within thirty (30) days of employment and annually thereafter. All facility staff shall be provided with a copy of the facility's resident elopement response protocol. All facility staff shall demonstrate an understanding and competency in the implementation of the protocol.

- (3) through (11) No change.

Specific Authority 400.407, 400.4178, 400.441, 400.452 FS. Law Implemented 400.407, 400.4075, 400.4178, 400.441, 400.452 FS. History—New 9-30-92, Formerly 10A-5.0191, Amended 10-30-95, 6-2-96, 4-20-98, 11-2-98, 10-17-99, 7-5-05, _____.

58A-5.024 Records.

The facility shall maintain the following written records in a form, place and system ordinarily employed in good business practice and accessible to department and agency staff.

(1) FACILITY RECORDS. Facility records include:

- (a) through (p) No change.

(q) The facility's resident elopement response protocol.

(r) The facility's documented resident elopement response drills.

(2) STAFF RECORDS.

(a) Personnel records for each staff member shall contain, at a minimum, a copy of the original employment application with references furnished and verification of freedom from communicable disease including tuberculosis. In addition, records shall contain the following, as applicable:

- 1. through 4. No change.

5. Documentation of facility direct care staff and administrator participation in resident elopement drills pursuant to paragraph 58A-5.0182(8)(c), F.A.C.

- (b) through (c) No change.

- (3) through (4) No change.

Specific Authority 400.441, 400.4275 FS. Law Implemented 400.407, 400.4075, 400.424, 400.427, 400.4275, 400.428, 400.435, 400.441 FS. History—New 5-14-81, Amended 1-6-82, 5-19-83, 9-17-84, Formerly 10A-5.24, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.024, Amended 10-30-95, 4-20-98, 11-2-98, 10-17-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-20.0053
 RULE TITLE: Standards for Assembled Financial Statements

PURPOSE AND EFFECT: The Board proposes to amend the rule to add that a Public Accounting Firm may offer to perform assembled financial statements.

SUBJECT AREA TO BE ADDRESSED: Standards for Assembled Financial Statements.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Johnson, Executive Director, Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A Certified Public Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the Certified Public Accountant complies with the standards for assembled financial statements, which are as follows:

- (1) through (7) No change.
- (8) The transmittal letter shall include the name and license number of the Certified Public Accountant who offers to perform or performs services involving assembled financial statements. If more than one Certified Public Accountant offers to perform or performs such services, then the name and license number of the Certified Public Accountant who assumes responsibility for the statements shall be included. If a Licensed Audit Firm or Public Accounting Firm offers to perform or performs such services, the name and license number of the firm may be utilized instead of the name and license number of an individual Certified Public Accountant.
- (9) through (12) No change.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. History—New 10-28-98, Amended 9-20-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.004
 RULE TITLE: Licensure of Changes by Firms

PURPOSE AND EFFECT: The Board proposes to amend the rule to delete the requirement that every two years firms file with the Division of Certified Public Accounting, a list of co-partners, shareholders or members who are non-CPAs.

SUBJECT AREA TO BE ADDRESSED: Licensure of Changes by Firms.

SPECIFIC AUTHORITY: 473.304, 473.3101 FS.

LAW IMPLEMENTED: 473.3101 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Johnson, Executive Director, Board of Accountancy/ MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.004 Licensure of Changes by Firms.

- (1) No change.
- (2) ~~A firm licensed pursuant to Rule 61H1-26.003, F.A.C., shall file with the Division of Certified Public Accounting by March 1 every two years a list of all co-partners, shareholders or members in the U.S. as of December 31, indicating those that are non-CPAs.~~

~~(2)~~(3) No change.

Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98, 1-31-05,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

PURPOSE AND EFFECT: The Board proposes to amend the rule to delete the requirements that out-of-state certified public accountants of firms who have received a temporary permit submit various financial statements in certain circumstances.

SUBJECT AREA TO BE ADDRESSED: Temporary License Requirements.

SPECIFIC AUTHORITY: 473.304, 473.305, 473.314 FS.

LAW IMPLEMENTED: 473.314, 473.315 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Johnson, Executive Director, Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.002 Temporary License.

(1) through (8) No change.

~~(9)(a) Any out-of-state certified public accountant or firm who receives a temporary permit during any calendar year is hereby required to submit one audited, one reviewed, and one compiled financial statement at the time the first permit application is made during each calendar year for review by the Board of compliance with the requirements of Section 473.315, F.S., and the rules promulgated thereto.~~

~~(b) An out of state CPA or firm who seeks to perform a peer review or a quality review on a Florida CPA or firm shall not be required to provide the information set forth in paragraph 61H1-29.002(9)(a), F.A.C., as long as the CPA or firm seeking to perform the review has received an unqualified peer review report from the AICPA approved by the Board within three years of the date of completion of the peer review for which the temporary permit is being sought and provides evidence thereof to the Board. Association of certified public accounting firms who wish to be exempted under the provisions of Section 473.302(4), F.S. must submit their plans of administration or evidence of authorization from the AICPA to conduct quality reviews to the Board for approval on an annual basis.~~

Specific Authority 473.304, 473.305, 473.314 FS. Law Implemented 473.314, 473.315 FS. History–New 12-4-79, Amended 2-3-81, 10-19-83, Formerly 21A-29.02, Amended 5-3-88, 12-3-89, 6-13-90, 3-29-92, 12-2-92, Formerly 21A-29.002, Amended 6-28-94, 1-11-95.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-29.0025
 RULE TITLE: Temporary License – Electronic Practice

PURPOSE AND EFFECT: The Board proposes to amend the rule to change the fee to obtain a temporary license for practice using electronic means.

SUBJECT AREA TO BE ADDRESSED: Temporary License – Electronic Practice

SPECIFIC AUTHORITY: 473.304, 473.314 FS.

LAW IMPLEMENTED: 473.314 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Johnson, Executive Director, Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.0025 Temporary License – Electronic Practice.

(1) through (2) No change.

(3) At the time of submission of the application, the out-of-state certified public accountant or firm shall pay to the Department the ~~\$400.00~~ ~~200.00~~ license fee. The fee will not be refunded in the event the application is withdrawn or denied.

(4) through (5) No change.

Specific Authority 473.304, 473.314 FS. Law Implemented 473.314 FS. History–New 2-12-98, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language regarding initial licensure fees, continuing education provider status and course approval fees, and to update other fees.

SUBJECT AREA TO BE ADDRESSED: Fees.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Johnson, Executive Director, Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-31.001 Fees.

(1) through (2) No change.

(3) For individual active and inactive status licenses, biennial renewal fee provided in Section 473.305, F.S., one hundred and five dollars (\$105.00) ~~ninety five dollars (\$95.00)~~.

(4) For change of status other than during the renewal period, fifty dollars (\$50.00); for reactivation of an inactive status license to active status: two hundred and fifty dollars (\$250.00), ~~fifty dollars (\$50.00)~~; for reactivation of a delinquent status license to active, two hundred and fifty dollars (\$250.00); ~~or~~ changing a delinquent status license to inactive status, fifty dollars (\$50.00). In all cases completion of the requirements of Rule 61H1-33.006, F.A.C., and passage of the examination on Chapters 455 and 473, F.S., and related rules shall be required for reactivation.

(5) The biennial renewal fee provided in Section 473.305, F.S., for partnerships, corporations, and limited liability companies licensed in Section 473.3101, F.S., one hundred fifty dollars (\$150.00). The biennial renewal fee provided in Section 473.305, F.S., for sole proprietor firms and other legal entities owned by a sole proprietor licensed in Section 473.3101, F.S., fifty dollars (\$50.00) ~~twenty five (\$25.00)~~.

(6) No change.

(7) For application for license by endorsement provided in Section 473.308, F.S., two ~~one~~ hundred fifty dollars (\$250.00) ~~(\$150.00)~~ per person. If such application is withdrawn or denied, no portion of the fee will be refunded by the Department.

(8) through (10) No change.

(11) Duplicate licensee fee – If a licensee requests a duplicate license or wall certificate, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$50.00 ~~\$25.00~~.

(12) For verification of licensure to other states: fifty dollars (\$50.00).

(13) For initial licensure, fifty dollars (\$50.00). However, in no event shall an initial license be issued if the initial licensure fees and all required documents are not received within 12 months of the date of certification by the board; in such case, the certification expires and the applicant may reapply for licensure by endorsement, pursuant to Section 473.308(3)(a), F.S.

(14) For approval of continuing education provider status, one hundred dollars (\$100.00), valid for two years. For approval of continuing education courses, twenty-five dollars (\$25.00), per credit hour.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE CHAPTER NO.: 64B32-6
 RULE CHAPTER TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes to amend the rule for continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Procedures for approval of attendance at continuing education courses.

SPECIFIC AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

DATE AND TIME: July 14, 2006, 8:30 a.m.

PLACE: Renaissance Ft. Lauderdale Hotel, 1617 Southeast Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

**Section II
 Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

DEPARTMENT OF CITRUS

RULE CHAPTER NO.: 20-65
 RULE CHAPTER TITLE: Color Grading – Processed Orange Products

RULE NOS.: 20-65.002, 20-65.004, 20-65.005
 RULE TITLES: Equipment, Procedure, Calculation

PURPOSE AND EFFECT: Adding new GretagMacbeth i5 spectrophotometer to list of approved devices for determining OJ color score.

SUMMARY: Adding new spectrophotometer to list of approved devices.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Regulatory Cost has been 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 21 days of this notice.

SPECIFIC AUTHORITY: 601.10(7), 601.11, 601.24 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.9905, 601.9909, 601.24 FS.

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

DATE AND TIME: July 19, 2006, 10:30 a.m.

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-65.002 Equipment.

(1) Any of the following colorimeter or spectrophotometer devices shall be used for measuring color scores for frozen concentrated orange juice (FCOJ), canned concentrated orange juice (CCOJ), concentrated orange juice for manufacturing (COJFM), pasteurized orange juice (POJ), and orange juice from concentrate (OJFC):

(a) through (f) No change.

(g) GretagMacbeth Color-Eye Spectrophotometer Model i5 with Color iQC Basic Software Package.

(2) through (4) No change.

Specific Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.9905, 601.9909, 601.24 FS. History—Formerly 105-1.19(1)(r), (l), Revised 1-1-75, Formerly 20-65.02, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, _____.

20-65.004 Procedure.

(1) The colorimeter or spectrophotometer is to be kept with power connected and maintained on standby or in accordance with manufacturer’s instructions. Turn the instrument to “on” position for ten minutes before making measurements, or follow directions of manufacturer. All light sources shall conform to CIE (1931) illuminant C. All OJ4 color tube calibration values are to be obtained from the Winter Haven, FL laboratory of the Processed Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture.

(2) through (5) No change.

(6) For the GretagMacbeth Color i5 Spectrophotometer with Color IQ Basic Software and 19mm Orange Juice Test Tube Holder. UV and Gloss exclusion is processed by software. Calibration is prompted by software. When completed replace Orange Juice Holder. Push F6 and Color Number is reported. For confirmation, lights illuminated on front of Color i5 should be: LAV, Reflection, D65. Excluded and Calibrated. Calibration required every 24 hours.

~~(7)(6)~~ To determine color number or equivalent color score, use the figures in subsection (2)-~~(6)(5)~~ to calculate the color number or equivalent color score as set forth in Rule 20-65.005, F.A.C.

Specific Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(b), Revised 1-1-75, Formerly 20-65.04, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, _____.

20-65.005 Calculation.

(1) Step 1 – The color number is calculated as follows:

(a) through (e) No change.

(f) For the GretagMacbeth Color-Eye Spectrophotometer Model i 5 with Color iQC Basic Software, the color number is read directly from the instrument and recorded; or it may be calculated from the measured tristimulus X, Y and Z values by applying the equation $CN = 14.5(3.15X/Y - Z/Y + 4.1/Y) - 2.6$.

(2) No change.

Specific Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(c), Revised 1-1-75, Amended 4-15-76, Formerly 20-65.05, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth O. Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth O. Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-5.005
 RULE TITLE: License Renewal Fee Waivers
 PURPOSE AND EFFECT: Update the rule language to omit prior renewal fee waivers and implement a renewal fee waiver for Real Estate brokers, Real Estate sales associates and Community Association Managers.
 SUMMARY: Deletes prior renewal fee waivers and implements new renewal fee waivers.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 455.219 FS.
 LAW IMPLEMENTED: 455.219 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Martinez, Deputy General Counsel, DBPR, 1940 North Monroe Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

61-5.005 License Renewal Fee Waivers.

(1) Pursuant to Section 455.219(1), Florida Statutes, the Department of Business and Professional Regulation has determined, based on long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions, that certain professions have an excess of trust fund moneys required to cover the functions necessary to regulate those professions. These professions, as outlined in subsections (2), (3), and (4) below, are therefore eligible to receive a waiver of license renewal fees for a period not to exceed two years. This is a one-time waiver and is available only in the two year period following the effective date of this rule.

(2) The full renewal fee is waived for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule.

~~(a) Electrical contracting, regulated pursuant to Part II of Chapter 489, F.S., and whose renewal fees are set in Rule 61G6-8.001, F.A.C.;~~

~~(b) Employee leasing, regulated pursuant to Part XI of Chapter 468, F.S., and whose renewal fees are set in Rule 61G7-5.001, F.A.C.;~~

~~(c) Harbor piloting, regulated pursuant to Chapter 310, F.S., and whose renewal fees are set in Rule 61G14-14.004, F.A.C.;~~

~~(d) Real estate appraisers, regulated pursuant to Part II of Chapter 475, F.S., and whose renewal fees are set in Rule 61H1-2.001, F.A.C.; and~~

~~(e) Veterinary medicine, regulated pursuant to Chapter 474, F.S., and whose renewal fees are set in Rules 61G18-12.005 and 61G18-12.009, F.A.C.~~

(3) One half of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:

~~(a) Certified public accountancy, regulated pursuant to Chapter 473, F.S., and whose renewal fees are set in Rule 61H1-31.001, F.A.C.;~~

~~(b) Architecture and interior design, regulated pursuant to Part I of Chapter 481, F.S., and whose renewal fees are set in Rules 61G1-17.001, 61G1-17.002, and 61G1-17.003, F.A.C.;~~

~~(c) Auctioneering, regulated pursuant to Part VI of Chapter 468, F.S., and whose renewal fees are set in Rule 61G2-3.005, F.A.C.; and~~

~~(d) Real estate brokers and sales associates, regulated pursuant to Part I of Chapter 475, F.S., and whose renewal fees are set in Rule 61J2-1.011, F.A.C.~~

(b) Community association managers regulated pursuant to Part VIII of Chapter 468, F.S., and whose renewal fees are set in Rule 61-20.504, F.A.C.

(4) One fourth of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:

~~(a) Landscape architecture, regulated pursuant to Part II of Chapter 481, F.S., and whose renewal fees are set in Rule 61G10-12.009, F.A.C.; and~~

~~(b) Surveying and mapping, regulated pursuant to Chapter 472, F.S., and whose renewal fees are set in Rule 61G17-8.0011, F.A.C.~~

~~(3)(5) For renewals covered by this rule, the separate five dollar unlicensed activity fee collected pursuant to Section 455.2281, F.S., must still be paid at the time of renewal by all licensees. Further, this rule does not waive any additional fees owed at the time of renewal, such as late renewal or penalty fees.~~

Specific Authority 455.219(1) FS. Law Implemented 455.219(1) FS. History—New 10-1-00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Martinez, Deputy General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marsteller, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-17.001
 RULE TITLE: Normal Penalty Ranges

PURPOSE AND EFFECT: The Board proposes the rule amendment due to a change to maximum fine allowed under Section 489.129, F.S.

SUMMARY: The proposed rule amendment sets a meaningful range of penalty guidelines in a reader friendly format.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 21 days of this Notice.

SPECIFIC AUTHORITY: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 489.129 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G4-17.001 follows. See Florida Administrative Code for present text.)

61G4-17.001 Normal Penalty Ranges.

(1) The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this chapter.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
<u>(a) Section 489.129(1)(a), F.S. Obtaining license through fraud or misrepresentation.</u>		
<u>If misrepresentation</u>	<u>\$5,000 fine and/or probation, suspension, and/or revocation.</u>	<u>\$10,000 fine and revocation.</u>
<u>If fraud</u>	<u>\$5,000 fine and revocation</u>	<u>\$10,000 fine and revocation.</u>
<u>(b) Sections 489.129(1)(b), 455.227(1)(c), F.S. Convicted or found guilty of a crime relating to contracting.</u>	<u>\$2,500 fine and/or probation, or suspension.</u>	<u>\$10,000 fine and revocation.</u>
<u>(c) Section 489.129(1)(c), F.S.: Violating any part of Chapter 455, F.S.</u>	<u>Penalty within ranges prescribed by Section 455.227 F.S., unless otherwise prescribed herein.</u>	<u>Penalty within ranges prescribed by Section 455.227 F.S., unless otherwise prescribed herein.</u>
<u>1. Section 455.227(1)(a), F.S.: Fraud, deceit, misleading, or untrue representations.</u>	<u>\$5,000 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>
<u>2. Section 455.227(1)(r), F.S.: Improperly interfering with an investigation or disciplinary action.</u>	<u>\$5,000 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>
<u>(d) Section 489.129(1)(d), F.S.: Assisting unlicensed person to evade provision of Chapter 489, F.S.;</u>	<u>\$2,500 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>

<p><u>(e) Section 489.129(1)(e), F.S.: Combining and conspiring with unlicensed person or entity to evade provision of Chapter 489, F.S.</u></p>	<p><u>\$4,000 fine and/or probation or suspension.</u></p>	<p><u>\$9,000 fine and revocation.</u></p>
<p><u>(f) Sections 489.129(1)(f), 489.119(2), F.S.: Acting under a name not on license:</u></p>	<p><u>\$1,500 fine.</u></p>	<p><u>\$3,000 fine and or probation or suspension.</u></p>
<p><u>(g) Section 489.129(1)(g), F.S.: Mismanagement or misconduct causing financial harm to the customer.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,500 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(h) Section 489.129(1)(h), F.S.: Local disciplinary action.</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline:</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline:</u></p>
<p><u>(i) Section 489.129(1)(i), F.S.: Failing in any material respect to comply with the provisions of Part I of Chapter 489, F.S.</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline:</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline:</u></p>
<p><u>1. Section 489.1195(2)(e), F.S.: Failure to supervise construction activities.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>2. Sections 489.113, 489.117, F.S.: Contracting beyond scope of practice allowed by license, no safety hazard.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$3,000 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>

<p><u>3. Sections 489.113, 489.117, F.S.: Contracting beyond scope of license, safety hazard is created.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$4,000 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$8,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>4. Section 489.1425, F.S.: Failure to notify residential property owner of recovery fund.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$1000 fine.</u></p>	<p><u>\$500 fine.</u></p> <p><u>\$1000 fine.</u></p>
<p><u>5. Section 489.115, F.S.: Contracting with a delinquent license.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p> <p><u>\$2,500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p>	<p><u>\$2,500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p> <p><u>\$5,000 fine and suspension or revocation, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p>
<p><u>6. Section 489.116, F.S.: Contracting with an inactive license.</u></p>	<p><u>\$5000 fine and/or probation or suspension.</u></p>	<p><u>\$10,000 fine and revocation.</u></p>
<p><u>7. Section 489.117, F.S.: Contracting in a city or county where the contractor is not licensed.</u></p> <p><u>a. First violation, where the jurisdiction is not adjacent to one where contractor is properly licensed, or practice outside the geographical scope of the license was willful.</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p>
<p><u>8. Section 489.119, F.S.: Failure to register qualified business organization.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$500 fine.</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,000 fine and/or probation or suspension.</u></p>

<p><u>9. Section 489.119(6)(b), F.S.: License number not appearing in advertisement.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$500 fine.</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$2,500 fine and probation.</u></p>
<p><u>10. Section 489.124, F.S.: Failure to keep business and financial records as required.</u></p>	<p><u>\$1,000 fine</u></p>	<p><u>\$5,000 fine and revocation.</u></p>
<p><u>(j) Section 489.129(1)(j), F.S.: Abandonment.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$7,500 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(k) Section 489.129(1)(k), F.S.: False payment statements, false statement of insurance coverage.</u></p>		
<p><u>1. False payment statement</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine</u></p> <p><u>\$3,000 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>2. False statement of insurance coverage.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$2,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and probation, suspension or revocation.</u></p>
<p><u>(l) Section 489.129(1)(l), F.S.: Committing fraud or deceit in the practice of contracting.</u></p>		
<p><u>1. Causing no monetary or other harm to licensee's customer, and no physical harm to any person.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine</u></p>	<p><u>\$10,000 fine and revocation.</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>2. Causing monetary or other harm to licensee's customer or physical harm to any person.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$10,000 fine and revocation</u></p>

<p><u>(m) Misconduct or incompetency in the practice of contracting, shall include, but is not limited to:</u></p> <p><u>1. Failure to honor a warranty.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation</u></p>
<p><u>2. Violation of any provision of Chapter 61G4, F.A.C., or Chapter 489, Part I, F.S.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and suspension or revocation</u></p>
<p><u>3. Failure to abide by the terms of a mediation agreement or an other offense under this part.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine</u></p> <p><u>\$3,000 fine</u></p>	<p><u>\$2,500 fine and probation</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>4. The following guidelines shall apply to cases involving misconduct or incompetency in the practice of contracting, absent aggravating or mitigating circumstances:</u></p>		
<p><u>(n) Section 489.129(1)(n), F.S.: Being found guilty of gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$3,000 fine.</u></p>	<p><u>\$3,000 fine and probation, suspension or revocation.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(o) Section 489.129(1)(o), F.S.: Proceeding on any job without obtaining applicable local building department permits and/or inspections.</u></p>		
<p><u>1. Late permits. Contractor pulls permit after starting job but prior to completion of same and does not miss any inspections.</u></p>	<p><u>\$250 fine.</u></p>	<p><u>\$3,000 fine and/or probation.</u></p>

<p><u>2. Failure to obtain inspections.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$1,000 fine.</u></p>	<p><u>\$1,000 fine and/or probation or suspension;</u></p> <p><u>\$5,000 fine and suspension or revocation.</u></p>
<p><u>3. Job finished without a permit having been pulled, or no permit until caught after job, or late permit during the job resulting in missed inspection or inspections.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$2,500 fine.</u></p>	<p><u>\$5,000 fine and/or probation;</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>(p) Section 489.129(1)(p), F.S.: Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner or notice to contractor pursuant to Chapter 713, F.S.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and suspension or revocation;</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>(q) Section 489.129(1)(q), F.S.: Failure to satisfy a civil judgment obtained against the licensee or the business organization qualified by the licensee within a reasonable time.</u></p> <p><u>For purposes of this section “reasonable time” means sixty (60) days following the entry of a civil judgment that is not appealed. The Board will consider a mutually agreed upon payment plan as satisfaction of such judgment, so long as the payments are current.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine and/or proof of satisfaction of civil judgment;</u></p> <p><u>\$3,000 fine and/or proof of satisfaction of civil judgment.</u></p>	<p><u>\$5,000 fine and/or proof of satisfaction of civil judgment; to \$10,000 fine and/or proof of satisfaction of civil judgment, and suspension or revocation.</u></p>

(2) In instances where the nature of the charges or the facts of the case indicate that the respondent lacks understanding of the laws and rules regulating the construction industry the Board shall require continuing education hours as an additional penalty to the guidelines listed above. All continuing education

hours assessed as part of a penalty shall be in excess of the credit hours required for biennial renewal as stated in this act and rules.

(3) For purposes of these guidelines, violations for which the Respondent has previously been issued a citation pursuant to Section 455.224, F.S., and Rule 61G4-19.001, F.A.C., shall be considered repeat violations.

(4) In addition, the board shall assess the costs of investigation and prosecution, excluding costs related to attorney time.

(5) In addition, the board shall order the contractor to make restitution in the amount of financial loss suffered by the consumer to the extent that such order does not contravene federal bankruptcy law.

(6) The absence of any violation from this Chapter shall be viewed as an oversight, and shall not be construed as an indication that no penalty is to be assessed. The Guideline penalty for the offense most closely resembling the omitted violation shall apply.

Specific Authority 455.227, 489.108, 489.129 FS. Law Implemented 455.227, 455.2273, 489.129 FS. History—New 10-26-86, Amended 12-21-92, Formerly 21E-17.001, Amended 11-2-93, 10-12-94, 7-2-95, 9-3-96, 10-31-96, 2-4-98, 8-2-98, 2-2-04, 1-24-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 12, 2006
DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 5, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: 61G6-5.001 RULE TITLE: Definitions
PURPOSE AND EFFECT: The Board proposes to amend this rule in order to add the definition of verification call.
SUMMARY: The definition of a verification call will be added to the rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 21 days of this notice.
SPECIFIC AUTHORITY: 489.505(2), 489.507(3), 489.511 FS.
LAW IMPLEMENTED: 489.505(10), (12), 489.511(2)(a)3.c. FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.001 Definitions.

As used in this chapter:

(1) through (16) No change.

(17) “Verification call” means contacting the affected premises or party prior to alarm dispatch using call verification methods as defined in American National Standards Institute/Central Station Alarm Association CS-V current edition.

Specific Authority 489.505(2), 489.507(3), 489.511 FS. Law Implemented 489.505(10), (12), 489.511(2)(a)3.c. FS. History—New 1-2-80, Amended 2-15-82, Formerly 21GG-5.01, Amended 2-23-86, 3-21-88, 11-26-90, 7-8-91, 5-20-92, 11-3-92, Formerly 21GG-5.001, Amended 12-26-96, 3-24-94, 7-13-95, 5-2-96, 8-27-96, 2-13-97, 8-3-97, 1-4-98, 9-7-98, 10-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors’ Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: 61G6-5.006 RULE TITLE: Certification of Additional New Business Entity or Transfers
PURPOSE AND EFFECT: The Board proposes to amend the rule to have only one deadline for completion and receipt of the application for Transfers or Additional Business Entities.
SUMMARY: The rule amendment will amend the rule to say that there is only one deadline for completion and receipt of the application for Transfers or Additional Business Entities.
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 21 days of this notice.

SPECIFIC AUTHORITY: 489.507(3), 489.511(3), 489.521(2), (3)(a) FS.

LAW IMPLEMENTED: 489.511(3), 489.521(2), (3)(a), (8) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.006 Certification of Additional New Business Entity or Transfers.

(1) No change.

(2) The Application for Transfer form, DB/FORMS/TRANSAPP Rev. 3/97, titled Application for Transfer, which is hereby incorporated by reference and will be effective 6-16-98, copies of which may be obtained from the Board office. Applications for Transfers or Additional Business Entities must be completed and received thirty (30) calendar days prior to a meeting of the Board. ~~Correspondence, requests, information or other documents pertinent to the application must be postmarked twenty-one (21) or received fourteen (14) calendar days prior to any scheduled meeting of the Board. Items received after the fourteen (14) day period may not be considered until the next meeting of the Board.~~

(3) through (4) No change.

Specific Authority 489.507(3), 489.511(3), 489.521(2), (3)(a) FS. Law Implemented 489.511(3), 489.521(2), (3)(a), (8) FS. History—New 1-2-80, Amended 4-16-82, 6-22-82, Formerly 21GG-5.06, Amended 11-3-92, Formerly 21GG-5.006, Amended 11-30-94, 5-2-96, 6-16-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-9.004

RULE TITLE: Continuing Education Requirements for Renewal for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment to specify the continuing education subject areas.

SUMMARY: The rule amendment will specify the continuing education subject areas.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 21 days of this notice.

SPECIFIC AUTHORITY: 120.52(15), 120.54(1), 455.2124, 489.507(3) FS.

LAW IMPLEMENTED: 455.2124, 489.513(3), 489.517(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.004 Continuing Education Requirements for Renewal for Certificateholders and Registrants.

(1) through (3) No change.

(4) A person initially licensed 12 or more months prior to the end of a biennial period is required to complete 7 hours of continuing education as a condition of renewal. Of the 7 hours of continuing education, 6 of the hours must be in the following areas: 2 hours technical, 1 hour business, 1 hour worker's compensation, 1 hour work place safety and 1 hour false alarm. A person initially licensed for less than 12 months prior to the end of a biennial period need not complete any continuing education as a condition of renewal.

(5) through (7) No change.

Specific Authority 120.52(15), 120.54(1), 455.2124, 489.507(3) FS. Law Implemented 455.2124, 489.513(3), 489.517(3) FS. History—New 11-30-94, Amended 4-22-01, 8-15-04, 1-30-05, 8-10-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Electrical Contractors' Licensing
Board

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 24, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 28, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Professional Geologist

RULE NO.: RULE TITLE:
61G16-3.001 Schedule of Fees Adopted by the
Board

PURPOSE AND EFFECT: The Board proposes the
amendment to the rule to the fees adopted by the Board.

SUMMARY: The Board proposes the amendment to the rule to
increase the fees for License and Certificate Renewal,
Reactivation from \$125.00 to \$150.00.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS: 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 regulatory cost alternative must do so in writing within
21 days of this notice.

SPECIFIC AUTHORITY: 455.213(2), 455.217, 455.219,
455.271, 492.104, 491.1101 FS.

LAW IMPLEMENTED: 455.213(2), 455.217, 455.219,
455.271, 492.105, 492.106, 492.1101, 492.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: John Knapp, Executive Director,
Board of Professional Geologist, 1940 N. Monroe Street,
Tallahassee, Florida 32399-0764

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-3.001 Schedule of Fees Adopted by the Board.

(1) through (3) No change.

(4) License and Certificate Renewal, Reactivation:

(a) The biennial renewal fee for licensure as a professional
geologist in an active status shall be one hundred fifty dollars
(\$150) and ~~twenty five dollars (\$125)~~.

(b) through (e) No change.

(5) No change.

Specific Authority 455.213(2), 455.217, 455.219, 455.271, 492.104,
491.1101 FS. Law Implemented 455.213(2), 455.217, 455.219,
455.271, 492.105, 492.106, 492.1101, 492.111 FS. History—New
4-27-88, Amended 3-15-90, 2-21-91, 10-27-91, Formerly
21DD-3.001, Amended 5-22-96, 5-14-97, 9-18-97, 11-23-99,
11-16-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Geologist

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 20, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:
61H1-27.001 College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule
amendment to correct a grammatical error.

SUMMARY: Ireland will be changed to Irish.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS: 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
21 days of this notice.

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: John Johnson, Executive Director,
Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A,
Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-27.001 College or University Requirements.

(1)(a) through (g) No change.

(h) Canadian, Mexican, Irish ~~Ireland~~, and Australian
academic accounting programs approved by the provincial
education bodies or the equivalent educational accreditation
body for that country.

(2) through (5)(b) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History--New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

DEPARTMENT OF HEALTH
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-5.009
RULE TITLE: Supervision by a Disciplined Practitioner

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

SUMMARY: The proposed rule amendment updates of the existing language in this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 21 days of this Notice.

SPECIFIC AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.009 Supervision by a Disciplined Practitioner.

No licensee whose license to practice pursuant to this chapter has been disciplined by final order of this Board, ~~placed on probation or whose license has been suspended or revoked~~ shall, during the term of discipline, serve as a supervisor for any person seeking licensure or intending to seek licensure pursuant to Chapter 491, F.S., until all the terms of the final order in the disciplinary matter are completed. Upon a finding of probable cause and filing of an administrative complaint, a licensee acting as a supervisor shall, within 15 days of the filing of the administrative complaint, notify in writing all supervisees and upon imposition of the terms of the Final Order, a licensee acting as a supervisor shall, within 5 days of the final order imposing the discipline, notify in writing all the supervisees of the disciplinary status.

Specific Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History--New 6-1-92, Formerly 21CC-5.008, 61F4-5.008, 59P-5.008, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE IS: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2006

DEPARTMENT OF HEALTH
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE NO.: 64B4-7.008
RULE TITLE: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders

PURPOSE AND EFFECT: The Board proposes to establish requirements to be a qualified practitioner for completing risk assessments and treatment of sexual offenders.

SUMMARY: The proposed rule establish requirements to be a qualified practitioner for completing risk assessments and treatment of sexual offenders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 21 days of this Notice.

SPECIFIC AUTHORITY: 120.695, 456.073(3), 484.044 FS.

LAW IMPLEMENTED: 120.695, 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-7.008 Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders.

(1) In order to be a qualified practitioner for completing risk assessments for sexual offenders, one must hold an active license under Chapter 491, Florida Statutes, or be supervised by a practitioner licensed under Chapter 491, Florida Statutes.

(2) A qualified practitioner under this rule shall possess 55 hours of post degree education in the following core areas:

(a) Etiology of sexual deviance;

(b) Evaluation/risk assessment and treatment of adult and adolescent sexual offenders that have established scientific bases;

(c) Evaluation/risk assessment and treatment of specialized populations of sexual offenders (i.e. female & developmentally delayed);

(d) Physiological measures of sexual arousal;

(e) Sexual offender and DSM-IV diagnosis;

(f) Safety planning/Family Safety planning;

(g) Report writing;

(h) Evaluation and treatment of victims;

(i) Legal and ethical issues in the evaluation and treatment of sexual offenders;

(j) Co-morbidity and substance abuse issues.

(3) Have documented 2,000 hours of post degree experience in the evaluation and treatment of sexual offenders.

(4) A qualified practitioner under this rule must complete 20 hours of biennial continuing education in the assessment, evaluation and treatment of sexual offenders; relapse prevention, experience and training in working with victims; and related legal and ethical issues.

Specific Authority 947.005(9), 948.001(6), 491.004(5) FS. Law Implemented 947.005, 948.30 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE IS: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2005

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-30.013	Notice of Noncompliance
64B8-30.014	Citation Authority

PURPOSE AND EFFECT: The proposed rule amendments are intended to address both the first-time failure and subsequent failure to report a change in supervisor for physician assistants.

SUMMARY: The proposed amendment to Rule 64B8-30.013, F.A.C., adds a notice of non-compliance for the first time failure to notify the Department of a change in supervisor. The amendment to Rule 64B8-30.014, F.A.C., specifies that the second failure to notify the Department of a change in supervisor will result in a citation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.073(3), 456.077, 458.309, 458.347(7)(g), (12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 458.331, 458.347(7)(e), (g), (12) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-30.013 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter 458, F.S., as prohibited by Sections 458.347(7)(g) and 458.331(1)(x), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 458.347(7)(e), (g), F.S.).

Specific Authority 456.073(3), 458.309, 458.347(7)(g), (12) FS. Law Implemented 456.073(3), 458.331, 458.347(7)(e), (g), (12) FS. History—New 3-3-02, Amended _____.

64B8-30.014 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS PENALTY

(a) through (f) No change.

(g) ~~Second failure~~ ~~Failure~~ \$250 fine per supervising to report to the Department of addition/deletion/change of supervising physician(s) within 30 days after the change is made.

(Section 456.035, F.S.)

(Section 458.331(1)(g), F.S.)

(Section 458.347(7)(e), (g), F.S.)

(h) through (i) No change.

(4) through (5) No change.

Specific Authority 456.077, 458.309, 458.347(7)(g), (12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History--New 3-3-02, Amended 5-19-03, 11-17-03, 5-4-04, 12-12-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.009
RULE TITLE: Payment of Fines

PURPOSE AND EFFECT: The purpose and effect is to delineate guidelines and parameters for the payment of fines and of monthly payment plans.

SUMMARY: Guidelines and parameters for the payment of fines and of monthly payment plans are established.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.072(4), 464.006 FS.

LAW IMPLEMENTED: 456.072(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.009 Payment of Fines.

(1) Unless stated otherwise in the Final Order, fines are payable within sixty days of the filing of the order.

(2) Individuals may file a petition for indigent status with the board office. The petition must include, at a minimum, the following financial information:

(a) Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

(b) Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

(c) Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

(d) All liabilities and debts.

(3) Upon review and approval by the Executive Director, the Department may issue an order for monthly payment plan within the following parameters:

(a) For fines and costs up to \$2,000, payments may be distributed over a period not to exceed 24 months.

(b) For fines and costs up to \$5,000, payments may be distributed over a period not to exceed 48 months.

(c) For fines and costs over \$5,000, payments may be distributed over a period not to exceed 120 months at a minimum payment of \$100 per month.

Specific Authority 456.072(4), 464.006 FS. Law Implemented 456.072(4) FS. History--New 9-11-83, Formerly 21O-10.06, 21O-10.006, 61F7-8.009, 59S-8.009, Amended .

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2006

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:
 64B15-6.0105 Notice of Noncompliance
 64B15-6.01051 Citation Authority

PURPOSE AND EFFECT: The proposed rule amendments are intended to address both the first-time failure and subsequent failure to report a change in supervisor for physician assistants.

SUMMARY: The proposed amendment to Rule 64B15-6.0105, F.A.C., adds a notice of non-compliance for the first time failure to notify the Department of a change in supervisor. The amendment to Rule 64B15-6.01051, F.A.C., specifies that the second failure to notify the Department of a change in supervisor will result in a citation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.073(3), 456.077, 459.005, 459.022(7)(f),(12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 459.015, 459.022(7)(d),(f),(12) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B15-6.0105 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter ~~459~~ 458, F.S., as prohibited by Sections 459.022(7)(f) and 459.015(1)(bb), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 459.022(7)(d), (f), F.S.)

Specific Authority 456.073(3), 459.005, 459.022(7)(f), (12) FS. Law Implemented 456.073(3), 459.015, 458.347(7)(f), (12) FS. History--New 3-10-02, Amended_____.

64B15-6.01051 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) <u>Second failure</u> Failure to report to the Department of addition/deletion/change of supervising physician(s) <u>within 30 days after the change is made.</u>	\$ 250 fine per supervising physician
(Section 456.035, F.S.)	
(Section 459.015(1)(g), F.S.)	
(Section 459.022(7)(d), (f) (e) (g) , F.S.)	
(h) through (i) No change.	
(4) through (5) No change.	

Specific Authority 456.077, 459.005, 459.022(7)(f), (12) FS. Law Implemented 456.077, 459.015, 459.022(7)(d), (f), (12) FS. History--New 3-10-02, Amended 1-12-04, 5-4-04, 12-12-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2006

Section III Notices of Changes, Corrections and Withdrawals

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-7.669	Definitions
40E-7.670	Competitive Solicitation Preferences
40E-7.672	Compliance
40E-7.673	Certification Eligibility
40E-7.674	Certification Review Procedures
40E-7.675	Recertification Review Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 8, February 24, 2006, issue of the Florida Administrative Weekly. The Notice of Change is in response to both the Joint Administrative Procedures Committee's Comments and Public Comment received at our April 12, 2006 Governing Board Meeting. In addition, to the Notice of Change are the forms that will be incorporated by reference. Form No. 0956, “SBE Subcontractor Participation Schedule”, which is used at the time of submittal of a bid or proposal. The bidder or proposer shall identify all SBE firms which will be utilized as subcontractors. Form No. 0957, “Statement of Intent to Perform as a SBE Subcontractor”, which is used in all bids or proposals with SBE participation. The SBE subcontractor and the bidder or proposer shall document their intent to establish a business relationship and confirm the SBE participation percentages. Also included are the “Small Business Enterprise Application for Certification Form 1231” and the “Small Business Enterprise Application for Recertification Form 1232” which will also be incorporated by reference.

40E-7.669 Definitions.

(1) through (3) No change.

(4) “Employees” means those individuals who received a W-2 from the Applicant. In determining number of employees a business has, the District shall count only those individuals who were supplied a W-2 by the Applicant. Whether employed on a full time or part time basis.

(4)(5) “Gross Receipts” means the total sales for the Applicant as specified in its Federal tax return or if a new company which has not filed a Federal tax returns, in its audited financial statement as referred to in paragraph 40E-7.673(2)(a), F.A.C., before deductions for returned items, allowances, and discounts.

(5)(6) “Industry Categories” means construction, commodities and services.

(6) “Prime Contractor” means any individual or contracting entity with whom the District has entered into a legally binding agreement for performance or work at a mutually agreed upon price in accordance with agreed upon terms and conditions.

(7) through (8) No change.

(9) “District Small Business Enterprise (SBE)” means a business certified by the District, ~~that including affiliates, employs 100 or fewer part and/or full time employees, whose three (3) year average gross receipts including affiliates shall not exceed \$13 million if the business provides construction, \$5 million if the business provides commodities, and \$6 million if the business provides services.~~ Additionally, a District Small Business Enterprise is licensed to do business in the State of Florida if the business requires a license. ~~Finally, a District Small Business Enterprise three (3) year average gross receipts shall not exceed \$4 million if the business provides construction, \$2.5 million if the business provides commodities, and \$3 million if the business provides services.~~

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

40E-7.670 Competitive Solicitation Preferences.

(1) No change.

(2) Sheltered Market Program.

The District ~~shall~~ ~~may~~ provide for sheltered markets for only SBE’s to bid on designated solicitations. The District shall be guided in selecting sheltered market solicitations by selecting industries in which small businesses have usually not had an opportunity to compete for awards against larger businesses. Additionally in order to award a contract in a sheltered market the District must receive responses from at least 3 SBE’s. If no bid or response is received for a contract that has been designated for the Sheltered Market, the contract shall be competed pursuant to the District’s Procurement Policy.

(3) Subcontracting Requirements.

(a) Bids – The District shall set subcontracting goals for all bids ~~based on availability in the amount of 30% of the total contract amount.~~ Availability refers to registered vendors with the District, including certified Small Business Enterprise (SBE) firms able to perform work within specific commodity codes. The formula for setting a goal is expressed as the total number of District certified (SBE) firms within specific commodity codes in a scope of work divided by the total number of registered vendors with the District’s Procurement

Department within the same commodity codes at the time of the preparation of the solicitation. Numerically, this is expressed as:

$$\frac{\text{Total Number of District Certified SBE's} \times \text{Subcontracting Goal Percentage}}{\text{Total Number of District Registered Vendors}}$$

The maximum goal that will be applied to any solicitation will be 25%. Bidders may provide work to one or more District SBE's in order to meet the goal. Any bidder failing to meet the established 30% goal shall be deemed nonresponsive.

(b) Proposals – For contracts awarded based on an evaluation criteria, up to 20 of the total evaluation points may be awarded to Prime contractors who subcontract 30% or more of the contract dollar amount to certified SBE's. (The District shall award points as reflected in Table 7.6-2. The maximum points will be awarded to the proposer if 25% or more of the total project work is performed by SBE firms. Percentages reflect the amount of the total contract value proposed to be assigned to SBE firms.

TABLE 7.6-2
EVALUATION POINT TABLE

10 20 POINTS FOR SBE PARTICIPATION	
≥ 25 30% =	10 20 points
≥ 23 27% =	9 18 points
≥ 21 24% =	8 16 points
≥ 19 21% =	7 14 points
≥ 17 18% =	6 12 points
≥ 15% =	5 10 points
≥ 13 20% =	4 8 points
≥ 11 9% =	3 6 points
≥ 9 6% =	2 4 points
≥ 7 3% =	1 2 points

(e) Failure to submit any of the documentation required herein shall lead to the business submitting a bid or proposal being deemed nonresponsive.

(c)(d) At the time of submittal of its bid or proposal the bidder or proposer prime contractor using shall identify all SBE firms which will be utilized as subcontractors, by using Form No. 0956, "SBE Subcontractor Participation Schedule" effective (____), which is hereby incorporated by reference and which can be obtained from the District upon request on the contract. All bids or proposals with SBE participation shall include Form No. 0957, "Statement of Intent to Perform as a SBE Subcontractor" effective (____), which is hereby incorporated by reference and can be obtained from the District upon request, signed by the SBE subcontractor and the bidder

or proposer which confirms their intent to establish a business relationship and confirms the SBE participation percentages. The proof of certification for all SBE's must be submitted to the District at the time of bid or proposal. Failure to submit any of the information required herein shall lead to the bid or proposal being deemed nonresponsive. Additionally the prime contractor must specify what specify work elements each SBE will perform. All prime contractors must submit proof of District certification of the SBEs they plan on using in the bid or proposal by providing a copy of the District certification letter. All SBE proposed tasks must be defined within the scope of work being solicited by completing these two forms: the Schedule of Subcontractor Participation Form and Statement of Intent to Perform as a Subcontractor Form.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

40E-7.672 Compliance.

(1) through (3) No change.

(4) To ensure that all commitments by prime contractors under contracts awarded in which there are SBE subcontractors are met, the prime contractor's efforts to meet its commitments throughout the performance of the contract shall be reviewed. The Prime Contractor shall advise the District of any situation in which regularly scheduled progress payments are not made to SBE subcontractors.

(5) through (6) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

40E-7.673 Certification Eligibility – Small Business Enterprise.

District staff shall have the authority to accept, review, approve, certify, decertify and deny applications for SBE certification. An applicant business must be registered with the District as a vendor prior to submitting an application for certification.

(1) Applicant businesses shall submit applications for SBE certification using Form No. 1231, "SBE Certification Application" effective (____), which is hereby incorporated by reference and which can be obtained from the District upon request. Mailing addresses must include the number, name of the street, suite number, if any, city and correct zip code. A post office box will not be acceptable absent a street address.

(2) To establish that it is a small business, the applicant shall:

(a) Provide documentation to demonstrate that the three (3) year average gross receipts of the business concern, together with its affiliates, does not exceed \$134 million for Construction, \$52.5 million for Commodities, and \$63 million for Services. In determining the gross receipts of the business and its affiliates, the District shall consider the three (3) most recent federal tax returns; filed by the Applicant for the three

~~(3) years immediately preceding their application. If the Applicant business has not filed three (3) federal income tax returns for the three (3) years immediately preceding their application, the most recent audited financial statements for the business shall be considered. then the Applicant must submit a financial statement, for any of the three (3) years immediately preceding the application in which the Applicant did not file a federal income tax return(s). The financial statement must be prepared by a Certified Public Accountant as defined by Section 473.301, F.S., not employed by the Applicant but retained for the purpose of preparing financial statements for the Applicant. Applicants in business less than one (1) year are to submit an opening balance sheet and income statement for the months in which they were in business.~~

~~(b) Provide documentation to demonstrate that it employs one hundred (100) or fewer Employees. In determining whether the applicant meets the criteria for a small business, the District shall consider the following documentation:~~

- ~~1. Latest Florida Quarterly Unemployment Reports.~~
- ~~2. Annual Federal Unemployment Report.~~
- ~~3. Most Current Payroll Ledgers.~~

~~(b)ii. The applicant must demonstrate that it is licensed to do business in the State of Florida if the business requires a license.~~

(c) The Applicant may only have one (1) business certified with the South Florida Water Management District.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

40E-7.674 Certification Review Procedures.

(1) No change.

(2) Within thirty six (36) days following receipt of the application, the District will request the applicant business to furnish omitted items or additional information, if any. If all requested information is not received by the District within thirty (30) days from the date of the request, the District will return the unprocessed application to the applicant business.

~~(3) An on-site verification review may be conducted by the District upon receipt of the completed application. Failure to cooperate with the scheduling of the on-site review or during the on-site review shall result in the denial of the application.~~

~~(3)(4)~~ Applicants determined eligible shall receive certification as an SBE from District staff. ~~This document will state the length of time for which the business will be certified and the areas of business it is certified in.~~ Once certified, an applicant shall remain certified for a period of three (3) years unless the applicant fails to follow this rule and is sanctioned pursuant to the Rule. The District retains the right to re-evaluate the certification of any business at any time.

~~(4)(5)~~ Applicants determined ineligible shall receive a notification from District staff. Applicants receiving this notification of ineligibility shall not be eligible to submit new applications until 180 days after the date of the notice denying certification.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

40E-7.675 Recertification Review Procedures.

(1) Applications for recertification shall be submitted using Form No., 1232 “SBE Application for Recertification”, effective (_____) which is hereby incorporated by reference and available from the District upon request.

(2) The District will notify SBEs no later than sixty (60) days before the end of the certification period that the SBE’s certification is about to expire. If the SBE is unable to use the recertification document because of changes to the applicant’s business, the SBE shall notify the District in writing of the changes to its company. The District shall determine if the company still complies with the certification criteria set forth in Rule 40E-7.673, F.A.C. Recertification requests must be filed with the District no later than the last effective date of the current certification period.

(3) Upon receipt, all recertification requests shall be given an initial screening to ensure appropriate signature and completeness. Within ~~thirty six (36)~~ thirty six (36) days following initial receipt of the applicant’s recertification request, the District ~~will may~~ request the applicant to furnish omitted or additional information. If the requested information or items are not received by the District within thirty (30) days from the date of the request, the District will deny the application for recertification.

~~(4) An on-site verification review may be conducted by the District upon receipt and review of the recertification request. Failure to cooperate with the scheduling of the on-site review or during the on-site review shall result in the denial of recertification.~~

~~(4)(5)~~ Recertification shall be granted when the applicant has complied with this rule and substantiates continued eligibility for SBE status.

~~(5)(6)~~ Applicants deemed eligible shall receive a recertification letter stating the length of time for which the business has been re-certified and the specialty areas of the business. Once recertified, an applicant shall remain certified for a period of three (3) years unless the District determines that the applicant no longer meets the eligibility requirement of this Rule. The District retains the right to reevaluate the certification of any business at any time.

~~(6)(7)~~ Applicants determined ineligible for recertification shall receive a letter citing the specific criteria of Rule 40E-7.673(2), F.A.C., that they failed to meet and advising that

~~they applicable rules and~~ shall not be eligible to submit new applications until 180 days after the date of the notice or the District’s final agency order denying recertification.

(7)(8) If an application for recertification is timely submitted, an SBE shall remain certified until the District has made a determination concerning eligibility.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division Health Quality Assurance

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-33	Health Care Clinic Licensure
RULE NOS.:	RULE TITLES:
59A-33.001	Definitions
59A-33.002	Licensure, Application Process, General Requirements
59A-33.003	Initial License Applications Applicability
59A-33.004	Renewal License Application
59A-33.005	Change of Ownership License Applications
59A-33.006	Certificates of Exemption and Exempt Status
59A-33.007	AHCA Forms Availability, Information and Website
59A-33.008	Medical and Clinic Director
59A-33.009	Financial Instability
59A-33.010	Cessation of Business, Billing and Medical Records Retention, Suspended and Revoked Licenses
59A-33.011	Magnetic Resonance Imaging Exemption for Chief Financial Officer
59A-33.012	Survey Requirements and Process
59A-33.013	Medical and Clinic Directorships Maximum Number of Clinics

NOTICE OF CHANGE

Notice is hereby given that the following coded changes (~~strike~~ and add) have been made to proposed Rule Chapter 59A-33, F.A.C., in accordance with subparagraph Section 120.54(3)d)1., Florida Statutes, originally published on January 13, 2006 in Vol. 32, No. 2, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE CHANGES IS: Roger Bell, Unit Manager of the Health Care Clinic Unit, 2727 Mahan Drive, Mail Stop #53, Tallahassee, Florida 32308-5704, (850)488-1365, Suncom 278-1365, e-mail: bellr@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE WITH CODED CHANGES IS:

59A-33.001 Definitions.

In addition to definitions contained in Chapter 400, Part XIII, F.S., the following definitions shall apply specifically to health care clinics.

(1) “Licensee” means an individual, general partner of a limited partnership, general partnership, joint venture, limited liability company, limited liability partnership, unincorporated association, corporation or any other business relationship or entity that owns or controls a health care clinic or is the lessee of the health care clinic having the right of possession of the health care clinic location or mobile unit.

(2) “Physician” means a person currently licensed to practice medicine, osteopathy, chiropractic, or podiatry pursuant to Chapter 458, 459, 460 or 461, F.S., respectively.

(3) “Unencumbered license” means a license issued by the respective health practitioner board of the Department of Health that permits a physician to perform all duties authorized under a license without restriction.

(4) “The Health Care Clinic Act” or “Act” means Part XIII, Chapter 400, F.S.

(5) “F.S.” means Florida Statutes.

(6) “F.A.C.” means Florida Administrative Code.

(7) “Licensed medical provider” means a licensed health care practitioner.

Specific Authority 400.9925 FS. Law Implemented 400.991(1), 400.9925, 400.9905(4)(g), (5) FS. History–New _____.

59A-33.002 Licensure, Application Process, General Requirements.

(1) The licensee or prospective licensee shall make application for an initial, change of ownership, or renewal license to operate a health care clinic and shall provide all of the information required by this rule and Chapter 400, Part XIII, F.S. on AHCA Form 3110-0013B, Application for Health Care Clinic Licensure June 2004, and AHCA Form 3110-0013A, Instruction for Completing the Application for Health Care Clinic Licensure June 2004 incorporated by reference.

The following shall be included with the application:

(a) License Fee. A nonrefundable \$2,000 application fee payable to AHCA; and

(b) Fictitious Name. When an applicant intends to operate under a fictitious name, a copy of an Affidavit of Compliance with Fictitious Name pursuant to Section 865.09, F.S., or a copy of a registration form from the Division of Corporations, Secretary of State, showing registration of the applicant’s fictitious name; and

(c) Evidence of Incorporation. When an applicant is a corporation or other entity, a copy of the registration of the applicant entity on file with the Division of Corporations, Secretary of State, State of Florida; and

(d) Financial Projections. Proof of financial ability to operate for the first year of licensure. This proof shall include evidence that the applicant has sufficient assets, credit, and projected revenues to cover liabilities and expenses. The applicant must submit a projected income and expense statement and projected balance sheet that have been prepared according to generally accepted accounting principals and signed by a certified public accountant. As a convenience, the applicant may submit the required information on AHCA Form 3110-001C, June 2005, Schedule 2, Projected Income and Expense, incorporated by reference, and AHCA Form 3110-001D, Schedule 3, Projected Balance Sheet, June 2005, incorporated by reference. As an alternative, and not in addition to providing a projected income and expense statement and projected balance sheet, the applicant may submit a surety bond in the amount of \$500,000 payable to the Agency for Health Care Administration. For a Surety Bond the applicant must submit AHCA Form 3110-1103E, Health Care Clinic Surety Bond, June 2005, incorporated by reference; and

(e) Background Screening. All information required by this paragraph (e) to enable the Agency to evaluate and determine compliance with the Act regarding background screening. This information must include the identification of all individuals who must be the subject of Level 2 background screening under standards established in Chapter 435, F.S., and in Section 400.991(7)(d), F.S., as required on AHCA Form 3110-0013B, June 2005, Application for Health Care Clinic Licensure, adopted by reference.

1. Individuals required to meet background screening requirements include individuals owning or controlling, directly or indirectly, 5 ~~10~~% or more of an ownership interest in the health care clinic; the medical or clinic director, or similarly titled person responsible for the day to day operation of the health care clinic; the financial officer or similarly titled individual responsible for the financial operation of the health care clinic; and all licensed health care practitioners employed by or under contract to the health care clinic that have been issued a license, registration or certification by the Florida Department of Health.

2. For each individual not previously screened within the last 5 years; who passed background screening in accordance with the Act in such previous background screening, the applicant for licensure shall submit an original completed applicant (meaning that individual) fingerprint card (blue and white card) from any authorized agency or law enforcement office in the United States plus the applicable processing fee established by the Florida Department of Law Enforcement (FDLE); provided however, an individual who owns an interest in a health care clinic, where ~~but~~ such ownership interest is less than a 10% interest, shall ~~may~~ not be required to submit a fingerprint card. This latter proviso shall not preclude the Agency from determining through means other than through

the examination of fingerprints, whether any such individual has a criminal record that precludes issuance of a health care clinic license to the applicant for licensure.

3. Within thirty (30) days of ~~Upon~~ receipt by the Agency of the results of background Level 2 screening by FDLE and by the Federal Bureau of Investigation (FBI), the Agency will notify the applicant in writing if the determination is other than compliant ("HCC-OK"). Within twenty-one (21) days of such notice by the Agency to the licensure applicant, with the Agency's accompanying request for additional information, ~~The applicant shall provide the following additional information to the Agency as requested within 30 days of the notice~~ to enable the Agency to make a final determination regarding whether a disqualifying criminal record exists for any such individual that would preclude issuance of the license to the applicant. The Agency will notify the applicant for the license in writing of a final disqualifying criminal record and the right to formally contest the determination.

4. Any applicant that fails to provide requested criminal or other necessary information within twenty-one (21) ~~thirty (30)~~ days after the notice to the applicant of the need for such information regarding any particular individual, or that otherwise fails to respond to the notice in a manner that resolves the problem in determining the disqualifying nature of the criminal record of a particular individual, shall be subject to having the applicant's pending license application withdrawn ~~to denial or revocation~~ of an existing license revoked for such failure.

5. Individuals directly or indirectly owning or controlling 5 ~~10~~% or more of an interest in a health care clinic means the natural persons owning or controlling stock, directly or indirectly, in the applicant entity or owning or controlling 5 ~~10~~% or more interest in a company or companies directly or indirectly related to the applicant entity through inter-company ownership or control. For example: When a parent company or companies own 100% of the outstanding stock or controls the applicant entity, any individual owning or controlling a 5 ~~10~~% or more interest in the parent company is required to undergo Level 2 background screening in accordance with the Act.

~~6. Any individual employed by or under contract with a health care clinic who is required to pass Level 2 background screening must submit an applicant fingerprint card and processing fee of \$47 to the Agency within 10 days of becoming affiliated with a health care clinic in accordance with paragraph (1)(e), unless submitted with an initial, change of ownership or renewal application. This requirement shall be a continuous obligation of the healthcare clinic. All applicants for a license or current licensees must comply in a timely manner. For persons who have previously completed and met Level 2 background screening requirements and for such other persons subject to background screening, the health care clinic must file a supplemental application on AHCA Form~~

~~3110-0013B, June 2005, Application for Health Care Clinic Licensure, incorporated by reference, by following the instructions for meeting background screening requirements when adding personnel to the health care clinic. Failure of the health care clinic to submit fingerprint cards and related fees in a timely manner as required by this paragraph shall subject the health care clinic to the penalties of Section 400.995 (1), F.S.~~

~~6.7.~~ No license will be issued to any health care clinic until all of the required background screening responses from FDLE the Florida Department of Law Enforcement and from the FBI have been received by the Agency and the individuals screened have been determined cleared in accordance with the Act and consistent with this rule. Documentation that resolves background screening issues is required documentation pursuant to Section 400.991(4), F.S. A license that is granted, notwithstanding the existence of a pending criminal charge against an individual whose criminal case will not be resolved within the time specified in this rule, and which criminal charge may result in the establishment of a criminal record that would have precluded licensure if established prior to issuance of the license, shall be subject to periodic review by the Agency specifically as to the disposition of that individual's criminal charge. The licensee ~~promptly~~ shall promptly notify the Agency of such disposition upon learning of it.

~~(2) All health care clinics deemed to be unlicensed under this rule are specifically subject to a fine for unlicensed activity in accordance with Section 400.995(5), F.S. and all other remedies provided by law. The Agency may deny, suspend, revoke and refuse to renew a license or application for any reason set forth in Section 408.831, F.S. In the event the Agency denies an application for renewal and seeks sanctions, the Agency shall issue a provisional license that shall enable the health care clinic to operate during the sanction proceedings. The provisional license shall terminate on the date the license is revoked by final order, the date the sanctioning proceeding terminates, or the date the final order grants the health care clinic a standard license.~~

~~(2)(3)~~ All forms and these rules may be obtained by contacting the Agency as shown in Rule 59A-33.007, F.A.C.

Specific Authority 400.991(1), 400.991(7)(d), 400.995(3), 400.9925 FS. Law Implemented 400.9925, 400.991(1)(a), (4), (7)(d), 435.04 FS. History–New _____.

59A-33.003 Initial License Applications Applicability.

(1) Licensure is required for all entities meeting the definition of "Health care clinic" per Section 400.9905(4), F.S., that are not otherwise exempt under Section 400.9905(4)(a)-(j)(~~+~~), F.S.

(2) Any business that meets the definition of a health care clinic must submit an application in accordance with Rule 59A-33.002, F.A.C., within 5 days of becoming a health care clinic pursuant to Section 400.9935(2), F.S. An application for licensure is required for health care clinics that have a current

certificate of exemption or have self-determined they have exempt status, but do not qualify for an exemption under Section 400.9905 (4), F.S.

(3) A change of ownership application that is not received before the ownership change has been completed is considered an initial license application.

Special Provisions. Submission of applications must be in accordance with Rule 59A-33.002, F.A.C., General Provisions.

Specific Authority 400.9925 FS. Law Implemented 400.991, 400.992, 400.9935(9) FS. History–New _____.

59A-33.004 Renewal License Applications.

(1) At least 90 days prior to the expiration of the license, all licensed health care clinics must submit a complete renewal application on AHCA Form 3110-0013B, Application for Health Care Clinic Licensure June 2005, in accordance with AHCA Form 3110-0013A, Instruction for Completing the Application for Health Care Clinic Licensure June 2005 and check the renewal box. These forms are hereby adopted by reference. All information required by the form and instructions must be submitted. All forms and these rules may be obtained by contacting the Agency in accordance with Rule 59A-33.007, F.A.C.

~~(2) Timeliness of the renewal application will be determined on the basis of receipt by the Agency. In the event an application is submitted less than 90 days before license expiration, an administrative fine of one-half of the license fee shall be assessed. An application for renewal submitted to the Agency after the expiration date will be processed as an initial application.~~

~~(3) A health care clinic is deemed to be unlicensed after the license has expired. The health care clinic is then subject to a fine for unlicensed operation in accordance with Section 400.995(5), F.S.~~

~~(2)(4)~~ Special Provisions. Submission of the renewal application must be in accordance with Rule 59A-33.002, F.A.C. Proof of financial ability to operate shall not be required for a renewal application unless the Agency determines that there is evidence of financial instability. If the Agency and notifies the health care clinic in writing of such evidence of instability, the clinic will be required to demonstrate proof of financial ability to operate in order to meet the licensure requirements of the Act comply with. (See Rule 59A-33.009, F.A.C., relating to financial instability).

~~(3)(5)~~ An unannounced onsite inspection and survey will be conducted by the Agency prior to license expiration. All requirements for licensure under these rules and the Act must be met during the survey.

~~(4)(6)~~ Each health care clinic providing magnetic resonance imaging services must provide proof of required accreditation under Section 400.9935(9), F.S., with the license

renewal application. This requirement is met with a copy of a letter or certificate indicating the effective date of the accreditation.

Specific Authority 400.9925 FS. Law Implemented 400.991(4), (8), (9), 400.991(1) 400.9935(5), (11)(a), 400.995(1), (5) FS. History—New _____.

59A-33.005 Change of Ownership License Applications.

(1) Applications for change (“CHOW”) of health care clinic ownership are subject to the following standards.

(a) A health care clinic license cannot be sold, assigned, encumbered, pledged as security, leased or otherwise transferred, directly or indirectly. A health care clinic license is good only for the location and owners originally approved by the Agency.

(b) An application for change of ownership of a health care clinic is required pursuant to Section 400.992(4), F.S., when 45 percent or more of the ownership, voting shares, or controlling interest of a health care clinic is transferred or assigned, or when the maximum aggregate percentage is achieved cumulatively within a 2-year period. The standards and applications under Rule 59A-33.002, F.A.C., shall apply to applications for change of ownership.

(c) When ~~such a change in the~~ change of ownership of ownership of a health care clinic ~~occurs or is contemplated to occur as described in paragraph (b)~~, an application for change of ownership must be submitted to the Agency at least 60 days before the effective date of the change. ~~A change of ownership prior to submitting this required application in a timely manner and operation as a health care clinic is considered operating in violation of the Act and the clinic shall be fined \$5,000 in accordance with Section 400.995, F.S.~~

(d) When changing the ownership of a health care clinic, the transferee must submit an application for a license and check the change of ownership box on AHCA Form 3110-0013B, June 2005, Application for Health Care Clinic Licensure with accompanying instructions. This form is adopted herein by reference. The form and these rules may be obtained by contacting the Agency in accordance with Rule 59A-33.007, F.A.C.

(e) When a health care clinic changes ownership according to the criteria set forth in this rule and the Act and operates before an change of ownership application is filed, it is in violation of Section 400.993(1), F.S., and the Agency shall issue a notice of intent to assess the ~~assess a~~ statutory fine of \$5,000.

(f)(e) When a health care clinic changes ownership and operates after an application is filed, but before the new change-of-ownership license is effective, the Agency shall issue a notice of intent to fine ~~assess the applicant a fine of~~ up to \$5,000 pursuant to Section 400.995(1), F.S.

(g)(f) A change of ownership application requires compliance with Rule 59A-33.002, F.A.C., which includes, but is not limited to, the licensure applicant's ~~the applicant's~~ submission of proof of financial ability to operate and of applicant ~~of applicant~~ fingerprint cards for all persons required to meet to submit to comply with level 2 background screening requirements within the past 5 years in accordance with AHCA Form 3110-0013B, June 2005, titled Application for Health Care Clinic Licensure.

Specific Authority 400.9925 FS. Law Implemented 400.991(7)(d), 400.992(4)-(5), 400.9925(1)-(5), 400.993(2), 400.995(1), (6), (7) FS. History—New _____.

59A-33.006 Certificates of Exemption and Exempt Status.

(1) Facilities and entities exempt from health care clinic license requirements are set forth in Section 400.9905(4), F.S. A facility is not required to have, but may voluntarily apply for a certificate of exemption.

(2) Facilities that claim an exemption, either by filing an application for ~~an~~ certificate of exemption with the Agency and receiving a certificate of exemption, or self-determining, must maintain an exempt status at all times the facility is in operation.

(3) When a change to the exempt status occurs to an exempt facility or entity that causes it to no longer qualify for an exemption, any exempt status claimed or reflected in a certificate of exemption ceases on the date the facility or entity no longer qualifies for a certificate of exemption ~~becomes a health care clinic~~. In such case, the health care clinic must file with the Agency a license application under the Act within 5 days of becoming a health care clinic and shall be subject to all provisions of the Act applicable to unlicensed health care clinics. Failure to timely file an application for licensure within 5 days of becoming a health care clinic will render the health care clinic unlicensed and subject the owners, medical or clinic directors and the health care clinic to sanctions under the Act.

(4) A facility becomes a ~~health care~~ “clinic” as defined in Section 400.9905(4), F.S., when it does not qualify for an exemption, provides healthcare services to individuals and bills third party payers for those services.

(5) Change of Exempt Status. When exempt status changes are discovered, the Agency will notify a facility or entity applying for, obtaining or self-determining exempt status, that the exempt status is no longer valid, giving the grounds therefore, the date of the change, when known, and the statutory and rule provisions applicable. The Agency shall give the facility or entity notice of unlawful health care clinic operation, the statutory and rule requirements of becoming a health care clinic and sanctions for operating without a valid license for the owners, medical or clinic directors and the location. The Agency shall also provide information to the facility or entity believed to be operating without exempt status of the licensing procedures and the Agency filings necessary to meet licensure requirements.

(6) The applicant for a certificate of exemption must affirm, without reservation, the exemption sought pursuant to Section 400.9905(4), F.S., and the qualifying requirements for obtaining and maintaining an exempt status; the current existence of applicable exemption-qualifying health care practitioner licenses; qualified ownership, qualified certifications or registration of the facility or owners; federal employer identification number; services provided; proof of legal existence and fictitious name, when the entity and name are required to be filed with the Division of Corporations, Department of State; plus other satisfactory proof required by form adopted by this rule.

(7) The fee for issuance of a certificate of exemption shall be \$100 and submitted to the Agency with the application.

(8) Within 30 calendar days after application receipt, the Agency shall determine whether the application is complete. If the application is deemed incomplete, the Agency shall request in writing from the applicant specific information necessary for the application to be deemed complete. Only one such request will be made by the Agency. If the applicant does not provide the specific additional information required by the statute and rule in writing to the Agency within 21 calendar days of receipt of the Agency's request, the application will be deemed incomplete and the certificate of exemption shall be withdrawn from further consideration ~~denied~~. The applicant's response must be received by the Agency no later than 5:00 P.M., E.S.T., on ~~or before~~ the omissions due date. An application for a certificate of exemption from health care clinic licensure shall be granted or denied by the Agency within 90 days of receipt of a fully completed application on AHCA Form 3110-0014, which is incorporated by reference and may be obtained in accordance with Rule 59A-33.007, F.A.C.

(9) The Agency shall ~~may~~ rely upon the address given on the application as the official address to which correspondence may be sent. It is the duty of the applicant to notify the Agency in writing at least 10 days in advance of any change of the current mailing address by contacting the Agency according to Rule 59A-33.007, F.A.C.

(10) Certificates of exemption are not moveable or transferable, directly or indirectly. They are valid only for the applicant, qualifying owners, licenses, registrations, certifications and services provided under specific statutory exemptions and are valid only to the specific exemption claimed and granted. In order for a certificate of exemption to be valid the applicant must apply for and receive a new certificate of exemption for changes of location and any qualifying statutory or rule requirement of an exemption.

Specific Authority 400.9925 FS. Law Implemented 400.9905(4), 400.9935(2), (9) FS. History--New _____.

59A-33.007 AHCA Forms Availability, Information and Website.

All forms and corresponding instructions, copies of these rules, the Health Care Clinic Act and other information necessary for licensure and exemption that are incorporated by reference into this chapter, F.A.C., may be obtained from the Health Care Clinic Unit website: http://www.fdhc.state.fl.us/MCHQ/Health_Facility_Regulation/HealthCareClinic/index.shtml or may be obtained by written request addressed to: AHCA, Health Care Clinic Unit, 2727 Mahan Drive, MS #53, Tallahassee, FL 32308 or by telephone at (850)488-1365 for mailing or inquiry.

Specific Authority 400.9925 FS. Law Implemented 120.54 FS. History--New _____.

59A-33.008 Medical or Clinic Director.

(1) A licensed health care clinic may not operate or be maintained without the day-to-day supervision of a single medical or clinic director as defined in Section 400.9905(5), F.S. The health care clinic responsibilities under Section 400.9935(1)(a)-(g), F.S., cannot be met without an active, appointed medical or clinic director. Failure of an appointed medical or clinic director to substantially comply with health care clinic responsibilities under Rule 59A-33.012, F.A.C., and Sections 400.9935(1)(a)-(g), F.S., shall be grounds for the revocation or suspension of the license and assessment of a fine pursuant to Section 400.995(1), F.S.

(2) By statutory definition in Section 400.9905(5), F.S., a medical director is a health care practitioner that holds an active and unencumbered Florida physician's license in accordance with Chapters 458 (medical physician), 459 (osteopathic physician), 460 (chiropractic physician) or 461 (podiatric physician), F.S. A suspended or non-renewed license is considered an encumbered license, as is a license that restricts the license holder from performing health care services in a manner or under supervision different from a license holder without board or Department of Health restrictions.

(3) The Agency shall ~~may~~ issue an emergency order suspending the license of any health care clinic operated or maintained without a medical or clinic director as required by the Act and this rule for such period of time as the health care clinic is without a medical or clinic director. The Agency shall assess a civil fine of up to \$5,000 for operating or maintaining a health care clinic without a medical or clinic director. Each day of operation following receipt of Agency notice is considered a separate offense. Operation and maintenance of a health care clinic without a medical or clinic director shall be grounds for revocation of the license in addition to the assessment of fines pursuant to Section 400.995(1), F.S.

~~(4) All health care clinics must notify the Agency of the resignation, abandonment and appointment of a medical or clinic director on AHCA Form AHCA Form 3110-0014 June~~

~~05, which is adopted by reference, by delivering the original form to the Agency at the address set forth in Rule 59A-33.007, F.A.C. Such application must be filed with the Agency within 10 days of the resignation or abandonment of a medical or clinic director. The health care clinic must also file an application with the Agency within 10 days of the appointment of a new medical or clinic director. The form shall require the date the medical or clinic director of record ceased to be the director and the date the successor began as director. The incoming medical or clinic director and a representative of the owner of the health care clinic shall sign the form and attest to its accuracy. The form shall include an acknowledgement that the new medical or clinic director has accepted the responsibilities of Section 400.9935(1), F.S., by signing the form. A copy of the form may be obtained from the Agency at the address shown in Rule 59A-33.007, F.A.C. All appointed medical or clinic directors must comply with Section 400.9905(5), F.S., at the time of appointment and throughout the appointment period. There is no fee for this form.~~

~~(4) Unless otherwise exempted by law, an application for a change in the medical or clinic director shall be accompanied by a fingerprint card of the new medical or clinic director together with the required and a processing fee for background screening of that individual of \$47 per card.~~

Specific Authority 400.9925(1), (2) FS. Law Implemented 120.542, 120.60(6), 400.9905(5), 400.9915(3), 400.993, 400.9935(1)(a)-(g), 400.9935(3), 400.995(1), (6) FS. History–New _____.

59A-33.009 Financial Instability.

When evidence of financial instability of a health care clinic is substantiated, the Agency will notify the health care clinic in writing that satisfactory proof of financial ability to comply with Part XIII, Ch. 400, F.S., must be provided.

(1) Evidence of financial instability of a health care clinic shall, without limitation, include issuance of checks and drafts for which there are insufficient funds, an accumulation of delinquent bills for such items as personnel salaries, drugs, lease, mortgage, utilities or other operational costs, appointment of a receiver, a voluntary or involuntary petition for bankruptcy, a voluntary arrangement with creditors, health care clinic closure, discontinuance of health care clinic business for more than 60 consecutive days or insolvency.

(2) The licensee shall submit to the Agency a written plan of correction to resolve specific financial problems that the Agency has identified as evidence of financial instability. Should the financial instability not be resolved within 90 days of the original notice, the licensee shall be subject to disciplinary action, fine, suspension or revocation of the license.

Specific Authority 400.9925 FS. Law Implemented 400.992(3) FS. History–New _____.

59A-33.010 Cessation of Business, Billing and Medical Records Retention, Suspended and Revoked Licenses.

(1) The medical or clinic director serves as the medical records owner while the health care clinic is in operation. ~~After~~ The licensee is the records owner of billing and medical records after the cessation or change of ownership of the business. ~~The treating health care practitioner creating the record~~ is the medical records owner in accordance with Sections 456.057, 456.0575, 456.58, F.S., and the rules promulgated thereunder unless there is a written agreement between the practitioner and health care clinic to the contrary.

(2) Each original license shall be returned to the Agency at the address shown in Rule 59A-33-007, F.A.C., within 10 days after a change of ownership in accordance with Rule 59A-33.005, F.A.C., or cessation of operations, suspension or revocation of the license by the Agency. Agency staff shall ~~may~~ enter the premises of the health care clinic at reasonable times to remove a license after final action of the Agency suspending or revoking the license or when the health care clinic has changed ownership in accordance with Rule 59A-33.005, F.A.C., or relocated without notice to the agency. Operating a health care clinic while a license is suspended or revoked ~~constitutes shall be deemed~~ unlicensed operation of a clinic and subjects the clinic, owners and medical or clinic director, individually, to the criminal sanctions, and the clinic to per-day fines for operating without a license.

~~(3) All financial books and medical records, including but not limited to, patient files and billing records, shall be retained by the health care clinic owners in a secure location for a period of at least five (5) years from the last date on the record. The licensee shall notify the Agency in writing within 10 days of closure giving the Agency the name, street address and telephone number of the custodian and street address of the location of financial and medical records.~~

~~(4) When a change of ownership occurs, the new medical or clinic director will serve as the records owner in accordance with the practice act of the director. Within 10 days of any change of location or change of records custodian, the health care clinic owners shall provide to the Agency in writing, information as required by subsection (3). Records shall be retained for at least five (5) years from the last date on the record.~~

Specific Authority 400.9925 FS. Law Implemented 400.991, 400.993, 400.994, 400.995 FS. History–New _____.

59A-33.011 Magnetic Resonance Imaging Exemption for Chief Financial Officer.

(1) The statutory authorization threshold to utilize a chief financial officer (“CFO”) in lieu of a medical or clinic director to supervise health care clinic activities under Section 400.9935(1)(g), F.S., is partially met when less than 15% of the

total scans for the previous quarter (3 months) of operation are reimbursed from automobile personal injury protection insurance ("PIP").

(2) Calendar quarters shall begin on the first of January, April, July and October. For health care clinics applying for and obtaining initial licenses, a partial quarter shall count as a full quarter of operations for purposes of qualifying for this CFO exemption to Section 400.9935(1)(g), F.S.

(3) In calculating total scans, a single scan means one patient study. The records of total scans must be maintained by the health care clinic and made available to an authorized employee of the Agency upon request. The records for each quarter in which the exemption is claimed must be tallied separately and demonstrate the total number of scans billed to PIP insurance divided by the total scans for the quarter. Upon request of the Agency, the health care clinic shall demonstrate how the figures were determined and the methodology utilized.

(4) The exemption from the required utilization of a medical or clinic director for Section 400.9935(1)(g), F.S., activities applies only to a health care clinic that is fully accredited by the Joint Commission on Accreditation of Healthcare Organizations and the American College of Radiology or ~~dually accredited~~ by the Accreditation Association for Ambulatory Health Care and the American College of Radiology.

(5) Each CFO claiming qualifications for the exemption, shall within 30 days of the health care clinic meeting the threshold for the previous quarter for utilization, affirm to the Agency in writing at the address shown in Rule 59A-33.007, F.A.C., that the CFO meets the minimum qualifications for appointment, the MRI health care clinic has been appropriately accredited and the health care clinic has met the minimum scan threshold for the previous three months as set forth in Section 400.9935(1)(g), F.S.

(6) The health care clinic shall maintain the records reflecting qualification for the CFO exemption, including the individual qualifications of the person acting as the CFO as set forth in Section 400.9935(1)(g), F.S., for 3 years.

(7) For purposes of determining whether a clinic has obtained required accreditation within one year of licensing, a temporary or provisional license is considered "licensed" within the meaning of Section 400.9935(11)(a), F.S.

Specific Authority 400.9925 FS. Law Implemented 400.9905(3), 400.9935(11)(a), (g) FS. History—New _____.

59A-33.012 Survey Requirements and Process.

(1) The survey process is an onsite inspection and review of the health care clinic facility or administrative office, by authorized Agency employees to determine the health care clinic's compliance with the minimum standards established by the Act, its statutory references and rules regulating the operation and licensure of health care clinics. Surveys will be conducted as part of the review process for initial, renewal,

change of ownership and complaint investigations and may be unannounced. The purpose of the survey is to verify information provided on an application as well as inspect, review, interview, document and determine that the minimum health care delivery system attributes for a health care clinic, as required by the Act and these rules are in place and operational or will be operational after commencing business.

(2) A survey will be conducted for:

- (a) Initial applications for licensure; and
- (b) Applications for renewal licenses; and
- (c) Applications for a change of ownership.
- (d) Complaints filed with the Agency.

(3) The surveyor will request the health care clinic to demonstrate how it is meeting or will meet the minimum requirements for licensure. The medical or clinic director must attend the survey entrance conference and be available when the survey is conducted for the surveyor to determine compliance with minimum standards. Other key personnel required include the financial director, a representative of management or ownership and persons responsible for patient records and billing.

(4) At the entrance conference, each surveyor will identify himself or herself and will discuss the survey process and what is expected of the health care clinic during the survey. At the exit conference, surveyors will inform health care clinic representatives of the findings of the survey. When deficiencies are found, the surveyor will discuss them with the persons then in attendance and discuss the criteria for determining the level of sanctions in accordance with Section 400.995(1)(a)-(d), F.S. The field office shall inform the health care clinic in writing of its recommendations and shall require a plan of correction to be prepared and delivered to the field office within 10 days of receipt to correct deficiencies when minimum health care delivery system requirements have not been met. Implementation and Agency verification of a successful plan of correction does not prohibit the field office from recommending sanctions. Sanctions shall include the assessment of fines, suspension, moratorium, emergency order of suspension and revocation.

(5) To facilitate a licensure survey, the health care clinic ~~shall~~ should have the following materials readily available for review at the time of the survey: ~~When the survey is unannounced, the materials should be made available to the surveyor upon request.~~

(a) The professional license or facsimile of the license for the medical or clinic director.

(b) Copy of medical or clinic director's written agreement with the health care clinic assuming the responsibilities for the statutory activities in Section 400.9935(1)(a)-(g), F.S. If the medical or clinic director signs the application or change of medical or clinic director form, acknowledging these responsibilities as specified in Section 400.9935, F.S., this requirement is met.

(c) Written policies, protocols, guidelines and procedures used or to be used by the facility staff in day-to-day operations. This includes, but is not limited to protocols for physician assistants and advanced registered nurse practitioners plus a copy of the supervision form submitted to the Department of Health by the physician supervisor.

(d) Any policies, procedures, guidelines, checklists and/or means that are used in the systematic creation and maintenance of the health care clinic's medical record system.

(e) Any policies, procedures, guidelines, checklists that demonstrate compliance with the medical records retention, disposition, reproduction, and disclosure requirements of the medical or clinic director's practice act.

(f) Any policies, procedures, guidelines, checklists that demonstrate compliance with the office surgery requirements of the practice acts for services performed at the facility.

(g) Any policies, procedures, guidelines, checklists that demonstrate compliance with adverse incident reporting requirements and injury disclosure.

(h) Personnel files.

(i) Logs, charts or notes demonstrating day-to-day oversight of health care clinic activities by the medical or clinic director.

(j) Copies of professional licenses issued by the respective boards and the Department of Health under the several practice acts.

(k) Any patient referral contracts or agreements of the health care clinic that are in writing and a disclosure to the surveyor of any such agreements that are not in writing including the names of the parties to the agreement, the date and the essential terms of agreement.

(l) For health care clinics that are in operation at the time of the survey, the surveyor will select a sample of at least five (5) patient medical records from the previous 6 months of operation with at least one (1) Medicaid file, if certified as a Medicaid provider, plus the five (5) billing records that correspond with the five patient records.

(m) Description of means by which the health care clinic conducts a systematic review of billings that ensures billings are not fraudulent or unlawful. A sample must be reviewed by the medical director or clinic director at least once every 30 days and a record maintained by the health care clinic for at least three years identifying the records reviewed and when and what action was taken to correct fraudulent or unlawful billings. A log of systematic reviews shall be kept and maintained in a discrete file at the health care clinic for review on request of the Agency during the retention period.

(n) List of services provided or a general descriptor of scope, level and complexity of care for services provided.

(o) Current diagnostic and treatment equipment records showing equipment certification when such equipment must have regulatory certification. This requirement is met with presentation of a current maintenance agreement.

(p) An organizational flow chart with lines of authority and names of key individuals and positions.

(q) An all-inclusive and up to date listing of original signatures and initials of all persons entering information billing and patient records, the printed name and medical designation, if any, such as PA, RN, MD, etc. The log shall be kept and concurrently maintained at the health care clinic. Information required by this rule shall be stored and maintained by the health care clinic for a period of 5 years.

(r) Log of all natural person required and who have been screened under Level 2 criteria of Chapter 435, Section 400.991, F.S.

(s) Documentation for the past two years or from the date of licensure, whichever is earlier, demonstrating in writing compliance, when, and what action was taken by the medical or clinic director to perform the functions, duties and clinic responsibilities under Sections 400.9935(1)(a)-(g), F.S. Such documentation shall be made available to authorized agency personnel upon request.

Specific Authority 400.9925 FS. Law Implemented 120.542, 120.60(6), 400.9905(5), 400.9915(3), 400.995(1), (6), (8) FS. History--New _____.

59A-33.013 Medical and Clinic Directorships Maximum Number of Clinics.

A medical or clinic director may not serve in that capacity for more than a maximum of five health care clinics with a cumulative total of more than 200 employees and persons under contract with the health care clinic at given time. A medical or clinic director may not supervise a health care clinic more than 200 miles from any other health care clinic supervised by the same medical or clinic director.

Specific Authority 400.9925(2) FS. Law Implemented 400.9925(2) FS. History--New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.: 61B-75.004
 RULE TITLE: Audio or Video Recording of Meetings

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)l., F.S., published in Vol. 32, No. 16, April 21, 2006, issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Section 61B-75.004 is amended to read:

61B-75.004 Audio or Video Recording of Meetings.

Any unit owner is entitled to tape record or videotape meetings of the board of administration, committee meetings, or unit owner meetings, subject to the following restrictions:

(1) Rules: Associations may adopt rules, which are consistent with this rule, regarding the placement and use of audio and video equipment by unit owners who exercise their rights to tape association meetings. Association rules for this purpose must be adopted in accordance with the procedures for adopting association rules established by the cooperative documents. The only audio and video equipment and devices which unit owners are authorized to utilize at any such meeting is equipment which does not produce distracting sound or light emissions.

(2) Placement: Audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting. If adopted in advance by the board or unit owners as a written rule, audio

(3) Use: Anyone videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording. If adopted in advance by the board or unit owners as a written rule, anyone

(4) If adopted in advance by the board or unit owners as a written rule, advance notice shall be given to the board by any unit owner desiring to utilize any audio or video equipment.

Specific Authority 719.106(1)(c), (d)5. FS. Law Implemented 719.106(1)(c), (d)5. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.005 RULE TITLE: Notification of Address Change

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 3, of the January 20, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

Subsection (3) will be stricken in its entirety.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.003 RULE TITLE: Continuing Professional Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 10, of the March 10, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

The rule shall now read as follows:

(1) through (4) No change.

(5)(a) No change.

(b)1. through 4. No change.

~~5. Formal correspondence or other individual study programs must require registration and provide evidence of satisfactory completion and shall be credited for continuing professional education purposes as approved in an amount equal to one half of the average completion time established by the course sponsor. Formal correspondence or other individual study programs must be pre-approved by the Committee on Continuing Professional Education. In order to receive approval of courses and/or providers, evidence of the following must be submitted by the provider:~~

~~a. That there is a registration requirement;~~

~~b. That the course is developed and intended primarily as an educational activity;~~

~~c. That the course has been pre tested to determine the average completion time;~~

~~(I) Non-interactive programs shall be credited in an amount equal to one half of the average completion time, and~~

~~(II) Interactive programs shall be credited for actual completion time;~~

~~d. Evidence of satisfactory completion;~~

~~e. An evaluation (test) to determine whether learning objectives where met has been conducted.~~

(6) Each certified public accountant shall, on or before July 15 prior to his biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Each certified public accountant's documentation supporting such programs shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable a random audit by the Department of Business and Professional Regulation to determine compliance with the requirements. If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the licensee will be given 60 days from the date of notification, but no later than December 31 ~~4~~, to comply with the continuing professional education requirements. Licensees who complete the continuing professional education

requirements timely but who are found to be deficient after December 31, of their renewal year must correct the error and pay a \$50 fine within 60 days.

(7) No change.

Specific Authority 120.55(1)(a)4., 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.312(1)(a), (c) FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05,_____.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.006
RULE TITLE: Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., FS., published in Vol. 32, No. 13, of the March 31, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

(1) Each certified public accountant who has requested ~~or reverted to~~ inactive status or became delinquent as distinguished from a certified public accountant whose certificate or license has been suspended who desires to become an active licensee, i.e., engage or reengage in the practice of public accounting in Florida, shall apply for such reactivation by completing and submitting to the Department Forms DBPR 0010-2 – Master Individual Application and DBPR CPA-501101 – Request for Change of Status, hereby incorporated by reference and effective _____ and _____, respectively; copies of these forms may be obtained from the board office on forms prescribed by the Board and submitted to the Department.

(2) Each such application shall demonstrate successful completion of the required number of continuing professional education hours. Inactive or delinquent licensees must satisfy the requirements of their last reestablishment period, plus successful completion of at least 32 hours total, of which at least 8 hours must be in accounting and auditing subjects for each year or portion thereof the license was inactive and/or

delinquent prior to July 1, 1989 and 40 hours total, of which at least 10 hours must be in accounting and auditing subjects for each year or portion thereof license was inactive after June 30, 1989. No more than 25% of the total required hours may be in behavioral subjects, as defined in paragraph 61H1-33.003(3)(c), F.A.C., if taken subsequent to July 1, 1985. At least eighty percent (80%) of the ~~The~~ necessary hours must have been completed in the twenty-four months immediately preceding the date of application for reactivation. This twenty-four month requirement will be waived where the licensee can document completion of the CPE requirements in all biennia in the same manner as if the licensee had remained active.

(3) through (4) No change.

Specific Authority 455.271, 473.304, 473.311, 473.312, 473.313 FS. Law Implemented 455.271, 473.311, 473.312, 473.313, 473.323(1)(i)(~~h~~) FS. History—New 12-4-79, Amended 2-3-81, 11-6-83, 3-29-84, 8-20-85, Formerly 21A-33.06, Amended 4-8-86, 12-28-89, 10-16-90, Formerly 21A-33.006, Amended 12-14-93, 5-26-96,_____.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

STATE BOARD OF ADMINISTRATION

RULE NO.: 19ER06-2
RULE TITLE: Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE: The 2006 Legislature passed CS/CS for SB 1980 on Friday, May 5, 2006. In anticipation of the issuance of bonds by the Florida Hurricane Catastrophe Fund (FHCF), as

soon as practicable, this legislation makes some important clarifications regarding the emergency assessments which will service the bond debt and includes a mandatory rapid cash build-up. Therefore, given the immediate need to ensure that the emergency assessments are calculated and remitted appropriately and that the bonding process proceed in a smoothly and in a timely manner, this emergency rule is necessary.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Prior to the passage of the law, the FHCF addressed the need for this emergency rule during a regularly scheduled meeting of the FHCF Advisory Council on May 11, 2006. The meeting, which was open to the public, was noticed on the FHCF website, and a notice was mailed to every person or entity on the FHCF's mailing list. In addition, the proposed emergency rule has been placed on the website.

SUMMARY OF THE RULE: Rule 19ER06-2, is titled "Revenue Bonds Issued Pursuant to Section 215.555(6), F.S." In summary, the changes made to the rule add clarifications regarding the use of reimbursement premiums and rapid cash build-up to pay losses, clarifications to the grounds for adjusting the emergency assessment percentage, and clarifications were added addressing the emergency assessment payment calculations.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jack E. Nicholson, Senior FHCF Officer, Florida Hurricane Catastrophe Fund, State Board of Administration

THE FULL TEXT OF THE EMERGENCY RULE IS:

19ER06-2 (19-8.013) Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

(1) Purpose. This rule establishes the Board's policy regarding the issuance of revenue bonds pursuant to Section 215.555(6), F.S. The rule provides definitions; interprets certain terms in Section 215.555, F.S.; establishes factors for determining when to issue revenue bonds, the amount of any such revenue bonds, and the source for repayment of any such revenue bonds; and establishes procedures for levying Emergency Assessments pursuant to Section 215.555(6)(b), F.S.

(2) Definitions. The terms defined below will be capitalized in this rule.

(a) Assessable Insurer means Authorized Insurers writing property and casualty business in this state and any entity created pursuant to Section 627.351, F.S. Surplus lines insurers are not Assessable Insurers. Reinsurers are not Assessable Insurers.

(b) Assessable Insured means each insured procuring property and casualty coverage from surplus lines insurers regulated under Part VIII of Chapter 626, F.S.

(c) Assessable Lines are those lines of property and casualty business subject to assessment under Section 215.555(6)(b)(l), F.S., and as more fully described in subsection (5), below.

(d) Authorized Insurer means an insurer as defined in Sections 215.555(2)(c) and 624.09(1), F.S. For purposes of this rule, Authorized Insurer includes any joint underwriting association or similar entity created pursuant to Section 627.351, F.S.

(e) Balance of the Fund and Fund Balance have the same meaning given to Balance of the Fund as of December 31 in Article V of the Reimbursement Contract adopted by and incorporated into Rule 19-8.010, F.A.C.

(f) Board means the State Board of Administration of Florida.

(g) Contract Year means the time period that begins June 1 of each calendar year and ends May 31 of the following calendar year.

(h) Corporation means the Florida Hurricane Catastrophe Fund Finance Corporation created by Section 215.555(6)(d), F.S.

(i) Covered Event means a hurricane as defined in Section 215.555(2)(b), F.S., and in Article V of the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010, F.A.C.

(j) Covered Policies means an insurance policy covering residential property, as defined in Section 215.555(2)(c), F.S., and in Article V of the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010, F.A.C.

(k) Department means the Florida Department of Financial Services, which was created pursuant to Section 20.121, F.S., and which is charged with regulating the Florida insurance market and administering the Florida Insurance Code.

(l) Emergency Assessment means the assessment levied by the Office of Insurance Regulation at the direction of the Board on direct written premiums for all Assessable Lines pursuant to and subject to the exceptions in Section 215.555(6)(b), F.S., and as more fully described in subsection (5) of this rule.

(m) Fund means the Florida Hurricane Catastrophe Fund.

(n) Office of Insurance Regulation means that office within the Department which was created in Section 20.121(3), F.S.

(o) Participating Insurer means an insurer which writes Covered Policies in this state and which has entered into a Reimbursement Contract with the Board, pursuant to Section 215.555(4)(a), F.S.

(p) Reimbursement Contract means the annual contract required pursuant to Section 215.555(4)(a), F.S., which provides coverage to Participating Insurers for losses to covered property during a Covered Event.

(q) Reimbursement Premium means the premium determined by multiplying each \$1,000 of insured value reported by the Participating Insurer in accordance with Section 215.555(5), F.S., by the rate as derived from the premium formula as described in Rule 19-8.028, F.A.C.

(3) Limitations on the Fund's Liability. The Fund's liability under the Reimbursement Contracts for Covered Events in a Contract is limited to the lesser of (a) the amount determined pursuant to Section 215.555 (4)(c)1., F.S., or (b) the Balance of the Fund for the Contract Year in which the Covered Events have occurred, any reinsurance purchased by the Fund plus the amount the Board has raised through the issuance of revenue bonds for losses from Covered Events in the Contract Year and the additional amount the Board determines it is able to raise through the issuance of revenue bonds for losses from Covered Events in the Contract Year.

(4) Determinations Regarding Bond Issuance.

(a) General Factors for Use in Determining Whether to Issue Bonds. Based on the requirements of Section 215.555, F.S., on all rules adopted pursuant thereto, and on the foregoing interpretations, the Board determines that the Legislature intended the Fund to be a sustainable, permanent, and continuing trust fund established within the meaning of Article III, s. 19 of the Florida Constitution which is available to pay reimbursable losses for Covered Events in more than one year. The Board further determines that the Legislature deliberately and purposefully limited the Fund's liability as to Covered Events in any one Contract Year in order to provide for an on-going Fund. The Board determines that in its fiduciary capacity regarding the Fund, it is prudent to adopt the interpretations set out in this rule and to conform all its other policies, rules, and methods of operation to those fiduciary responsibilities and interpretations.

(b) Quality of Bonds to be Issued. The Board finds that in order to fulfill its fiduciary responsibilities to maintain and enhance the on-going viability and credibility of the Fund and to operate in the most cost-efficient manner, all revenue bonds issued to pay reimbursable losses shall be investment grade bonds, except to the extent that revenue bonds other than investment grade are needed to pay a small amount of legitimate but unexpected reimbursable losses. Upon the occurrence of such an exception, any revenue bonds issued will be issued only after a determination by the Board that the issuance of such bonds is fiscally responsible, in light of the Board's fiduciary responsibilities.

(c) Emergency Assessments.

1. If the Board determines that the amount of revenue produced under Section 215.555(5), F.S., is insufficient to fund the obligations, costs, and expenses of the Fund and the Corporation, including repayment of revenue bonds and that portion of debt service coverage not met by Reimbursement Premiums, the Board shall direct the Office of Insurance Regulation to levy an Emergency Assessment on direct written

premiums for all Assessable Lines. In making this determination, the Board may consider the projected Balance of the Fund; anticipated additional Fund revenues; the meteorological severity and geographical area impacted by each Covered Event; estimates of losses from the insurance industry, from individual insurers, from federal, state, and local emergency response entities, from loss reports submitted to the Board by Participating Insurers, from reviews of loss reports by the Fund's Administrator, from information provided by modeling companies, from claims development patterns derived from known historical events, from an analysis of market shares of Participating Insurers in the impacted area, and any other credible sources of loss information; and any other information determined by the Board to be relevant.

2. Except as required by Section 215.555(7)(c), F.S., or as described in the following two sentences, Reimbursement Premiums, together with earnings thereon, received in a given Contract Year will be used only to pay for losses attributable to Covered Events occurring in that Contract Year or for losses attributable to Covered Events in subsequent Contract Years and will not be used to pay for past losses or for debt service on revenue bonds. Amounts collected as part of the premium that are attributable to the rapid cash buildup factor, as permitted by Section 215.555(5)(b), F.S., may be used to pay for losses attributable to prior Contract years. Pursuant to Section 215.555(6)(a)1., F.S., Reimbursement Premiums, earnings thereon or amounts collected as part of the premium that are attributable to the rapid cash buildup factor, may be used for payments relating to revenue bonds in the event Emergency Assessments are insufficient. If Reimbursement Premiums are used for debt service, then the amount of the Reimbursement Premiums, earnings thereon, or amounts collected as part of the premium that are attributable to the rapid cash buildup factor so used shall be returned, without interest, to the Fund when Emergency Assessments remain available after making payments relating to the revenue bonds and any other purposes for which Emergency Assessments were levied.

(d) Specific Procedures Regarding Issuance of Bonds on a Pre-Event Basis. In making a determination to authorize the issuance of revenue bonds on a Pre-event basis ("in the absence of a hurricane"), pursuant to Section 215.555(6)(a), F.S., the Board shall consider the following factors: the projected Fund Balance; reserves for mitigation appropriations; estimated amounts needed for administration of the Fund; projected amounts of future Reimbursement Premiums; projected amounts of earnings on collected Reimbursement Premiums; the projected frequency and magnitude of future Covered Events; current and projected interest rates on revenue bonds; current and projected market conditions for the sale of revenue bonds; projected credit ratings for the Fund and for revenue bonds issued on behalf of the Fund; current and projected availability of bond insurance or other credit enhancement for revenue bonds; the costs of

issuance of revenue bonds; the debt service requirements of the revenue bonds; the estimated value, both monetary and non-monetary, of the issuance of Pre-event bonds on the costs of Post-event bonds in terms of benchmark pricing, secondary market trading, investor education, being a first-time issuer Post-event, confidence of insurers and reinsurers in the Fund's ability to issue revenue bonds Post-event, market education, and document preparation; and any other factors relevant to the determination at the time such determination is made.

(e) Specific Procedures for Issuance of Revenue Bonds on a Post-Covered Event Basis. Upon the occurrence of a Covered Event for which the Board determines that moneys in the Fund are or will be insufficient to pay reimbursement at the levels promised in the Reimbursement Contracts:

1. The Board will determine the projected reimbursable losses of Participating Insurers, whether or not the Fund has or will have sufficient funds to reimburse Participating Insurers for their reimbursable losses and the estimated shortfall which shall be covered by the issuance of revenue bonds or through incurrence of other indebtedness.

2. Based on the amount of the shortfall determined in accordance with subparagraph 1., above, the Board will determine the needed percentage of direct premium written for Assessable Lines. The Emergency Assessment percentage will be determined as follows:

a. The Board will review available information, from the Office of Insurance Regulation, the Florida Surplus Lines Service Office and the National Association of Insurance Commissioners, regarding direct premiums written for Assessable Lines in Florida, reportable pursuant to Section 624.424, F.S. or pursuant to Part VIII of Chapter 626, F.S.

b. The Board will review and assess existing market conditions regarding the issuance and sale of bonds or the incurrence of other indebtedness to determine the amount of revenues which will be required to pay debt service on any bonds issued or other indebtedness incurred.

c. Based on the specific information described above and on any other information determined by the Board to be relevant, the Board will determine the Emergency Assessment percentage necessary to fund the obligations, costs, and expenses of the Fund and the Corporation including repayment of revenue bonds and that portion of the debt service coverage not met by Reimbursement Premiums, and shall adopt a resolution directing the Office of Insurance Regulation to levy the Emergency Assessment on all Assessable Lines.

3. The emergency assessment is subject to interest on delinquent remittances at the average rate earned by the SBA for the FHCF for the first five months of the Contract Year plus 5%. The emergency assessment is also subject to annual adjustments by the Board ~~to reflect changes in premiums subject to assessments~~ in order to meet debt obligations.

(5) Procedures regarding Levying Emergency Assessments Pursuant to Section 215.555(6)(b), F.S.

(a) If the Board directs the Office of Insurance Regulation to levy Emergency Assessments, then the Office of Insurance Regulation shall issue Orders to the Florida Surplus Lines Service Office and to each Assessable Insurer levying an Emergency Assessment for the Assessable Lines set out in paragraph (d), below.

(b) Pursuant to the Order issued by the Office of Insurance Regulation levying the Emergency Assessment, each Assessable Insurer shall remit to the entity identified in the Order, an amount equal to the required percentage of its direct written premium for the ~~preceding calendar quarter calendar year to which the assessment applies~~ from all Assessable Lines. Medical malpractice is an Assessable Line of business but only as to covered events occurring on or after June 1, 2007. In addition, pursuant to the doctrine of federal pre-emption, policies issued as part of the National Flood Insurance Program are not subject to the Emergency Assessment. The required percentage will be determined in accordance with Section 215.555(6)(b), F.S., and the procedures set out in subsection (4) of this rule.

(c) Pursuant to the Order issued by the Office of Insurance Regulation levying the Emergency Assessment, each Assessable Insured shall remit and each surplus lines agent shall collect an amount equal to the required percentage of its direct written premium from all Assessable Lines. Surplus lines agents shall collect the Emergency Assessment at the same time as the surplus lines agent collects the surplus lines tax required by 626.932, F.S. and remit to the Florida Surplus Lines Service Office at the same time as the agent remits the surplus lines tax to that Office. The Emergency Assessment on each insured procuring coverage and filing under Section 626.938, F.S., shall be an amount equal to the required percentage of its direct written premium from all Assessable Lines and shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to that Office. The Florida Surplus Lines Service Office shall remit the Emergency Assessments received as directed by the Office of Insurance Regulation.

(d) Lines of Business Subject to Assessment.

1. The lines of business described in subparagraph 2., below, are the lines of business subject to the Emergency Assessment under Section 215.555(6)(b)(1), F.S. For ease of reference, the lines of business are written and listed as they appear on Statutory Page 14 Exhibit of Premiums and Losses in the property and casualty annual statement of the National Association of Insurance Commissioners required to be filed by authorized insurers pursuant to Section 624.424, F.S.

2. Assessable Lines. Note that the numbers below preceding the names of the lines of business do not correspond to the line numbers of the property and casualty annual statement referenced in subparagraph 1., immediately above.

a. Fire.

b. Allied Lines.

- c. Multiple Peril Crop.
- d. Farmowners Multiple Peril.
- e. Homeowners Multiple Peril.
- f. Commercial Multiple Peril (non-liability).
- g. Commercial Multiple Peril (liability).
- h. Mortgage Guaranty.
- i. Ocean Marine.
- j. Inland Marine.
- k. Financial Guaranty.
- l. Medical Malpractice (Medical Malpractice insurance premiums are not subject to Emergency Assessments attributable to covered events occurring prior to the Contract Year that begins on June 1, 2007).
- m. Earthquake.
- n. Other Liability.
- o. Products Liability.
- p. Private Passenger Auto No-Fault.
- q. Other Private Passenger Auto Liability.
- r. Commercial Auto No-Fault.
- s. Other Commercial Auto Liability.
- t. Private Passenger Auto Physical Damage.
- u. Commercial Auto Physical Damage.
- v. Aircraft (all perils).
- w. Fidelity.
- x. Surety.
- y. Burglary and Theft.
- z. Boiler and Machinery.
- aa. Credit.
- bb. Aggregate Write Ins.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History—New 9-18-97, Amended 12-3-98, 9-12-00, 6-1-03, 5-19-04, 5-29-05, 5-10-06, 5-31-06.

THIS EMERGENCY RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE:
EFFECTIVE DATE: May 31, 2006

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:
19ER06-3 Insurance Capital Build-up Incentive Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE: The 2006 Legislature passed CS/CS for SB 1980 on Friday, May 5, 2006 and this Bill became law on May 16, 2006. In CS/CS for SB 1980, the Legislature created the Insurance Capital Build-Up Incentive Program (“Program”) within a new statutory Section 215.5595, F.S. The purpose of this Program is to increase the availability of residential property insurance covering the risk of hurricanes in Florida and to mitigate premium increases. The State Board of

Administration of Florida (“Board”) is directed to administer the Program. The 2006 Hurricane Season begins on June 1, 2006, therefore, time is of the essence.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: There is only a two week time period between the effective date of the law and the effective date of the emergency rule. Although the time has been short, the State Board of Administration has been in contact with Insurers and with Industry Associations regarding its development of the emergency rule and incorporated documents. A workshop is scheduled for June 6, 2006, to discuss the Program with interested insurers. A notice regarding this workshop will appear in the June 2, 2006, publication of the Florida Administrative Weekly. In addition, the Board has created a place for the Program on its website. The workshop notice, along with the emergency rule and the incorporated forms will be on the website by May 31, 2006.

SUMMARY OF THE RULE: The rule provides the purpose for the Program, the scope of the Program, the definitions applicable to the Program, the administration of the Program, the requirements to participate in the Program, information on prioritization if more insurers seek to participate in the Program than can be accommodated, and information regarding the Surplus Note including payment dates, amounts, interest rates, and conditions of default.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jack E. Nicholson, Senior FHCF Officer, Florida Hurricane Catastrophe Fund, State Board of Administration

THE FULL TEXT OF THE EMERGENCY RULE IS:

19ER06-3 Insurance Capital Build-Up Incentive Program.

(1) Purpose. Section 215.5595, F.S., creates the Insurance Capital Build-Up Incentive Program (“Program”) for the purposes of increasing the availability of residential property insurance covering the risk of hurricanes in Florida and mitigating premium increases. The State Board of Administration of Florida (“Board”) is directed to administer the Program. This Rule is promulgated to implement the Program.

(2) Scope.

(a) The Legislature has appropriated a total of \$250 million for the purposes of this Program.

(b) The Board in an effort to implement this Program in a timely fashion consistent with the start of the June 1, 2006, hurricane season and consistent with the flexibility provided for in Section 215.5595(2)(h), F.S., has established an earlier implementation date of June 1, 2006, and pursuant to this Rule has allocated the total \$250 million, less moneys needed for administrative expenses, to be made available to Insurers applying within the time frame of June 1, 2006 until June 15, 2006. Any remaining funds which are not committed shall be available to those Insurers applying during the second time

frame, June 16, 2006 until July 1, 2006. If there are funds remaining following the two initial time frames, such funds will be available for those Insurers which apply within the time frame of July 2, 2006 until June 1, 2007. The unexpended balance of the appropriation shall revert to general revenue, but not until June 30, 2007.

(c) The proceeds derived from the Surplus Note issued by the Insurer, pursuant to Section 215.5595(4), F.S., is intended to be an asset for statutory accounting purposes and not a liability on the Insurer's balance sheet.

(d) The Board's actions and determinations in administering this Program are exempt from Chapter 120, F.S., pursuant to Section 215.5595(6), F.S.

(e) An Insurer may qualify and be eligible for consideration under this Program provided that the Insurer contributes New Capital and commits to meeting the Minimum Writing Ratio for the term of the Surplus Note. Additionally, the Insurer's Surplus, New Capital contribution, and Surplus Note must total at least \$50 million, and the Insurer must submit the application as adopted under this Rule within the time frames referenced in Section 215.5595(2)(b), F.S.

(f) The Board may Approve an application by an eligible and qualifying Insurer for a Surplus Note, unless the Board determines that the financial condition of the Insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The Board shall consult with the Office and may contract with independent financial and insurance consultants in making this determination.

(g) If the amount of Surplus Notes requested by Insurers exceeds the amount of funds available, the Board may prioritize Insurers that are eligible and Approved, regardless of the date of application within the application time frames. Consideration shall be given to the financial strength of the Insurer, the viability of the Insurer's proposed business plan for writing additional residential property insurance, and the effect on competition.

(3) Definitions.

(a) "Applicant" means the Insurer making application under the Program.

(b) "Approve," "Approving," "Approved," or "Approval" means the Insurer's application has been approved contingent upon a review and prioritization of all the applicants who may have applied for the limited funds available under the Program during the application periods specified in paragraph (4)(e), (f), or (g) below. If the amount of the Surplus Notes requested does not exceed the funds available during these application periods, it will not be necessary for the Board to prioritize applicants prior to distributing funds, but in all cases the Insurer shall be required to contribute New Capital and provide verification of a deposit prior to the Board distributing the proceeds derived from the Surplus Note.

(c) "Board" means the State Board of Administration of Florida.

(d) "Cash" or "Cash Equivalents" means unencumbered cash or unencumbered cash equivalents as specified in Section 625.012(1), F.S. Cash Equivalents are short-term, highly liquid investments, with original maturities of 3 months or less, which are both readily convertible to known amounts of cash and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates.

(e) "Impair" or "Impaired" means the Insurer's Surplus is below the Minimum Required Surplus as specified in Section 215.5595(2)(c), F.S.

(f) "Insurer" means an authorized insurance company seeking to participate in the Program.

(g) "Minimum Capital Contribution" means, with respect to Insurers who apply to the Board by July 1, 2006, a contribution of New Capital to its Surplus which is at least equal to the amount of the Surplus Note. "Minimum Capital Contribution" means, with respect to all other applicants applying after July 1, 2006 and before June 1, 2007, a contribution to its Surplus that is twice the amount of the Surplus Note.

(h) "Minimum Required Surplus" means, for purposes of this Program, that the Insurer's total Surplus, after the issuance of the Surplus Note and New Capital contribution equals at least \$50 million.

(i) "Minimum Writing Ratio" means a 2:1 ratio of Net Written Premium to Surplus.

(j) "Net Written Premium" means direct Premium plus assumed Premium less ceded Premium.

(k) "New Capital" must be in the form of Cash or Cash Equivalents and be recorded as additional paid-in capital or new stock issued. New Capital does not include Citizens Property Insurance Corporation take-out bonuses pursuant to Section 627.3511, F.S. A New Capital contribution does not constitute contributions by the Insurer made prior to the Insurer's application date for the Surplus Note or any other funds contributed to the Insurer's Surplus which are made for purposes other than in conjunction with the requirements of the Program.

(l) "Surplus Note" means the Surplus Note issued by the Insurer to the Board.

(m) "Office" means the Office of Insurance Regulation, which was created in Section 20.121(3), F.S.

(n) "Premium" means premiums relating to residential property insurance in Florida including the peril of wind.

(o) "Program" means the Insurance Capital Build-Up Incentive Program created by Section 215.5595, F.S.

(p) "Substantial Impairment" or "Substantially Impair" means that the Commissioner of Insurance Regulation (Commissioner) has solvency concerns that the Insurer may not be able to meet the obligations of its policyholders and has provided the Board with a written explanation.

(q) “Surplus” means the Insurer’s admitted assets less the Insurer’s liabilities and refers to the entire Surplus of the Insurer.

(4) Administration.

(a) The Legislature has appropriated \$250 million for the Program with a limitation of one percent of this amount used for administrative cost and fees.

(b) For purposes of applications and other documentation provided to the Board the date of receipt shall be the date that the item has actually been delivered to the Board by 5 p.m. E.T. Any items received after 5 p.m. E.T. will be deemed to have been received on the next business day that is not a Saturday, Sunday, or legal holiday. Neither the United States Postal Service postmark nor a postage meter date is determinative.

(c) Incomplete applications will be returned to the Insurer and will not be considered by the Board.

(d) The submission of a completed application by an Insurer that has met all the conditions necessary for Approval is no guarantee that a Surplus Note will be executed and that funds will be available and distributed to an Insurer.

(e) Application time frame from June 1, 2006 to June 15, 2006: Applications received from June 1, 2006 to June 15, 2006, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board before any applications received after that time.

(f) Application time frame from June 16, 2006 to July 1, 2006: If there are funds remaining after the review of applications received on or before June 15, 2006, then applications received from June 16, 2006 to July 1, 2006, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board before any applications received after that time.

(g) Application time frame from July 2, 2006 to June 1, 2007: If there are funds remaining after the review of applications received on or before July 1, 2006, then applications received from July 2, 2006 to June 1, 2007, if accompanied by all the information needed to review the application and if all the Surplus Note requirements have been met, will be reviewed by the Board. Additional information may be requested by the Board as provided for in subsection (7) below.

(h) The Board shall not reserve funds based on an Insurer’s application date or the date which funds are requested by the Insurer. Funds will not be committed to an Insurer until the Surplus Note is executed by both the Insurer and the Board.

(5) Statutory Requirements for an Insurer’s Participation in the Program. In determining whether an Insurer has met the requirements outlined below, the Board shall consult with the Office and may consult with independent financial and insurance consultants.

(a) Insurers who apply to the Board on or before July 1, 2006, must contribute an amount of New Capital to its Surplus which is at least equal to the amount of the Surplus Note requested.

(b) Insurers who apply to the Board after July 1, 2006, but before June 1, 2007, must contribute an amount of New Capital to its Surplus which is at least twice the amount of the Surplus Note requested.

(c) Insurers must submit a completed application including supplying all the required documentation to the Board. The application Form, SBA 15-1, is hereby adopted and incorporated by reference into this Rule. This Form is available on the Board’s website, www.sbafla.com, under “Insurance Capital Build-Up Incentive Program” then “Application.”

(d) Prior to the time the application, Form SBA 15-1, is submitted, the Insurer must review and accept the terms of the Surplus Note, Form SBA 15-2, which is hereby adopted and incorporated by reference into this Rule. The Surplus Note is available on the Board’s website, www.sbafla.com, under “Insurance Capital Build-Up Incentive Program” then “Surplus Note.”

(e) The principal amount of the Surplus Note issued to any Insurer or Insurer group may not exceed \$50 million.

(f) An Insurer’s Surplus, New Capital, and the Surplus Note must total at least \$50 million as a result of participating in the Program.

(g) Prior to the execution of the Surplus Note, the Insurer must arrange for the Board to receive a letter from a depository institution which states the amount of unencumbered Cash or Cash Equivalents that have been deposited into the Insurer’s account.

(h) Prior to the execution of the Surplus Note, the Insurer must provide the Board with a letter from the Insurer’s top executive officer attesting that the New Capital contribution, for purposes of the Insurer, is not subject to any liens or other encumbrances.

(i) The Insurer must commit to meeting the Minimum Writing Ratio of Net Written Premium for the term of the Surplus Note and must submit quarterly filings to the Office and the Board. The quarterly filings shall be on Form SBA 15-3, which is hereby adopted and incorporated by reference into this Rule. This Form is available on the Board’s website, www.sbafla.com, under “Insurance Capital Build-Up Incentive Program” then “Quarterly Net Written Premium Report.”

(j) Insurer’s plan of operation, submitted as part of the application process, must address how the Insurer intends to reach the required Minimum Writing Ratio within sixty days of the Board distributing funds to the Insurer.

(k) Insurer shall provide documentation showing that the Insurer is currently in compliance with Section 627.0645, F.S., which requires an annual base rate filing.

(l) Only those Insurers that can demonstrate as a result of their financial condition and business plan that they do not create an unreasonably high level of financial risk to the state involving the full repayment both interest and principal will be considered for Approval by the Board after consulting with the Office and after any other review deemed necessary by the Board.

(6) Prioritization of Applications. The Board may consult with the Office and with independent financial and insurance consultants in prioritizing Approved applications. The intent of the prioritization process is to provide the Surplus Note proceeds to those Insurers that are expected to have the greatest impact and result in the greatest benefits to the residential property insurance market in a timely fashion so as to relieve short term market pressures. Prioritization may occur based upon the following criteria:

(a) The earlier an application is filed, the better the chance that there will be funds remaining in the Program to provide to qualified and Approved Applicants.

(b) The amount of an Insurer's New Capital contributions in excess of the minimum requirement.

(c) An Insurer's financial strength.

(d) The Insurer's ability to timely and expeditiously meet the Minimum Writing Ratio requirement as described in the Insurer's business plan.

(e) The viability and the level of detail and specificity associated with the Insurer's proposed business plan for writing additional residential property insurance covering the peril of wind.

(f) The effect on competition in the residential property insurance market including the number of new policies which the Insurer contemplates writing as a result of the Program.

(g) Whether the repayment of the Surplus Note will be guaranteed by a financially strong guarantor.

(h) Whether the Insurer is willing to pledge any assets as collateral for the repayment of the Surplus Note.

(i) Any other concessions an Applicant is willing to make that would enhance the purposes and effectiveness of the Program.

(7) Additional Information.

(a) In addition to Insurers submitting the Surplus Note application, SBA Form 15-1, the Board may request additional information and data prior to the time the Surplus Note is executed. Such additional information may consist of additional documentation, answers to questions that arise as a result of the review process, and additional information solicited through oral interviews.

(b) Additional information may only be solicited by the Board. The Insurer shall not unilaterally submit additional information or data past the application time frame for which the Surplus Note is being considered. If the Insurer desires to submit such additional information, the Insurer may request

that a new application submission date be established and that the Insurer be considered for the next application time frame as designated in paragraph (4)(e),(f), or (g) above.

(8) Payment Conditions.

(a) Interest Rate: The Surplus Note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate. The rate will be adjusted quarterly for the term of the Surplus Note based on the 10-year Constant Maturity Treasury rate.

(b) Interest for the First Three Years: For the first three years of the Surplus Note, an Insurer is required to pay interest only. However, principal payments can be made during this time at the option of the Insurer. Interest payments shall begin to accrue from the date that the Surplus Note proceeds are distributed to the Insurer.

(c) Repayment Limitations: Any payment of principal or interest by the Insurer on the Surplus Note must be approved by the Commissioner, who shall approve the payment unless the Commissioner determines that such payment will result in a Substantial Impairment to the financial condition of the Insurer. If such a determination is made, the Commissioner shall approve such payment that will not Substantially Impair the financial condition of the Insurer or recommend to the Board a limited time period for the suspension of payments. The Board will seek approval of payments from the Commissioner and will notify any Insurer if a payment of principal and/or interest has been disapproved or, if a lower amount has been approved, the amount by which the usual payment is to be reduced, or whether a payment(s) have been suspended for a limited period of time. If full payments of principal and interest are not received in a timely fashion, the Board may lengthen the term of the Surplus Note and make any other adjustments with the Approval of the Commissioner that will protect the state's interest in the repayment of the proceeds.

(d) Interest shall continue to accrue even in situations where payments under the Surplus Note have been suspended as a result of the Commissioner's actions.

(9) Default: Conditions, Consequences, and Insurer Responsibilities.

(a) Conditions Resulting in Default:

1. Failure to reach the Minimum Writing Ratio within 60 days of an Insurer receiving the proceeds of the Surplus Note distributed by the Board or the failure to maintain the Minimum Writing Ratio once reached.

2. Failure to submit quarterly filings of Form SBA 15-3 to the Office.

3. Failure to maintain the Minimum Required Surplus except for situations involving the payment of losses resulting from a catastrophic event or a series of events resulting in catastrophic losses.

4. Misuse of Program Proceeds: The Surplus Note will be in default if proceeds received pursuant to the Surplus Note are converted into any asset not authorized under Part II of Chapter 625, F.S.

5. Failure to make a payment of interest and/or principal where the payment by the Insurer has been approved by the Office.

6. Failure to make a payment of interest and/or principal where the payment by the Insurer has not been approved by the Office, but alternative payments have been approved.

7. False or Misleading Statements: Any representations, including those made in the application and/or accompanying documentation, which is false or misleading.

8. When the Insurer pays any ordinary or extraordinary dividend when there are payments of principal or interest payments that are past due under the Surplus Note.

(b) Consequences of Default: For all defaults, the Board, in its sole discretion, may exercise any one of the following options:

1. Increase the interest rate to the maximum interest rate permitted by law;

2. Accelerate the repayment of principal and interest;

3. Shorten the term of the Surplus Note;

4. Call the Surplus Note and demand full repayment.

(c) Insurer responsibilities: The Insurer shall notify the Board when any of the above conditions resulting in default arises.

Specific Authority 215.5595 FS. Law Implemented 215.5595(2)(c), (d), (e), (g) FS. History—New 5-31-06.

THIS EMERGENCY RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 31, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-29
 RULE TITLE: Instant Game Number 649, COOL 5's

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 649, "COOL 5's," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners; and the estimated odds of winning and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-29 Instant Game Number 649, COOL 5's.

(1) Name of Game. Instant Game Number 649, "COOL 5's."

(2) Price. COOL 5's lottery tickets sell for \$5.00 per ticket.

(3) COOL 5's lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning COOL 5's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) Design of Ticket. There are three different games in Instant Game Number 649, COOL 5's: GAME 1, GAME 2 and GAME 3.

(5) The GAME 1 play symbols and play symbol captions are as follows:

\$1.00	\$2.00	\$10.00	\$20.00	\$25.00
ONE	TWO	TEN	TWENTY	THY FIVE
\$50.00	\$100	\$500	\$75,000	5
FIFTY	ONE HUN	FIVE HUN	SVY FIV THOU	FIV

(6) The GAME 1 prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$10.00	\$20.00	\$25.00
ONE	TWO	TEN	TWENTY	THY FIVE
\$50.00	\$100	\$500	\$75,000	
FIFTY	ONE HUN	FIVE HUN	SVY FIV THOU	

(7) The GAME 1 legend is as follows:

GAME 1

(8) The GAME 2 play symbols and play symbol captions are as follows:

X	O	5
XXX	OOO	FIV

(9) The GAME 2 prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$3.00	\$4.00	\$5.00	\$10.00
ONE	TWO	THREE	FOUR	FIVE	TEN
\$25.00	\$30.00	\$100	\$500	\$75,000	
THY FIVE	THIRTY	ONE HUN	FIVE HUN	SVY FIV THOU	

(10) The GAME 2 legends are as follows:

PRIZE BOX GAME 2

(11) The GAME 3 “YOUR NUMBER” play symbols and play symbol captions are as follows:

1	2	3	4	6	7	8	9	10
ONE	TWO	THREE	FOUR	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	16	17	18	19	20
ELEVEN	TWELVE	THIRTY	FORTY	SIXTY	SEVENTY	EIGHTY	NINETY	TWENTY

(12) The GAME 3 “WINNING NUMBER” play symbols and play symbol captions are as follows:

1	2	3	4	6	7	8	9	10
ONE	TWO	THREE	FOUR	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	16	17	18	19	20
ELEVEN	TWELVE	THIRTY	FORTY	SIXTY	SEVENTY	EIGHTY	NINETY	TWENTY

(13) The GAME 3 prize symbols and prize symbol captions are as follows:

\$1.00	\$2.00	\$5.00	\$10.00	\$20.00	\$25.00
ONE	TWO	FIVE	TEN	TWENTY	THY FIVE
\$50.00	\$100	\$200	\$250	\$500	\$1,000
FIFTY	ONE HUN	TWO HUN	THOHUNFTY	FIVE HUN	ONE THO
\$5,000	\$10,000	\$75,000			
FIVE THO	TEN THO	SVY FIV THOU			

(14) The GAME 3 legends are as follows:

WINNING NUMBERS YOUR NUMBERS GAME 3

(15) Determination of Prizewinners. Each of the three games in Instant Game Number 649, COOL 5’s, uses a different play methodology. Players may win in one or more games. The determination of prizewinners for each game is as follows:

(a) GAME 1. A ticket having three like amounts in the play area shall entitle the claimant to a prize of that amount. A ticket having two like amounts and a “**5** FIV ” symbol entitles the claimant to double that amount. The prize amounts are: \$1.00, \$2.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500 and \$75,000.

(b) GAME 2. A ticket having three “**X**” symbols or three “**000**” symbols in the same row, column or diagonal shall entitle the claimant to the corresponding prize shown in

the “PRIZE BOX.” A ticket having three “**5** FIV ” symbols in the same row, column or diagonal entitles the claimant to double the prize shown in the “PRIZE BOX.” The prizes are: \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$25.00, \$30.00, \$100, \$500 and \$75,000.

(c) GAME 3. A ticket having a number in the “YOUR NUMBERS” play area that matches either number in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket

having a “**5** FIV ” symbol in the “YOUR NUMBERS” play area entitles the claimant to double the prize shown. The prizes are: \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$5,000, \$10,000 and \$75,000.

(16) The estimated odds of winning, value and number of prizes in Instant Game Number 649 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS	
		1 IN	PER POOL
G3: \$1 x 5	\$5	30.00	168,000
G1: \$1 + G2: \$2 + G3: \$2	\$5	30.00	168,000
G1: \$1 + G2: \$2 (FIVE)	\$5	30.00	168,000
G3: \$5	\$5	30.00	168,000
G1: \$2 + G2: \$1 (FIVE) + G3: \$1 x 6	\$10	30.00	168,000
G1: \$1 (FIVE) + G2: \$4 + G3: \$2 x 2	\$10	60.00	84,000
G2: \$5 + G3: \$5	\$10	60.00	84,000
G1: \$1 + G2: \$2 (FIVE) + G3: \$5	\$10	120.00	42,000
G2: \$10	\$10	120.00	42,000
G2: \$5 + G3: \$5 (FIVE)	\$15	120.00	42,000
G1: \$1 (FIVE) + G2: \$2 + G3: \$1 + (\$2 x 5)	\$15	120.00	42,000
G1: \$2 + G2: \$3 + G3: \$1 x 10	\$15	60.00	84,000
G2: \$10 + G3: \$5 x 3	\$25	400.00	12,600
G1: \$2 + G2: \$3 + G3: \$10 (FIVE)	\$25	240.00	21,000
G1: \$10 (FIVE) + G2: \$5	\$25	400.00	12,600
G1: \$10 + G3: \$5 x 3	\$25	300.00	16,800
G1: \$10 + G2: \$5 + G3: \$5 (FIVE)	\$25	400.00	12,600
G1: \$25	\$25	600.00	8,400
G2: \$5 (FIVE) + G3: \$20 (FIVE)	\$50	150.00	33,600
G1: \$10 (FIVE) + G3: \$10 + \$20	\$50	1,200.00	4,200
G2: \$25 (FIVE)	\$50	1,200.00	4,200
G1: \$25 + G3: \$5 x 5	\$50	1,200.00	4,200
G1: \$20 (FIVE) + G2: \$5 (FIVE)	\$50	300.00	16,800
G1: \$50	\$50	1,200.00	4,200
G1: \$10 + G2: \$30 + G3: (\$5 x 8) + (\$10 x 2)	\$100	3,000.00	1,680
G2: \$25 (FIVE) + G3: \$25 (FIVE)	\$100	3,000.00	1,680
G1: \$10 (FIVE) + G2: \$5 + G3: \$5 + \$10 (FIVE) + \$50	\$100	3,000.00	1,680
G2: \$100	\$100	3,000.00	1,680
G2: \$100 + G3: \$50 x 8	\$500	20,000.00	252
G1: \$50 (FIVE) + G2: \$100 (FIVE) + G3: \$100 (FIVE)	\$500	12,000.00	420
G1: \$500	\$500	12,000.00	420

G1: \$500 (FIVE)	\$1,000	420,000.00	12
G1: \$100 + G3: (\$200 x 2) + \$250 (FIVE)	\$1,000	420,000.00	12
G1: \$100 + G2: \$100 + G3: (\$50 x 8) + (\$200 x 2)	\$1,000	420,000.00	12
G2: \$100 + G3: \$100 + (\$200 x 4)	\$1,000	420,000.00	12
G3: \$1,000	\$1,000	504,000.00	10
G1: \$500 (FIVE) + G2: \$500 (FIVE) + G3: (\$500 x 4) + (\$1,000 x 6)	\$10,000	1,260,000.00	4
G3: \$5,000 (FIVE)	\$10,000	1,680,000.00	3
G3: \$10,000	\$10,000	1,680,000.00	3
G1, G2, G3: \$75,000	\$75,000	1,680,000.00	3

(17) The overall odds of winning some prize in Instant Game Number 649 are 1 in 3.55. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(18) For reorders of Instant Game Number 649, the estimated odds of winning, value and number of prizes shall be proportionate to the number of tickets reordered.

(19) By purchasing a COOL 5's lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(20) Payment of prizes for COOL 5's lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-26-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 26, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-30
 RULE TITLE: Instant Game Number 651, MONEY GAME

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 651, "MONEY GAME," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:


53ER06-30 Instant Game Number 651, MONEY GAME.

(1) Name of Game. Instant Game Number 651, "MONEY GAME."

(2) Price. MONEY GAME lottery tickets sell for \$1.00 per ticket.

(3) MONEY GAME lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONEY GAME lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
19 NINTN	20 TENTY				

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

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
19 NINTN	20 TENTY				

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

TICKET	\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
TICKET	ONE	TWO	FOUR	FIVE	TEN
\$25.00	\$50.00	\$100	\$250	\$500	\$1,500
THY FVE	FIFTY	ONE HUN	THO FTY	FIVE HUN	ONE THO FHN

(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches either number in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number.



(b) A ticket having a “WIN” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$25.00.

(c) The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$250, \$500 and \$1,500. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a MONEY GAME lottery ticket that entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 651 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS	
		ODDS OF 1 IN	PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	15.00	672,000
\$2	\$2	30.00	336,000
\$4	\$4	150.00	67,200
\$1 + (\$2 x 2)	\$5	150.00	67,200
\$1 x 5	\$5	50.00	201,600
\$5	\$5	150.00	67,200
\$2 x 5	\$10	300.00	33,600
\$10	\$10	300.00	33,600
\$5 + (\$10 x 2)	\$25	1,800.00	5,600
\$5 x 5	\$25	1,800.00	5,600
\$25 (DOLLAR BILL)	\$25	450.00	22,400
\$10 x 5	\$50	18,000.00	560
\$5 + (\$10 x 2) + \$25 (DOLLAR BILL)	\$50	1,800.00	5,600
\$50	\$50	18,000.00	560
\$25 x 4	\$100	45,000.00	224
(\$25 x 2) + \$50	\$100	22,500.00	448
\$100	\$100	45,000.00	224
(\$250 x 4) + \$500	\$1,500	840,000.00	12
\$1,500	\$1,500	1,008,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 651 are 1 in 3.99. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 651, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a MONEY GAME lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for MONEY GAME lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-26-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 26, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

WATER MANAGEMENT DISTRICTS

NAME OF AGENCY: St. Johns River Water Management District

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on April 13, 2006 from Calvary Chapel of Melbourne. Pursuant to Section 120.542, Florida Statutes, Calvary Chapel of Melbourne is seeking a variance from paragraph 40C-4.301(1)(k) and subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant’s Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), with respect to Environmental Resource Permit (ERP) Application 4-009-34530-4. The permit applicant is proposing to construct a parking lot addition to Calvary Chapel of Melbourne, an existing church in the City of West Melbourne, Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and

maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. Paragraph 40C-4.301(1)(k), F.A.C., requires permit applicants for an ERP to comply with any applicable special basin criteria established in Chapter 40C-41, F.A.C. These rules are intended to protect the water resources of the State by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Sandy Bertram, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-51. For a copy of the petition or additional information, contact: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488.

NOTICE OF CHANGE – NOTICE IS HEREBY GIVEN that, due to an administrative error, the Right of Way Permit Application Number listed on the notice for Collier County Transportation Department, published in Florida Administrative Weekly, Vol. 32, No. 20, on May 9, 2006, was incorrect. The original notice incorrectly listed the App. No. as: 06-0116-6. The correct Application Number is: 05-1116-6. This notice amends the original notice to correct the Application Number; all other information remains the same. On May 3, 2006, South Florida Water Management District (District) received a petition for waiver from Collier County Transportation Department, Application Number 05-1116-6, for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the County Road 951 (C.R. 951) Canal, Collier County, to allow the proposed widening of the existing pile-supported Tree Farm Road bridge crossing County Road 951 Canal, Sections 26 & 35, Township 48 South, Range 26 East, and due to the characteristics of the existing bridge, the widened portions will not meet the District's vertical clearance requirement of 2 feet above the design water surface elevation. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the minimum vertical clearance requirement of pile-supported crossings within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun

Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on May 25, 2006, South Florida Water Management District (District) received a petition for waiver from Maria G. Zerpa De Cusco, Application No.: 06-0411-1, for utilization of Works or Lands of the District known as the C-2 Canal, Miami-Dade County for an existing fence within the south right of way of C-2 at the rear of 8217 S. W. 84th Terrace, Section 34, Township 54 South, Range 40 East. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on April 24, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Steve Powell of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Hampton Inn, Pinellas Park (Petition 2006-135).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on April 24, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Steve Powell of Otis Elevator Company. The Petitioner is requesting a variance to allow the

installation of Gen2™ elevator systems in the following location: 475 Condominium Project, St. Petersburg (Petition 2006-136).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on May 8, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Steve Powell of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Maitland Office Building, Maitland (Petition 2006-138).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on May 10, 2006, Bureau of Elevator Safety received a Petition for Variance from 2000.7a, A.S.M.E. 18.1, 1999 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, limiting travel distance of vertical wheelchair lifts to 12 feet. The petition was received from Jennifer Kearney of Florida Lifts on behalf of Tom Bush BMW Dealership located in Jacksonville, Florida (Petition VW 2006-139).

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

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

NOTICE IS HEREBY GIVEN that on May 18, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the

installation of Gen2™ elevator systems in the following location: Aqua Condominium, Panama City Beach (Petition 2006-141).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on May 22, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Sterling Breeze Condominium, Panama City Beach (Petition 2006-141).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on May 23, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Beach Colony Navarre West, Navarre (Petition 2006-143).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on April 18, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code from Captain's Inn, a bed and breakfast, located in Mt. Dora. The above referenced F.A.C. states that each public lodging and food service establishment shall be

provided with adequate and conveniently located bathroom facilities for its employees and guests.... The petitioner is requesting a variance to not have a centralized bathroom for guests, but for guests to use their bathrooms inside of their rooms.

This variance request was approved May 5, 2006, and is contingent upon the Petitioner ensuring the public restrooms are functional, have hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. All provisos and plan review deficiencies shall be complied prior to licensing. This variance is not transferable under any conditions. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on May 9, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Juan J.J. located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved May 24, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on May 5, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from The Crepevine located in Tallahassee. The above referenced F.A.C. states, "...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated...." They are requesting a variance to add an additional twelve (12) seats for a total of twenty-two (22) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

This variance request was approved May 24, 2006, and is contingent upon the Petitioner ensuring the public restroom inside Crepevine is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-two (22) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on April 28, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Taquitos Chihuahua located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved May 24, 2006, and is contingent upon the Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11,

2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on May 5, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance Request for subsection 61C-4.010(7), Florida Administrative Code from the Pelican Bay Cafe located in Boca Raton. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for twenty-three (23).

This variance request was approved May 24, 2006 and is contingent upon Petitioner ensuring the public restroom inside Pelican Bay Cafe is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-three (23) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on April 25, 2006, the Division of Hotels and Restaurants received a Petition for Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Casa Maya Restaurant located in St. Augustine. The above referenced F.A.C. states each public food service establishment shall maintain a minimum of one

public bathroom for each sex, properly designated. They are requesting a variance to add additional seating for a total of 24 seats (sixteen inside and 8 outside) and not add an additional bathroom facility.

This variance request was approved May 24, 2006, and is contingent upon the Petitioner ensuring the public restroom inside Casa Maya is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty-four (24) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on May 30, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Alquizar Catering #4. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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

NOTICE IS HEREBY GIVEN that on May 30, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1), and 61C-4.010(6), Florida Administrative Code, from Alquizar Catering #1. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication

of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on April 27, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from El Potro Catering, Inc. located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

Approval for both vehicles is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** will hold telephone calls during the week of June 12, 2006 to which all persons are invited.

Annual Report Committee

DATE AND TIME: June 14, 2006, 10:00 a.m.

Executive Committee

DATE AND TIME: June 15, 2006, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

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

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need an accommodation because of disability in order to participate, please notify FCSW at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **State Fair Authority** announces a meeting of the Long Range Planning Committee to which all interested persons are invited.

DATE AND TIME: Tuesday, June 27, 2006, 9:30 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fairgrounds, Post Office Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The Florida **State Fair Authority** announces a meeting of the Finance Committee to which all interested persons are invited.

DATE AND TIME: Tuesday, June 27, 2006, 10:00 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fairgrounds, Post Office Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The Florida **State Fair Authority** announces a meeting of the Full Board to which all interested persons are invited.

DATE AND TIME: Tuesday, June 27, 2006, 1:00 p.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fairgrounds, Post Office Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the address above or at (813)627-4221.

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the State **Board of Education**.

DATE AND TIME: June 20, 2006, 8:30 a.m.

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meeting held May 16, 2006, and updates on various reports and status of education initiatives by the Chairman and Commissioner. The following items will be presented for action by the Board: Approval of District Repeating F Schools restructuring plans, Approval of District Requirements for New 2006-07 F Schools, and approval of Rule 6A-6040, F.A.C., voluntary Prekindergarten Director Endorsement for Private providers, Amendment to Rule 6A-1.09412, F.A.C., Course Requirements-Grades 6-12 Basic and Adult Secondary Programs, Amendment to Rule 6A-1.09441, F.A.C., Requirements for Programs and Courses which are funded through the Florida Education Finance Program and For which Students May earn credit toward High School graduation, Amendment to Rule 6A-4.002, F.A.C., General Provisions, Amendment to Rule 6A-4.006, F.A.C., General and Professional Preparation. In addition, updates will be provided

on, Reading and Language Arts Standards and Approval of the VPK Provider Improvement Process, Implementation Plans on Bullying Prevention, and Cyber Safety.

A copy of the agenda may be obtained from the Department of Education's website at <http://www.fldoe.org>

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equity and Access, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The State of Florida, **Department of Education**, Education Practices Commission, announces a Teacher Hearing Panel to which all persons are invited.

DATE AND TIME: June 21, 2006, 9:00 a.m.

PLACE: Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing to the: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The **University of South Florida**, Lawton and Rhea Chiles Center for Healthy Mothers and Babies announces the Covering Kids and Families Statewide Coalition quarterly meeting to which all persons are invited to participate.

DATE AND TIME: Wednesday, June 14, 2006, 10:30 a.m. – 1:30 p.m.

PLACE: Bilirakis Conference Room, The Chiles Center, USF, 3111 E. Fletcher Avenue, Tampa, Florida 33613

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items to be discussed include: Florida KidCare Policy changes; Legislative update; Retention and Enrollment issues; Covering Kids and Families Sustainability update and efforts; Business partnerships and community outreach efforts.

For information contact: Jodi Ray, Project Director, (813)974-3143, Suncom 574-3143.

The public is invited to Committee meetings and the regular meeting of the **Board of Governors** of the State University System of Florida. The Student Affairs Committee will meet jointly with the Governor's Commission on Access and Diversity, the Strategic Planning/Educational Policy Committee and the Performance and Accountability Committee will meet. The regular meeting of the Board will follow the Committee meetings.

DATE AND TIME: June 22, 2006, 8:00 a.m. – 5:00 p.m.

PLACE: Cape Florida Room, Student Union, University of Central Florida, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the Draft Report and the Final Recommendations of the Committee/Commission to be submitted to the Governor, June 30, 2006; Recommendations and Proposed Timetable for Phase II of the Access and Diversity Project; Developing a Methodology for Determining Costs, Capacity, Efficiency, and Quality; Presentation/Report on Preparing Quality Teachers in the State University System: A Critical Need; Status Report on Accountability in the SUS; Discussion of Best Practices in Administrative Accountability; Report/Recommendations from the SUS Emergency Management Task Force; Consideration of Auxiliary Facilities that have Bond Covenants requiring Approval of 2006-2007 Operating Budgets and Facility Maintenance and Equipment Reserve Fund Reports; Discussion of 2007 Legislative Agenda; adoption of Amended Regulation Rule 6C-10.001, F.A.C., Self-Insurance Programs; consideration of Amendment to Regulation Rule 6C-9.017, F.A.C., Faculty Practice Plans; consideration of Amendment to Regulation Rule 6C-6.002, F.A.C., Entering Freshmen; consideration of Limited Access, Exercise Science, USF; Request to offer Lower-Division Courses at Off-Site Instructional Centers, FGCU; consideration of excess hours over 120 credit hours, B.S., Environmental Engineering, FIU; Board appointments to the University Boards of Trustees; and other matters pertaining to the Florida Board of Governors.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.org>

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF AMENDMENT – The **Florida Building Commission** announces the following meetings to which all persons are invited.

DATE AND TIME: June 19, 2006, 8:50 a.m. (CDT)

PLACE: Sandestin Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida, (800)622-1038

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Building Commission to hold a Supplemental Rule Development Workshop on Rule 9B-3.047, F.A.C. The purpose of the workshop is to accept the results of the study of the panhandle wind borne debris region, comments on the study, and to take such further action as is warranted by the information received.

Review and Approve Agenda.

Convene Rule Development Workshop.

Presentations from ARA and UF on their wind borne debris region studies.

Receive public comment.

Facilitated Decision Process for Panhandle Wind Borne Debris Region Designation.

Closing Public Comment.

A copy of the Commission meeting agenda and other documents may be obtained by sending a request in writing to: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at www.floridabuilding.org

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact: Ms. Barbara Bryant, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Florida Highway Beautification Council** (FHBC) announces a Teleconference meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 28, 2006, 10:00 a.m. – 12:00 p.m. (Noon)

PLACE: Teleconference call in number (850)414-1706, Suncom 994-1706

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to conduct general business.

For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, FL 32399-0450, (850)414-5267, jeff.caster@dot.state.fl.us

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jeff Caster, (850)414-5267, prior to the meeting.

The **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIMES: June 29, 2006, Open House, 6:00 p.m.; Formal Presentation, 6:30 p.m.

PLACE: Brannon Center, 105 Riverside Drive, New Smyrna Beach, FL 32169

AND/OR

DATE AND TIMES: July 5, 2006, Open House, 6:00 p.m.; Formal Presentation, 6:30 p.m.

PLACE: Mims/Scottsmoor Public Library, 3615 Lionel Road Street, Mims, FL 32754

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 406869-1-22-01 and 406869-2-22-01, otherwise known as the Interstate 95 Project Development and Environment Study, in Brevard and Volusia Counties, Florida. The project considers the corridor from just north of SR 50 in Brevard County to just south of I-4 in Volusia County in regards to the impacts and conceptual design of widening the roadway from four (4) lanes to six (6) lanes. The Florida Department of Transportation, District Five, will present the Project Development and Environment Study findings regarding the alternatives for the Interstate 95 project. Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should contact: Ms. Kate Brady, PE, HNTB Corporation, 300 Primera Boulevard, Suite 200, Lake Mary, Florida 32746.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may also be obtained by writing to Ms. Kate Brady at the above address.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **Florida Hurricane Catastrophe Fund Finance Corporation**, a public benefits corporation created under Section 215.555(6)(d), F.S., of a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: June 13, 2006, This meeting will take place during the Cabinet meeting or immediately following the conclusion of the meeting of the Governor and Cabinet. The Cabinet meeting begins at 9:00 a.m. (ET)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide the authorization for the Corporation to engage in financial transactions, including the issuance of bonds, to provide sufficient funds to achieve the purposes of Section 215.555, F.S.

Anyone wishing a copy of the agenda should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a meeting to which all persons are invited.

DATE AND TIME: June 13, 2006, 9:00 a.m. (daylight savings time) – conclusion of the meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address and take action on the need for liquidity in the Florida Hurricane Catastrophe Fund to enable it to pay reimbursement at the levels promised in the 2006-2007 Reimbursement Contracts and to request that the Florida Hurricane Finance Corporation, pursuant to Section 215.555, F.S., engage in financial transactions, including the issuance of bonds, to provide sufficient funds to achieve the purposes of Section 215.555, F.S. In addition, other general business of the Fund and the Board will be addressed.

Anyone seeking a copy of the Agenda should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

The **State Board of Administration** (SBA) announces a public meeting of the Investment Advisory Council (IAC) to which all persons are invited.

DATE AND TIME: Thursday, June 29, 2006, 10:00 a.m.

PLACE: The Hermitage Centre at 1801 Hermitage Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a six-member advisory council, which reviews the investments made by the staff of the State

Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444, Florida Statutes.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call James Linn, (850)413-1166, five days prior to the meeting so that appropriate arrangements can be made.

If you would like to have a copy of the agenda, please contact: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, or call (850)413-1253.

DEPARTMENT OF CITRUS

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

DATE AND TIME: Wednesday, June 21, 2006, 9:00 a.m. The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2499.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 060300-TL – Petition for recovery of intrastate costs and expenses relating to repair, restoration and replacement of facilities damaged by Hurricane Dennis, by GTC, Inc. d/b/a GT Com.

DATE AND TIME: June 28, 2006, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition for recovery of intrastate costs and expenses relating to repair, restoration and replacement of facilities damaged by Hurricane Dennis, by GTC, Inc. d/b/a GT Com, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on June 19, 2006. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, 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 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based and Community Advisory Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla. Stat. (2003).

DATE AND TIME: Wednesday, June 28, 2006, 3:00 p.m.

PLACE: Conference Call-in Number: (800)416-4254, Leader: John Brabson, Chair.

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board subcommittees will provide an overview of their recent activities. In addition, the board will discuss progress taken on the 2006 recommendations to the Governor.

For a copy of the agenda and more information about how to attend the meeting contact: Mark Nelson, mark.nelson@vfffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact: jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Gubernatorial Fellows Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla. Stat. (2003).

DATE AND TIME: Tuesday, June 20, 2006, 3:00 p.m.

PLACE: Governor's Large Conference Room (PL03 The Capitol), Tallahassee, FL.

LEADER: Melanie DiMuzio, Gubernatorial Fellows Director

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the board will discuss issues related to the board's activities for the upcoming year.

For a copy of the working agenda and more information about how to attend the meeting, contact: Melanie DiMuzio, fellows@myflorida.com or (850)488-5000.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: June 22, 2006, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: June 22, 2006, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: June 22, 2006, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: The Gathering Cafe, 26804 State Road 247, Branford, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by emailing ncfrpc@ncfrpc.org or writing to: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location.)

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, July 10, 2006, 8:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, July 10, 2006, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, July 10, 2006, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, July 13, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, July 24, 2006, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

NOTICE OF CHANGE – The **Regional Business Alliance** announces a public meeting to which all persons are invited.

NEW DATE AND TIME: Wednesday, June 14, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Sun-Sentinel, 3333 South Congress Avenue, Delray Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting.

A copy of the agenda may be obtained by writing the: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021 or by contacting (954)985-4416. The Regional Business Alliance is comprised of business leaders from Miami-Dade, Broward, and Palm Beach counties, including members of the South Florida Regional Transportation Authority.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD) if you require additional information regarding the meeting above. If you require special accommodations because of a disability or physical impairment, please contact the Council at (954)985-4416, at least five calendar days prior to the meeting.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited.

DATE AND TIME: June 22, 2006, 11:00 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to consider land management and acquisition matters.

DATE AND TIME: June 22, 2006, 11:30 a.m. (EDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee meeting – to consider the Proposed Tentative Fiscal Year 2006-2007 Budget, millage rate and locations of Public Hearings on the budget.

DATE AND TIME: June 22, 2006, 1:00 p.m. (EDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Governing Board meeting – to consider District Business.

DATE AND TIME: June 22, 2006, 1:15 p.m. (EDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing for the Consideration of Regulatory Matters.

DATE AND TIME: May 25, 2006, 1:30 p.m. (EDT)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing for Consideration of Land Acquisition Matters.
 PLACE: District Headquarters, 10 miles West of Tallahassee on U.S. Highway 90

A copy of the agendas may be obtained by contacting: Dorothy Cotton, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.nfwfmd.state.fl.us)

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, 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 or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

NOTICE OF AMENDMENT – Florida’s **Water Management Districts** announces the following meeting, hosted by Florida Recreation and Park Association Foundation and the Florida Association of Community Colleges Foundation, which members of the Governing Boards of the St. Johns River, Northwest Florida, Suwannee River, South Florida, and Southwest Florida Water Management Districts may attend, and to which the public is invited.

ENVIRONMENTAL CONSERVATION SUMMIT – “KEYS TO A SUSTAINABLE FUTURE”

DATE AND TIME: Friday, June 16, 2006, 8:00 a.m. – 5:00 p.m.

PLACE: Omni Orlando Resort at ChampionsGate, 1500 Masters Blvd., ChampionsGate (Orlando), FL 33896

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Environmental Conservation Summit, which water management district Governing Board members may attend,

will consider water management issues, natural resource conservation and management, environmental markets, and recapturing a greater Florida identity.

A copy of the agenda may be obtained from: St. Johns River Water Management District, Attention: Ann Freeman, (386)329-4500, 4049 Reid Street, Palatka, FL 32177.

The **Southwest Florida Water Management District** (SWFWMD) announces the following tour, which members of Tampa Bay Water’s Board and the Governing Board will attend:

TOUR OF WATER SUPPLY FACILITIES

DATE AND TIME: Wednesday, June 21, 2006, 8:00 a.m.

PLACE: Tampa Bay Water Surface Water Treatment Plant, 9302 Stannum Street, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Familiarize new Board members with Tampa Bay Water’s water supply facilities.

The group will tour the treatment plant, the desalinization facility, the regional reservoir, and the Alafia River intake.

This is a public meeting; an agenda is available by contacting: Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4615, (TDD) only 1(800)231-6103 (Florida only); Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

Water Resources Advisory Commission (WRAC) Issue Workshop on the Lower East Coast Water Supply Plan Update

DATE AND TIME: June 21, 2006, 9:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the draft of the Lower East Coast Water Supply Plan Update.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Barbara Powell, Lower East Coast Water Supply Plan Manager, Water Supply Department, 3301 Gun Club Road, West Palm Beach, FL, (561)682-2236.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

Water Resources Advisory Commission (WRAC) Issue Workshop on the Upper East Coast Water Supply Plan Update
DATE AND TIME: June 22, 2006, 9:30 a.m.

PLACE: City of Stuart City Hall, 121 S. W. Flagler Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the draft Amendment to the Upper East Coast Water Supply Plan.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Linda Hoppes, Upper East Coast Water Supply Plan Manager, Water Supply Department, 3301 Gun Club Road, West Palm Beach, FL, (561)682-2213.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Monday, June 26, 2006, 2:00 p.m.

PLACE: 210 Military Trail, Town of Jupiter Community Center, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Loxahatchee River Management Coordinating Council.

A copy of the agenda may be obtained by writing to: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the District Clerk, at (561) 686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Gardenia Banks Long, Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600, ext. 3617.

REGIONAL UTILITY AUTHORITIES

The **Walton/Okaloosa/Santa Rosa Regional Utility Authority** announces a meeting to which all interested persons are invited.

DATE AND TIME: June 21, 2006, 1:00 p.m.

PLACE: The Ft. Walton Beach City Hall, 107 Miracle Strip Parkway, S. W., Ft. Walton Beach, FL 32548

Members of the **Tampa Bay Water**, Board of Directors and the **Southwest Florida Water Management District** will make an informational facility site tour which will include the Surface Water Treatment Facility, Tampa Bay Desalination Remediation and the C.W. Bill Young Regional Reservoir.

DATE AND TIME: Wednesday, June 21, 2006, 9:00 a.m. – 1:30 p.m.

PLACE: Leaving from the Tampa Bay Water Surface Water Treatment Facility, 2301 Regional Water Lane, Tampa, Florida 33619

GENERAL SUBJECT MATTER TO BE CONSIDERED: Participation in the tour may include active construction sites and require safety equipment such as safe shoes, hard hats, safety glasses and vests. If any accommodation is needed for a disability in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 days prior to the tour.

DEPARTMENT OF VETERANS' AFFAIRS

NOTICE OF CHANGE – The Florida **Commission on Veterans' Affairs** announces a time change for the public meeting to which all persons are invited. Please note the earlier starting time.

DATE AND TIME: Thursday, June 15, 2006, 9:00 a.m.

PLACE: DAV Headquarters, 2015 S. W. 75th St., Gainesville, FL 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Nancy Schiellerd, Florida Department of Veterans' Affairs, 4040 Esplanade Way, Suite 152, Tallahassee, Florida 32399-0950. Please telephone (850)487-1533, at least 48 hours prior to the meeting.

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 15, 2006, 10:00 a.m.
 PLACE: DAV Headquarters, 2015 S. W. 75th St., Gainesville, FL 32607
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.
 Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Nancy Schiellerd, Florida Department of Veterans' Affairs, 4040 Esplanade Way, Suite 152, Tallahassee, Florida 32399-0950. Please telephone (850)487-1533, at least 48 hours prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs, Division of Statewide Community-Based Services** announces a meeting/workshop for all long-term care community diversion pilot project service providers and potential service providers. Participation is voluntary and all interested parties are invited to attend.

DATE AND TIME: Wednesday, June 28, 2006, 9:30 a.m. – 2:30 p.m.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 301, Tallahassee, Florida 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Developing education and awareness standards for the long-term care community diversion projects under Sections 430.701-.709, F.S., and information of interest for current providers or potential providers of services operating under Sections 430.701-.709, F.S.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this public meeting should advise the Department at least seventy-two (72) hours before the meeting by contacting: David Oropallo, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Suncom 994-2000, email OropalloD@elderaffairs.org If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

The **Department of Elder Affairs** will hold a conference call with the signers of the Triad Resolution and other interested parties.

DATE AND TIME: Tuesday, June 27, 2006, 11:00 a.m.

PLACE: Call In: (850)922-2904

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to the Statewide Triad.

For a copy of the agenda contact: Ann Getman at (850)414-2072 or Suncom 997-2072.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: June 19-20, 2006, 8:30 a.m.

PLACE: Embassy Suites Ft. Lauderdale, 1100 S. E. 17th Street, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodations because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Electrical Contractors' Licensing Board** announces the following Board Meeting to which all interested persons are invited to attend.

DATE AND TIME: July 19, 2006, 4:00 p.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions are closed to the public)

DATE AND TIME: July 20, 2006, 8:30 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Actions and General Business Meeting.

DATE AND TIME: July 21, 2006, 8:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: The Ritz-Carlton, Sarasota, 1111 Ritz-Carlton Drive, Sarasota, FL 34236, (941)309-2000

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact, in writing: The Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he or she will need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office, (850)922-5012, at least five (5) 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 Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law. The case of William M. Cummings, P.E. will be presented as a Reconsideration of the Administrative Complaint that was filed on October 10, 2004. DATE AND TIME: Thursday, July 13, 2006, 8:30 a.m. – until conclusion

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Real Estate Commission** announces a General Workshop to which all persons are invited.

DATE AND TIME: June 22, 2006, 9:00 a.m. or soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss issues relating to Rule 61J2-20.040, F.A.C., with respect to creating policy for chair and vice-chair nominations; broker experience criteria; probable cause findings; instructor qualifications and examinations; and duties of unlicensed assistants.

All or part of this meeting may be conducted as a teleconference. If you wish to participate via teleconference, please contact: Lori Crawford, Deputy Clerk, Division of Real Estate, (407)481-5662 (between the hours of 9:00 a.m. and 5:00 p.m.) at least five calendar days prior to the workshop.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact: The Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. and 5:00 p.m.), at least five

calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice** announces a public hearing to which all persons are invited.

DATE AND TIME: Friday, June 16, 2006, 10:00 a.m. – 12:00 Noon

PLACE: DJJ Headquarters, 2737 Centerview Dr., Room 312, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft emergency rules governing the Sheriff's Training and Respect (STAR) Program, and the Protective Action Response policy.

A copy of the agenda and proposed draft rules may be obtained by contacting: Clyde Benedix, 2737 Centerview Drive, Ste. 312-I, Tallahassee, Florida 32399-3100, e-mail clayde.benedix@djj.state.fl.us.

DEPARTMENT OF HEALTH

The Florida **Board of Medicine**, Expert Witness Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, July 5, 2006, 12:30 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine, (850)245-4131 for the meet me 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, (850)245-4131, 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)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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 will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. 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, the Board of Respiratory Care** announces a meeting of the board to which all persons are invited.

DATE AND TIME: July 14, 2006, 8:30 a.m., or soon thereafter
PLACE: Renaissance Ft. Lauderdale Hotel, 1617 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)626-1700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing to: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)245-4373, ext 3467.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)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 **Correctional Medical Authority** announces a conference call meeting to be held by telephone to which all persons are invited.

DATE AND TIME: June 22, 2006, 10:00 a.m. – 11:30 a.m.
PLACE: Conference Call-In Number: (850)487-8540; Suncom 277-8540, Correctional Medical Authority, 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, Florida 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B-04, Tallahassee, FL 32399-1732, (850)245-4557. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces a conference call to which all persons are invited.

DATE AND TIME: June 20, 2006, 10:15 a.m.

PLACE: Call-In Number: (850)922-2904

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be for the purpose of reviewing applications and selecting candidates to be interviewed for the position of District 9 Administrator.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this conference call should contact Florida Department of Children and Family Services three days prior to the call (850)487-1111.

The Florida **Department of Children and Family Services**, District 13, announces a public meeting regarding the application for designation as a Children's Crisis Stabilization Unit/Baker Act Receiving Facility, which will be located at The Harbor, in Hernando county, to which all persons are invited.

DATE AND TIME: June 15, 2006, 9:00 a.m. – 12:00 Noon

PLACE: The Harbor Board Room, 7074 Grove Road, Brooksville, FL 34609

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation, comments, or issues regarding the application for designation.

Written comments may be sent in advance to: Ron Graham, 1601 West Gulf Atlantic Highway, Wildwood, FL 34785.

Persons needing special accommodation to participate in this proceeding should contact Ron Graham no later than June 15, 2006 at (352)330-2177, extension 6273.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a 2-day facilitated stakeholder meeting to discuss and examine manatee issues.

DATES AND TIMES: June 19, 2006, 1:00 p.m. – 5:00 p.m.; June 20, 2006, 8:30 a.m. – 3:00 p.m.

PLACE: Crowne Plaza Hotel-Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. No public comments will be taken.

Questions about the meeting should be directed to: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the agency ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (800)955-8771 (TDD) or (850)488-9542, within the Tallahassee area.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services**, Division of Treasury announces a meeting to which all persons are invited.

DATE AND TIME: Friday, June 30, 2006, 9:30 a.m.

PLACE: The Hermitage Centre, Conference Room 415, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Deferred Compensation Advisory Council.

For more information about the meeting or a copy of the agenda, please contact: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, 200 E. Gaines St., Tallahassee, Florida 32399-0346, (850)413-3162 or by Fax (850)488-7186.

FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation** announces three public conference calls to which all persons are invited to participate.

DATES AND TIME: Monday, June 12, 2006; Monday, June 19, 2006; Monday, June 26, 2006, 12:00 Noon – 1:30 p.m.

PLACE: Call In Number: 1(866)590-1535. Please use participant code # 81784176

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss approaches to an amicus brief on behalf of the Florida Patient Safety Corporation in Florida Supreme Court Case 06-688 involving Florida Hospital Waterman, Inc., etc., and Teresa M. Buster, as personal representative of the estate of Larry Buster, deceased, et al., Florida 5th District Court of Appeal Case Number 5D05-2195; and possibly involving Notami Hospital of Florida, Inc., d/b/a Lake City Medical and Evelyn Bowen and Don Bowen, her husband, John C. Nicely, as personal representative of the estate of Christine Nicely, Pendrak Surgical Group, P.A., and Robert B. Pendrak, M.D.,

Florida 1st District Court of Appeal, Case Number ID05-4149 and other cases, if any, being considered in connection therewith.

Questions/comments can be directed to: Susan A. Moore, Executive Director, Florida Patient Safety Corporation, susan.a.moore@comcast.net, (850)893-8936, or mail 2722 Waterford Glen Court, Tallahassee, FL 32312.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, June 13, 2006, 1:00 p.m.

PLACE: University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staffing, 2006-07 Plan of Work, and such other business as the Authority may deem appropriate.

Those who desire a copy of the agenda or more information should contact: Linda W. Cox, Chairman, (772)595-9999.

Anyone with a disability requiring accommodation to attend this meeting should contact: Velma Spencer, IRREC Office Manager, (772)468-3922, Ext. 113, at least forty-eight (48) hours prior to the meeting.

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, June 16, 2006, 1:30 p.m.

PLACE: University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Interview of applicants for Research Park Manager position and such other business as the Authority may deem appropriate.

Those who desire a copy of the agenda or more information should contact: Linda W. Cox, Chairman, (772)595-9999.

Anyone with a disability requiring accommodation to attend this meeting should contact: Velma Spencer, IRREC Office Manager, (772)468-3922, Ext. 113, at least forty-eight (48) hours prior to the meeting.

FLORIDA INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association** announces a telephone conference board meeting to which all interested parties are invited to attend.

DATE AND TIME: Friday, June 16, 2006, 9:00 a.m. (Eastern Time), recessing at 10:00 a.m. or upon conclusion of the agenda

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida Insurance Guaranty Association will meet to discuss the organizations response to new insolvencies.

A copy of the agenda and telephone conference number may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting Cathy Irvin, (850)386-9200, at least 48 hours before the session if the person wishes to participate. A person who is hearing or speech impaired may also contact the TDD at (800)955-1339.

FLORIDA AEROSPACE FINANCE CORPORATION

The **Florida Aerospace Finance Corporation** (FAFC) announces a Board of Director's meeting and teleconference to which the public is invited.

DATE AND TIME: June 22, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Office of Florida Department of Transportation, Room 479, 605 Suwannee Street, Tallahassee, FL 32399. To attend via telephone the number to call is: 1(866)249-5325, participant code 393255.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact Ms. Judy Blanchard, (321)690-3397. To obtain a copy of the agenda write: The Florida Aerospace Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

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, 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.

FLORIDA HEALTH REINSURANCE PROGRAM

The **Florida Health Reinsurance Program** announces a meeting of its Board of Directors.

DATE AND TIME: June 22, 2006, 10:00 a.m. – 3:00 p.m.

PLACE: Park Plaza Hotel, 415 North Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The board will conduct regular business of the Program, hear reports and plan meetings for the year.

A copy of the agenda may be obtained by calling (850)422-7766.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the meeting should call (850)422-7766, at least five working days prior to the meeting.

BLUE RIBBON IMPLEMENTATION WORKGROUP/NATIONAL GOVERNOR'S ASSOCIATION

The **Blue Ribbon Implementation Workgroup/National Governor's Association** announces a meeting to which all interested persons are invited.

DATE AND TIME: June 23, 2006, 9:00 a.m. – 12:00 Noon

PLACE: The Agency for Persons with Disabilities, Room 301. Contact Allison Chase with questions regarding the meeting: (850)566-9606, achaseccg@comcast.net.

THE ABLE TRUST

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) will hold a telephone conference on:

DATE AND TIME: Monday June 26, 2006, 2:00 p.m.

PLACE: The Able Trust Office, 106 East College Avenue, Suite 820, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include approval of recommended grants to assist citizens with Disabilities in achieving employment.

For more information, special accommodations or alternative format request, please call The Able Trust, (850)224-4493 or (888)838-2253, before June 23, 2006.

FLORIDA HIGHER EDUCATION FACILITIES FINANCING AUTHORITY

The **Florida Higher Education Facilities Financing Authority** will hold a telephone conference on:

DATES AND TIMES: Tuesday, June 27, 2006, 2:00 p.m.

PLACE: Call (850)681-3188, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss consideration of Jacksonville University and Saint Leo University Series 2006 bond issue and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling: Jennifer Mock, (850)681-3188.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

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, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Kings Point Housing Corp., Petitioner, Docket No.: 2006028394.

Whether Kings Point Housing Corporation, which is a third party corporation operating recreational facilities or amenities that are available for use by condominium association members by contractual agreement, is a condominium "association" as defined by Section 718.103(2), Florida Statutes, and, if so, whether Kings Point is required to make its property available to those seeking elected political office under Section 718.106(4), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2006028394 may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Costa Del Sol Association, Inc., Docket No. 2006027924.

Whether Costa del Sol Association, Inc. is required to insure the screened enclosures on the patios and balconies, which are attached to or a part of certain units, under Section 718.111(11)(a), Florida Statutes (2006).

A copy of the Petition for Declaratory Statement, Docket No.: 2006027924 may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed May 18, 2006, from the Coral Gables Fire Department, Fire Prevention Division, Petitioner. The Petition requests an interpretation of Chapter 633, Florida Statutes, and Rule Chapter 69A-60, Florida Administrative Code, the Florida Fire Prevention Code, and specifically asks the Division of State Fire Marshal:

1. Does Section 718.112, Florida Statutes, provide that only high rise, condominium buildings, have the option of foregoing retrofitting of full fire sprinkler protection in accordance with Chapter 633, Florida Statutes?
2. If a high rise building is a mixed use occupancy, as in the case of the David Williams Hotel and Condominium, is the option of foregoing retrofitting for the condominium units only and requiring all other occupancy classifications to install fire sprinkler protection an option under Section 718.112, Florida Statutes?
3. Section 718.112(2)(1), Florida Statutes, states that "the term common areas means any enclosed hallway, corridor, lobby, stairwell, or entryway." Does the Fire Department have the authority to classify the underground parking garage of a high rise building as a "common area" for purposes of requiring fire sprinkler coverage in that area?

A copy of the Petition may be obtained by writing to, calling, or sending a fax to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, or (850)413-4148, Fax (850)922-1235 or (850)488-0697 (please advise if you would

like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

Section VIII

Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

The Florida Education Association and the Teachers Association of Lee County vs. Florida State Board of Education and Department of Education; Case No.: 06-1044RP; Rule No.: 6B-4.010

Florida Prisoners' Legal Aid Organization, Inc. vs. Florida Parole Commission and Division of Administrative Hearings; Case No.: 06-0748RP; Rule No.: 23-21

Southern Wood Piedmont Company vs. Department of Environmental Protection; Case No.: 06-0875RP; Rule No.: 62-730

Michael John Badanek, D.C. vs. Department of Health, Division of Medical Quality Assurance, Board of Chiropractic Medicine; Case No.: 06-0798RX; Rule No.: 64B2-15.001

Kanithahalli Satya-Prakash, PH.D. vs. Department of Health, Board of Clinical Laboratory Personnel; Case No.: 06-0832RX; Rule No.: 64B3-5.007

Manning Building Supplies, Inc. vs. Department of Financial Services; Case No.: 06-1286RX; Rule Nos.: 69L-5.101(4), 69L-5.102(2)(b), (3), 69L-5.103(3)(a)

Florida Insurance Council and National Association of Mutual Insurance Companies vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 06-1095RP; Rule No.: 69N-121.066

Pronational Insurance Company, The Medical Assurance Company, Inc., and Red Mountain Casualty Insurance Company, Inc. vs. Financial Service Commission and Office of Insurance Regulation; Case No.: 06-1143RP; Rule No.: 69O-171.003

Pronational Insurance Company, The Medical Assurance Company, Inc., and Red Mountain Casualty Insurance Company, Inc. vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 06-1142RP; Rule No.: 69O-171.009

Florida Surety Agents Association, Inc. vs. Department of Financial Services; Case No.: 06-0597RU

Clement Colgan, Jonathan Krauser, Robert Payton, Scott Steiger and Kimberly Watson vs. Florida Department of Law Enforcement; Case No.: 06-1206RU

DEGC Enterprises, d/b/a CCS Medical vs. Agency for Health Care Administration; Case No.: 06-1646RU

Aluminum Association of Florida, Pinellas Chapter, Inc.; Florida Alliance for Construction Education, Inc.; and AL Engineering, Inc. vs. Department of Business and Professional Regulation, Board of Professional Engineers; Case No.: 06-1886RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Sylvan Lea, Inc. vs. Southwest Florida Water Management District; Case No.: 05-1099RP; Rule No.: 40D-4.041; Dismissed

St. Petersburg Kennel Club, Inc.; Investment Corporation of Palm Beach, Inc.; Hartman Tyner, Inc.; and Daytona Beach Kennel Club, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 06-0380RP; Rule No.: 61D-2.011; Voluntarily Dismissed

Peter J. Singhofen, P.E. and Streamline Technologies, Inc. vs. Board of Professional Engineers; Case No.: 05-3674RX; Rule No.: 61F15-22.011; Dismissed

Hanger Prosthetics and Orthotics, Inc. and Hugh J. Pantan vs. Department of Health, Board of Orthotists and Prosthetists; Case No.: 05-4350RP; Rule No.: 64B14-3.001; Dismissed

Frank M. Bafford, Sr. vs. Florida Commission on Human Relations; Case Nos.: 05-0966RU, 05-1211RU, 05-1219RU; 05-1462RU, 05-1664RU, 05-2050RU; Dismissed

Frank M. Bafford, Sr. vs. Florida Commission on Human Relations; Case Nos.: 05-2985RU, 05-2986RU, 05-3167RU; 05-3168RU, 05-3294RU, 05-3808RU, 05-3981RU; Dismissed

DEGC Enterprises, d/b/a CCS Medical vs. Agency for Health Care Administration, Case No.: 06-1646RU; Dismissed

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services in the discipline of architecture will be required for the project listed below:

Project No. FS-284

Project and Location: Student Success Building
 Florida State University
 Tallahassee, Florida

The project consists of the design and construction of approximately 47,000 square feet of space on Woodward Avenue, adjacent to the Student Life Building. This new facility will house the LEAD Center, the Center for Civic Education and Service, and the Career Center, which are currently in separate locations. The Student Success Center will include classrooms, resource centers, meeting rooms, offices and technology accommodations. The design professional will be required to provide site planning and analysis in order to provide a solution which best utilizes the site. The selected firm will provide design, construction documents and administration for the referenced project which is budgeted at approximately \$9,450,000.00 for construction. The project delivery system will be construction management. Blanket professional liability insurance will be required for this project in the amount of \$500,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Florida State University "Professional Qualifications Supplement," dated August, 2003. Applications on any other form, or on versions dated prior to 8/03, 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 chartered by the Florida Department of State to operate in Florida.

Submit five copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, www.fpc.fsu.edu, or by contacting: Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: Lisa Durham, Sr. Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on July 12, 2006. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

CALL FOR QUALIFICATIONS

CAMPUS MASTER PLAN UPDATE – 2005/2006

The University of West Florida Board of Trustees is soliciting sealed Professional Qualifications submittals for the 2005-2006 Campus Master Plan.

Campus Master Planning services are required to update the current UWF Campus Master Plan. This master planning project consists of editing and/or updating elements of the University's 2001-02 Campus Master Plan in the following areas: academic mission, academic program, urban design, land use, academic facilities, support facilities, housing,

recreation and open space, general infrastructure, utilities, transportation, intergovernmental coordination, conservation, capital improvements, architectural design guidelines, landscape design guidelines, facilities maintenance, coastal management and environmental health and safety main campus and other campus locations.

The Master Plan update will be developed in accordance with the State University System "Guideline for the Comprehensive Campus Master Plan System" updated January 1994.

The UWF Professional Qualifications Supplement (UWF-PQS) outlines the minimum requirements the firm will submit for this proposed master-planning design service. Interested firms are required to visit the campus and must submit a Site Visit Form signed by authorized University personnel with its submittal.

A formal presentation to the selection committee may be required from each firm/team short-listed as a part of the selection process. Short listed applicants will be informed of the final interview date, time, and place and will be provided additional project information, if available.

Sealed submittals will be received until July 6, 2006, at 3:00 p.m. (CST), at the Procurement Services Office, Bldg. 8, Room 102, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Solicitation number 06/PQS-01/ES must be marked on outside of sealed submittal. The University will not be responsible for unopened submittals when the package is not properly identified.

Interested firms may download the Project Fact Sheet and related information from the Procurement Services' website at <http://uwf.edu/procurement> or contact Elaine Smith, etsmith@uwf.edu, (850)474-2627. All inquiries should be submitted in writing to Elaine Smith, esmith@uwf.edu

NOTICE TO CONSTRUCTION MANAGERS

The University of North Florida, Board of Trustees, a public body corporate, announces that Construction Management Services will be required for the construction of a new Student Union Building located at the University of North Florida, Jacksonville, Florida.

The project consists of approximately 150,000 GSF and will serve the various needs of the student population on campus. Some of the major functions included in the building will be a ballroom, multi-purpose meeting rooms, a bookstore, Student Media offices, health promotion offices, a theater, a Women's Center, a food court, various offices, lounges and other similar and compatible functions.

Firms desiring to provide construction management services shall submit a letter of application and a complete "University of North Florida Construction Manager Qualifications Supplement". No submittal material will be returned.

Minority Business participation is encouraged but will not be considered in the scoring process.

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 \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

UNF Construction Manager Qualifications Supplement forms and additional information may be obtained by contacting:

Dottie Fischetti
University of North Florida
4567 St. Johns Bluff Road, South
Jacksonville, Florida 32224
(904)620-2016, Fax (904)620-2020

Submit seven (7) copies of application to: University of North Florida, Facilities Planning Office, Attn.: Dottie Fischetti, Portable 832B, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2648. Application packages must be received no later than 2:00 p.m., local time, on July 11, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

CONSTRUCTION MANAGEMENT SERVICES FOR CONTINUING CONTRACTS

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide construction management services for continuing contracts. The firms selected under this contract will be responsible for assigned facility projects on an as-needed basis in which construction costs do not exceed \$1,000,000. Continuing service contracts for these projects will have an initial period of one (1) year with the option to renew for two (2) additional one-year periods. FSDB may have additional continuing service construction managers under contract during the same time period. Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and workers' compensation insurance shall be required. Builder's Risk insurance may be required for specific projects based upon need.

Selection of finalists for interview will be made on the basis of construction manager qualifications including experience and ability, financial capability, administrative ability/office staff, scheduling expertise, cost estimating and cost control ability, on-site staff, information systems, and distance to site. Firms must be properly licensed in the State of Florida at the time of submittal. The selection will be made in accordance with Section 255.29, F.S.

INSTRUCTIONS

Firms interested in being considered for Continuing Contracts shall submit one (1) original and four (4) copies of their submittals with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm’s qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor’s Financial Statement, Form DBC5085 dated 3/00.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. References from prior clients received within the last five years.
6. Copies of the firm’s current Florida Professional Registration License.
7. For Corporations only: If the firm offering services is a corporation, it must be properly registered with the Department of State to operate in Florida and must provide a copy of the firm’s current Florida Corporate Registration.

Submittals must be received no later than 4:00 p.m., local time, on Monday, July 10, 2006, and should be mailed or delivered to the: Florida School for the Deaf and the Blind, Attn.: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building 28, St. Augustine, FL 32084-2799. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applicants will be short-listed on Tuesday, July 18, 2006. Interviews will be conducted with the short-listed firms on Wednesday, July 26, 2006. A final selection will be made after the interviews have taken place. The selected firms will be given official notice of selection results by FAX and or mail. The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building 28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. and 4:00 p.m., beginning 24 hours after the selection. Final selection results will also be posted in the Florida Administrative Weekly. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time. All information received will be maintained with the project file and will not be returned. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, F.S.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo,

Florida until 1:30 p.m., local time, on June 29, 2006 for the purpose of selecting a supplier to provide per the bid specifications for:

Laundry Service for School Cafeterias
Bid 06-954-683

Provide for: pick-up, cleaning, linen repair services and re-delivery of District owned linens to approximately fifty (50) school cafeterias county wide. Pricing shall also be established for the purchase and delivery of new linens to our warehouse facility.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Specifications are available at the office of:

Purchasing Department
Walter Pownall Service Center
11111 So. Belcher Road
Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

CLAYTON M. WILCOX	CAROL J. COOK
SUPERINTENDENT	CHAIRMAN
OF SCHOOLS	
AND EX-OFFICIO SECRETARY	
TO THE SCHOOL BOARD	MARK C. LINDEMANN
	DIRECTOR,
	PURCHASING

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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.”

WATER MANAGEMENT DISTRICTS

REQUEST FOR QUALIFICATIONS # 05/06-046RM
The Suwannee River Water Management District (District) is requesting qualifications from licensed Florida Professional Engineering Firms (collectively referred to as “FIRM” or “FIRMS”) for the purpose of obtaining consulting services for wellhead protection locations within certain communities. In planning for existing needs and future growth, these communities desire to site a new municipal water supply well field to protect their future water supply. A list of these communities and the corresponding scope of work is included in Section 5 of the Request for Qualifications.

All proposals must be received prior to 4:00 p.m., on June 23, 2006. Any individual or firm desiring to obtain a copy of this Request for Qualification may do so by visiting the District's website at www.srwm.d.state.fl.us or by contacting:

Sandi Leach, Administrative Assistant
 Suwannee River Water Management District
 9225 CR 49
 Live Oak, Florida 32060
 Phone: (386)362-1001
 (800)226-1066 (Florida only)
 Fax: (386)362-1056

Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District at the above address and phone numbers.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

FLORIDA LEGISLATURE

NOTICE OF REQUEST FOR PROPOSALS

Statement of Work: The Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) is requesting proposals from national independent actuarial firms for an actuarial analysis of the expected reduction in liability judgments, settlements and related costs resulting from 1999 tort reform legislation passed by the Florida Legislature. Interested and qualified firms may submit a proposal to conduct this review, which was directed by Section 33, Chapter 99-225, Laws of Florida.

The purpose of the actuarial analysis is to inform the Florida Legislature about the impact on litigation and settlement outcomes that resulted from tort reform legislation passed by the Florida Legislature in 1999.

Proposals: Proposals must be submitted in accordance with the content set forth in the "Request for Proposals for an Actuarial Analysis of the Expected Reductions in Liability Judgments and Related Costs Resulting from 1999 Tort Reform Legislation," dated June 9, 2006. Copies of this document are available electronically from the contact person.

Contact Person: Ms. Debra Waters, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, Florida 32399-1475, (850)487-0577, email: waters.debra@oppaga.fl.gov

Dates: All interested consultants are required to submit a mandatory but non-binding letter of intent to propose, which must be received by OPPAGA no later than 3:30 p.m., Eastern Time, on Thursday, June 22, 2006. OPPAGA will have further

communications after that date only with those persons who indicate their initial intent to submit a proposal on this project. The closing date and time to receive proposals is 3:30 p.m., Eastern Time, Monday, July 10, 2006. The contact person must receive the written proposal prior to the closing date and time. Proposals that for any reason are not so received will not be considered. OPPAGA reserves the right to reject any and all proposals. Unless all proposals are rejected, it is anticipated the contract will be awarded in July 2006.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-204073 ACCOUNTING CODE: N/A

PROJECT NAME AND LOCATION: RENOVATION FT. LAUDERDALE NATIONAL GUARD ARMORY, FT. LAUDERDALE, FLORIDA

PROJECT DESCRIPTION: RENOVATION OF EXISTING BUILDINGS INTERIOR AND EXTERIOR TO INCLUDE EXTERIOR SITE WORK AS DEFINED IN THE ARCHITECT/ENGINEERS SPECIFICATIONS.

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders.

MANDATORY PRE-BID MEETING: A Mandatory Pre-Bid Meeting will be held for all interested Prime Bidders and MBE's certified by the Minority Business Advocacy and Assistance Office On July 6, 2006 at 10:00 a.m., Local Time, at the Ft. Lauderdale National Guard Armory, CSM Thomas Jeff Mayo Armory, 400 S. W. 24th Street, Ft. Lauderdale, Florida 33315-2695. All Prime Bidders interested in bidding on this project are required to attend and address subcontracting opportunities for MBE's.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly opened and read aloud on:

DATE AND TIME: July 19, 2006, 10:00 a.m., Local Time

PLACE: Ft. Lauderdale National Guard Armory, CSM Thomas Jeff Mayo Armory, 400 S. W. 24th Street, Ft. Lauderdale, Florida 33315-2695

PROPOSAL: Bids may be submitted prior to bid opening date if received by the Department of Military Affairs, NO LATER THAN July 18, 2006, BEFORE CLOSE OF BUSINESS. Submit to: Construction and Facility Management Office, Robert F. Ensslin Armory, ATTN: SEALED BIDS, Mr. Kenneth Hersey, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0282, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Hanson Professional Services, Inc.
TELEPHONE: (407)622-2050

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$50.00 per set from DIGIPRINT, Inc., 2195 North Andrews Avenue Extension, Suite 9, Pompano Beach, Florida 33069, Phone (954)971-9115, Fax (954)971-9576, WebSite www.digiprintsinc.com

All technical questions shall be directed to the A/E until close of business July 12, 2006.

ARCHITECT-ENGINEER: HANSON PROFESSIONAL SERVICES, INC., TELEPHONE: (407)622-2050

CONTRACT AWARD: The official Notice of Award Recommendation (Intent to Award) will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive and responsible low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner. In the event that the Bid tabulation/Notice of Award Recommendation (Intent to Award) can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested.

Vendors submitting bids/proposals should be registered in the MyFloridaMarketPlace E-procurement system prior to the response due date. A vendor shall not be awarded a project until registered in the MFMP system.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the State of Florida.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-205006 **ACCOUNTING CODE:** N/A
PROJECT NAME AND LOCATION: RENOVATION DELAND NATIONAL GUARD ARMORY, DELAND, FLORIDA

PROJECT DESCRIPTION: RENOVATION OF EXISTING BUILDINGS INTERIOR AND EXTERIOR TO INCLUDE EXTERIOR SITE WORK AS DEFINED IN THE ARCHITECT/ENGINEERS SPECIFICATIONS.

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders.

MANDATORY PRE-BID MEETING: A Mandatory Pre-Bid Meeting will be held for all interested Prime Bidders and MBE's certified by the Minority Business Advocacy and Assistance Office On: July 7, 2006, at 9:00 a.m., Local Time, at the Deland National Guard Armory, 401 South Alabama Avenue, Deland, Florida 32724-5993. All Prime Bidders interested in bidding on this project are required to attend and address subcontracting opportunities for MBE's.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly opened and read aloud on:

DATE AND TIME: July 20, 2006, 10:00 a.m., Local Time.
 PLACE: Deland National Guard Armory, 401 South Alabama Avenue, Deland, Florida 32724-5993
 PROPOSAL: Bids may be submitted prior to bid opening date if received by the Department of Military Affairs, NO LATER THAN July 19, 2006, BEFORE CLOSE OF BUSINESS.

Submit to: Construction and Facility Management Office, Robert F. Ensslin Armory, ATTN: SEALED BIDS, Mr. Kenneth Hersey, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0282, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: BGA Inc., ATTN: Kristen Titus
 TELEPHONE: (813)375-3417

DEPOSIT: \$100.00 per set of Drawings and Specifications is required with a limit of two (2) sets per General Contractor or Prime Bidder and one set per mechanical subcontractor and/or electrical subcontractor. The deposit shall only be returned to those General Contractors, or Prime Bidders, mechanical subcontractors and/or electrical subcontractors, who, after having examined the Drawings and Specifications:

- a. Submit a request for pre qualification and fail to qualify, or
- b. Submit a bid (in the case of mechanical and/or electrical subcontractor's submission of a bid to a prime bidder), and return the Drawings and Specifications in good condition within fifteen (15) days of the date of receipt of bids.

All technical questions shall be directed to the A/E until close of business July 13, 2006.

ARCHITECT-ENGINEER: BGA Inc. ATTN: Kristen Titus
 TELEPHONE: (813)375-3417

CONTRACT AWARD: The official Notice of Award Recommendation (Intent to Award) will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive and responsible low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner. In the event that the Bid tabulation/Notice of Award Recommendation (Intent to Award) can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested.

Vendors submitting bids/proposals should be registered in the MyFloridaMarketPlace E-procurement system prior to the response due date. A vendor shall not be awarded a project until registered in the MFMP system.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the State of Florida.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIVR-11-2006-005
DATE RECEIVED:	May 24, 2006
DEVELOPMENT NAME:	DANIA JAI ALAI
DEVELOPER/AGENT:	T. Spencer Crowley
DEVELOPMENT TYPE:	28-24.016, F.A.C.
LOCAL GOVERNMENT:	Dania Beach

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, STR Motorsports, Inc., intends to allow the establishment of Ali-J Inc., d/b/a Freedom Power Sports, as a dealership for the sale of KYMCO motorcycles at 941 Country Club Boulevard, Cape Coral (Lee County), Florida 33990, on or after May 23, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Ali-J Inc., d/b/a Freedom Power Sports are dealer operator(s): Jeffrey A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914, and Alison D. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914; principal investor(s): Jeffery A. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914, and Alison D. Free, 5924 Tarpon Gardens Circle, #202, Cape Coral, Florida 33914.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, VP of Sales/Marketing, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cobra Scooters, LLC, intends to allow the establishment of Citrus Cycle Center as a dealership for the sale of Taiwan Golden Bee (TGB) motorcycles at 2277 Highway 41, North, Inverness (Citrus County), Florida 34453, on or after May 22, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Citrus Cycle Center are dealer operator(s): Joe Gardina, 2277 Highway 41, North, Inverness, Florida 34453; principal investor(s): Joe Gardina, 2277 Highway 41, North, Inverness, Florida 34453.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Robert P. Bates, Vice President of Operations, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, QLINK, L.P., intends to allow the establishment of FLA Cycle as a dealership for the sale of Zongshen and Chunfeng motorcycles at 6022 South Tamiami Trail, Sarasota (Sarasota County), Florida 34231, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of FLA Cycle are dealer operator(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): Bruce Friedlander, 6022 South Tamiami Trail, Sarasota, Florida 34231.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Johnny Tai, Manager, QLINK, L.P., 756 Port America Place, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hino Motors Sales U.S.A., Inc., intends to allow the establishment of Emsil Enterprises, Inc., d/b/a Tri-County Truck & Equipment, as a dealership for the sale of Hino trucks at 345 Fowler Street, Fort Myers (Lee County), Florida 33901, on or after July 3, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Emsil Enterprises, Inc., d/b/a Tri-County Truck & Equipment are dealer operator(s): Michael Friscaro, 9700 Northwest First Manor, Coral Springs, Florida 33071; principal investor(s): Michael Silveri, 2930 Northeast 23rd Street, Pompano Beach, Florida 33062, and Michael Friscaro, 9700 Northwest First Manor, Coral Springs, Florida 33071.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hiroji Kurayama, President, Hino Motors Sales U.S.A., Inc., 2555 Telegraph Road, Bloomfield Hills, Michigan 48302.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hitong Motors Corporation intends to allow the establishment of Comford Scooters, Inc., as a dealership for the sale of Hitong motorcycles at 2309 South State Road 7, Hollywood (Broward County), Florida 33023, on or after May 6, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Comford Scooters, Inc. are dealer operator(s): Igal Aslan, 2309 South State Road 7, Hollywood, Florida 33023; principal investor(s): Igal Aslan, 2309 South State Road 7, Hollywood, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Piaggio Group Americas, Inc., intends to allow the establishment of DeLand Motorsports, Inc., d/b/a DeLand Motorsports, as a dealership for the sale of Aprilia motorcycles at 2610 South Woodland Boulevard, DeLand (Volusia County), Florida 32720, on or after May 24, 2006.

The name and address of the dealer operator(s) and principal investor(s) of DeLand Motorsports, Inc., d/b/a DeLand Motorsports are dealer operator(s): Kurt Dye, 2610 South Woodland Boulevard, DeLand, Florida 32720; principal investor(s): Kurt Dye, 2610 South Woodland Boulevard, DeLand, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Paralegal/Assistant Administrator, Piaggio Group Americas, Inc., 140 East 45th Street, 17C, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, QLINK, L.P., intends to allow the establishment of Loon's Lagoon as a dealership for the sale of Zongshen and Chunfeng motorcycles at 1301 South Patrick Drive, Satellite Beach (Brevard County), Florida 32937, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Loon's Lagoon are dealer operator(s): Gregory Shonk, 1301 South Patrick Drive, Satellite Beach, Florida 32937; principal investor(s): Gregory Shonk, 1301 South Patrick Drive, Satellite Beach, Florida 32937.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Johnny Tai, Manager, QLINK, L.P., 756 Port America Place, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America, intends to allow the establishment of Pro Cycle II as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejian Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 110 South Federal Highway, Pompano Beach (Broward County), Florida 33052, on or after April 20, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Pro Cycle II are dealer operator(s): Durval Hernanadez, 5232 Northeast Sixth Avenue, Apartment 24 F, Pompano Beach, Florida 33334; principal investor(s): Durval Hernanadez, 5232 Northeast 6th Avenue, Apartment 24 F, Pompano Beach, Florida 33334.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

AGENCY FOR HEALTHCARE ADMINISTRATION

NOTICE OF BATCHED APPLICATION RECEIPT
AND
NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds & Services review cycle with an application due date of May 24, 2006.

- County: Hernando District: 3
CON #: 9922 Application Receipt Date: 5/23/2006
Facility/Project: Hernando Pasco Hospice, Inc.
Applicant: Hernando Pasco Hospice, Inc.
Project Description: Establish a freestanding inpatient hospice facility of up to 24 beds
- County: Nassau District: 4
CON #: 9923 Application Receipt Date: 5/24/2006
Facility/Project: GF/Amelia Island Properties, Inc.
Applicant: GF/Amelia Island Properties, Inc.
Project Description: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center
- County: Nassau District: 4
CON #: 9924 Application Receipt Date: 5/24/2006
Facility/Project: GF/Amelia Island Properties, Inc.
Applicant: GF/Amelia Island Properties, Inc.
Project Description: Establish a 24-bed ICF/DD through the delicensure of 24 of the 70 beds at Amelia Island Care Center
- County: Nassau District: 4
CON #: 9925 Application Receipt Date: 5/24/2006
Facility/Project: GF/Amelia Island Properties, Inc.
Applicant: GF/Amelia Island Properties, Inc.
Project Description: Establish a 24-bed ICF/DD through the delicensure of 22 ICF/DD beds at Amelia Island and the addition of two new ICF/DD beds
- County: Pinellas District: 5
CON #: 9926 Application Receipt Date: 5/24/2006
Facility/Project: Helen Ellis Memorial Hospital
Applicant: Tarpon Springs Hospital Foundation
Project Description: Establish an adult open heart surgery program

- County: Desoto District: 8
CON #: 9927 Application Receipt Date: 5/12/2006
Facility/Project: Tidewell Hospice and Palliative Care, Inc.
Applicant: Tidewell Hospice and Palliative Care, Inc.
Project Description: Establish a freestanding inpatient hospice facility of up to 12 beds
- County: Broward District: 10
CON #: 9928 Application Receipt Date: 5/24/2006
Facility/Project: Catholic Hospice, Inc.
Applicant: Catholic Hospice, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #: 9929 Application Receipt Date: 5/23/2006
Facility/Project: Heartland Services of Florida, Inc.
Applicant: Heartland Services of Florida, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #: 9930 Application Receipt Date: 5/24/2006
Facility/Project: Hospice of Palm Beach County, Inc.
Applicant: Hospice of Palm Beach County, Inc.
Project Description: Establish a hospice program
- County: Broward District: 10
CON #: 9931 Application Receipt Date: 5/22/2006
Facility/Project: Hospice of the Palm Coast, Inc.
Applicant: Hospice of the Palm Coast, Inc.
Project Description: Establish a hospice program
- County: Dade District: 11
CON #: 9932 Application Receipt Date: 5/24/2006
Facility/Project: Mount Sinai Medical Center
Applicant: Mount Sinai Medical Center of Florida, Inc.
Project Description: Establish an adult autologous or allogeneic bone marrow transplantation program
Also, IF REQUESTED, tentative public hearings have been scheduled as follows:
PROPOSALS: District 3
DATE AND TIME: Monday, July 10, 2006, 2:00 p.m. – until 4:00 p.m.
PLACE: WellFlorida Council, 1015 N. W. 56th Terrace, Gainesville, FL 32605
PROPOSALS: District 4
DATE AND TIME: Tuesday, July 11, 2006, 10:00 a.m. – until 11:00 a.m.
PLACE: Health Planning Council of N.E. Florida. 900 University Boulevard, North, 2nd Floor, Conference Room, Jacksonville, FL 32211

- PROPOSALS: District 5
 DATE AND TIME: Tuesday, July 11, 2006, 9:00 a.m. – until 12:00 Noon
 PLACE: Baker Building, Conference Room, 888 Executive Center Drive, North, St. Petersburg, FL 33702
- PROPOSALS: District 8
 DATE AND TIME: Thursday, July 6, 2006, 1:00 p.m. – 3:00 p.m.
 PLACE: Turner Agri-Civic Center, 2250 N. E. Roan Street, Arcadia, FL 34266
- PROPOSALS: District 9
 DATE AND TIME: Tuesday, July 11, 2006, 10:00 a.m.
 PLACE: Center Point Plaza, 4152 West Blue Heron Boulevard, Suite 229, West Palm Beach, FL 33404
- PROPOSALS: District 10
 DATE AND TIME: Monday, July 10, 2006, 10:00 a.m.
 PLACE: Broward Regional Health Planning Council, Inc., 915 Middle River Drive, Conference Room 115, Fort Lauderdale, FL 33304
- PROPOSALS: District 11
 DATE AND TIME: Tuesday, July 11, 2006, 9:00 a.m.
 PLACE: Health Council of South Florida Inc., Conference Room, 8095 N. W. 12th Street, Suite 300, Miami, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, Attention: Karen Rivera, by 5:00 p.m., June 23, 2006. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file.

Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by June 28, 2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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.”

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted a revised draft of the existing Probation and Community Corrections Handbook for review and comment at: http://www.djj.state.fl.us/policies_procedures/manualreview.html (note this is a new web page). This proposed revision to the existing Probation and Community Corrections Handbook is designed to assist probation staff (state and provider) in complying with juvenile laws and procedures, enhance public safety and provide quality services to youth and their families that come into contact with the Department of Juvenile Justice via an arrest of the youth, or through some other referral process. The purpose of the manual is to articulate the department’s policy regarding services provided to those youth and to ensure implementation of the policy contained therein. This revision to the existing handbook is being posted for a 20 calendar day review and comment period from the date of publication of this notice in the Florida Administrative Weekly. The closure date for submission of comments on this handbook is July 7, 2006. PLEASE NOTE: Comments should be directed only to the underline and strike-through portions of the handbook as these changes were made after the initial approval of the document. Comments should be sent to the person identified on the above Website.

The Florida Department of Juvenile Justice has posted a draft of the 2006 Health Care Manual for review and comment at: http://www.djj.state.fl.us/policies_procedures/manualreview.html. PLEASE NOTE that an earlier notice published in the Florida Administrative Weekly on June 2, 2006 indicated that the above referenced manual would be available on the Department’s website on June 2, 2006. Due to unexpected delays, the Health Care Manual will not be available for review and comment until June 9, 2006 (date of this publication). The 2006 Health Care Manual, is a document that addresses the comprehensive physical health care of youth who are in the custody of a detention center and/or residential commitment Program. Due to the unique nature of health care, the manual has been written to address the various health care needs of these youth in accordance with national standards, as well as the requirements of the Florida Department of Juvenile Justice. The goal is that youth in the care and custody of the Department will receive a continuum of services that reflect the complex needs of this population. A second goal is that health care providers, direct care staff and management at all levels will understand that the health care provided to these youth must be in accordance with current clinical guidelines and at a level commensurate with the services they would

receive in the community. The manual is being posted for a single 20 working day review and comment period. The amended closure date for submission of comments on the manual is July 7, 2006. Comments should be sent to the person identified on the above Website utilizing the Matrix of Comments.

The Florida Department of Juvenile Justice has posted a revision to an existing policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html (note new Web page). The Direct Care Staff Training Policy (FDJJ 1510, department-wide policy type B) establishes a statewide framework for the Department of Juvenile Justice to implement procedures governing the certification, pre-service, and in-service training of direct care staff. It is applicable to all direct care staff as defined in this policy, within all state and contracted programs, facilities, and probation units. Training requirements are established in order to: 1) ensure that all direct care staff are performing at a minimum standardized level of competency, 2) maintain a safe and secure environment for staff and youth, 3) enhance treatment program effectiveness, and 4) provide greater protection to the public through an improved level of services to the youth in our care. This policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on this policy of July 7, 2006. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

NOTICE OF THE POSTING OF INTENDED AWARDS
FOR EMERGENCY MEDICAL SERVICES
GENERAL MATCHING GRANTS (75% GRANTS)

AGENCY: Florida Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services Matching Grant Program

The list of intended grant recipients and those not intended for awards is posted outside of Conference Room 335N, third floor of the state office building at 4025 Esplanade Way,

Tallahassee, Florida 32311-7829, on June 9, 2006 at 8:00 a.m. and will be posted on the Internet at <http://www.doh.state.fl.us/demo/EMS/Grants/Grants.html>, on June 9, 2006.

The list also will be provided by mail, e-mail, or facsimile (fax) by making a request directed to: State EMS Matching Grant Administrator, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2737, Fax (850)245-4378, or e-mail: Ed_Wilson@doh.state.fl.us. Any entity whose substantial interests have been affected by this decision may file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S.

The petition must be in writing and conform to the requirements of Rule 28-106.201 or 28-106.301, F.A.C., as applicable.

Mediation pursuant to Section 120.573, F.S., is not available for this action. A written petition must be filed within twenty-one (21) days of the date of award posting. The term "filed" means received by the Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703. Written petitions may be hand-delivered to the: Agency Clerk, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL. Failure to file a written petition within 21 days of posting constitutes a waiver of hearing rights. If you have any questions regarding the procedure, contact an attorney.

NOTICE OF THE POSTING OF INTENDED AWARDS
FOR RURAL EMERGENCY MEDICAL
SERVICES MATCHING GRANTS (90% GRANTS)

AGENCY: Florida Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida Emergency Medical Services Rural Matching Grant Program

The list of intended grant recipients and those not intended for awards is posted outside of Conference Room 335N, Third Floor of the state office building at 4025 Esplanade Way, Tallahassee, Florida 32311-7829, on June 9, 2006 at 8:00 a.m. and will be posted on the Internet at <http://www.doh.state.fl.us/demo/EMS/Grants/Grants.html>, on June 9, 2006.

The list also will be provided by mail, e-mail, or facsimile (fax) by making a request directed to: State EMS Matching Grant Administrator, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18,

Tallahassee, Florida 32399-1738, (850)245-4440. Ext. 2737, Fax (850)245-4378, or e-mail: Ed_Wilson@doh.state.fl.us. Any entity whose substantial interests have been affected by this decision may file a petition for an administrative hearing as provided in Sections 120.569 and 120.57, F.S.

The petition must be in writing and conform to the requirements of Rule 28-106.201 or 28-106.301, F.A.C., as applicable.

Mediation pursuant to Section 120.573, F.S., is not available for this action. A written petition must be filed within twenty-one (21) days of the date of award posting. The term "filed" means received by the Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 32399-1703. Written petitions may be hand-delivered to the Agency Clerk, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL. Failure to file a written petition within 21 days of posting constitutes a waiver of hearing rights. If you have any questions regarding the procedure, contact an attorney.

On May 25, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Peter Nicholas Swischuk, M.D., license number ME 70515. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 26, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Richard M. Cohen, M.D., license number ME 53178. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 26, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Charles A. Scott, R.N. license number RN 3018112. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

OFFICE OF FINANCIAL REGULATION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing

by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 30, 2006):

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, Miami, Florida 33122-1824
Expansion Includes: Select Employee Group

Received: May 24, 2006

REQUEST FOR CORPORATE NAME APPROVAL
BY A NON-FINANCIAL INSTITUTION

Notice is hereby given that the Office of Financial Regulation has received the following request for corporate name approval by a non-financial institution. Comments may be submitted to

the Director, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record. Any comments submitted must be received by the Office within twenty-one (21) days from publication of this notice (by 5:00 p.m., June 30, 2006):

Applicant: Jeff McCool, Operations Manager, Gold Mortgage Banc, Inc., 9537 W. 87th Street, Overland Park, Kansas 66212

Proposed Name: Gold Mortgage Banc, Inc.

Received: May 26, 2006

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 22, 2006
 and May 26, 2006

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
34-12.450	5/26/06	6/15/06	32/12	
34-12.460	5/26/06	6/15/06	32/12	
34-12.660	5/26/06	6/15/06	32/12	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

5L-1.003	5/22/06	6/11/06	32/15	
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DEPARTMENT OF CORRECTIONS

33-601.717	5/26/06	6/15/06	32/13	
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COMMISSION ON ETHICS

34-7.010	5/26/06	6/15/06	32/12	
34-12.010	5/26/06	6/15/06	32/12	
34-12.015	5/26/06	6/15/06	32/12	
34-12.020	5/26/06	6/15/06	32/12	32/18
34-12.100	5/26/06	6/15/06	32/12	
34-12.190	5/26/06	6/15/06	32/12	
34-12.200	5/26/06	6/15/06	32/12	
34-12.300	5/26/06	6/15/06	32/12	
34-12.310	5/26/06	6/15/06	32/12	
34-12.320	5/26/06	6/15/06	32/12	
34-12.330	5/26/06	6/15/06	32/12	
34-12.340	5/26/06	6/15/06	32/12	
34-12.400	5/26/06	6/15/06	32/12	32/18
34-12.405	5/26/06	6/15/06	32/12	32/18
34-12.407	5/26/06	6/15/06	32/12	32/18
34-12.420	5/26/06	6/15/06	32/12	
34-12.430	5/26/06	6/15/06	32/12	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

61G14-19.001	5/23/06	7/1/06	32/16	
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Board of Professional Engineers

61G15-20.007	5/22/06	6/11/06	32/16	
61G15-22.011	5/22/06	6/11/06	32/16	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.500	5/23/06	6/12/06	32/8	
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DEPARTMENT OF HEALTH

Board of Dentistry

64B5-14.002	5/26/06	6/15/06	32/15	
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Board of Medicine

64B8-4.009	5/24/06	6/13/06	31/45	32/17
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Board of Podiatric Medicine

64B18-14.002	5/25/06	6/14/06	32/16	
64B18-14.010	5/25/06	6/14/06	32/16	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Developmental Services Program

65B-4.033	5/24/06	6/13/06	32/13	32/16
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