

endorsement number holder. As evidence thereof, such person must possess a blue crab effort management limited entry apprenticeship form (DMF-SL4550 (09-06 ~~05-05~~), incorporated herein by reference) signed by the endorsement holder attesting to the applicant having worked no fewer than fourteen (14) days fishing for blue crabs on the endorsement holder's vessel.

(c) A person who wishes to transfer an endorsement number shall submit a notarized statement of intent within 72 hours of the final notarized signature, that has been signed by both parties to the transaction, hand delivered, or sent by United States Postal Service certified mail, return receipt requested, to the Commission. The statement of intent (Form DMF-SL 4560 (09-06 ~~05-05~~), incorporated herein by reference), shall include the following information:

1. The name, address, and SPL number of seller;
2. The name, address, and SPL number of buyer; and
3. The selling price.

(d) A blue crab effort management limited entry endorsement number shall not be issued, transferred, or renewed until all license fees, surcharges, and any other outstanding fees, fines, or penalties owed to the Commission by either party to the transaction have been paid in full.

(16) No change.

(17) No Vested Rights. This blue crab effort management limited entry program does not create any vested rights for endorsement number holders whatsoever and may be altered or terminated by the Commission as necessary to protect the blue crab resource, the participants of the fishery, or the public interest.

(18) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 5-26-05, Amended 3-30-06, _____.

Section II Proposed Rules

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE CHAPTER NO.: RULE CHAPTER TITLE:
15B-13 Operation of Soundmaking Devices in Motor Vehicles

RULE NO.: RULE TITLE:
15B-13.001 Operation of Soundmaking Devices in Motor Vehicles

PURPOSE AND EFFECT: The purpose of the proposed rule action is to amend the current rule to reflect the 2005 revision to Florida Statute 316.3045, making it unlawful for any person operating or occupying a motor vehicle on a street or highway

to operate or amplify the sound produced by a radio, tape player, or other mechanical soundmaking device or instrument from within the motor vehicle so that the sound is plainly audible at a distance of 25 feet or more from the motor vehicle instead of 100 feet as previously defined.

SUMMARY: The proposed rule action revises the current rule changing the definition of the term "plainly audible" reducing the unlawful range that a mechanical soundmaking device or instrument can be heard coming from within a motor vehicle from 100 feet to 25 feet.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory costs has not been 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: 316.3045 FS.

LAW IMPLEMENTED: 316.3045 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lt. James D. Wells, Jr., Bureau of Special Operations Command, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2303

THE FULL TEXT OF THE PROPOSED RULE IS:

15B-13.001 Operation of Soundmaking Devices in Motor Vehicles.

(1) No change.

(2) "Plainly Audible" shall mean any sound produced by a radio, tape player, or other mechanical or electronic soundmaking device, or instrument, from within the interior or exterior of a motor vehicle, including sound produced by a portable soundmaking device, that can be clearly heard outside the vehicle by a person using his normal hearing faculties, at a distance of 25 ~~100~~ feet or more from the motor vehicle.

(3) through (4) No change.

Specific Authority 316.3045 FS. Law Implemented 316.3045 FS. History--New 12-25-90, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt. James D. Wells, Jr., Bureau of Law Enforcement Support Services, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-5799

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Colonel Christopher A. Knight, Director, Division of Florida Highway Patrol

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

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.”

PUBLIC SERVICE COMMISSION

DOCKET NOS. 060172-EU and 060173-EU

RULE NOS.:	RULE TITLES:
25-6.034	Standard of Construction
25-6.0341	Location of the Utility’s Electric Distribution Facilities
25-6.0342	Third-Party Attachment Standards and Procedures
25-6.0343	Municipal Electric Utilities and Rural Electric Cooperatives
25-6.0345	Safety Standards for Construction of New Transmission and Distribution Facilities
25-6.064	Contribution-in-Aid-of-Construction for Installation of New or Upgraded Facilities
25-6.078	Schedule of Charges
25-6.115	Facility Charges for Conversion of Existing Overhead Investor-owned Distribution Facilities

PURPOSE AND EFFECT: To increase the reliability of Florida’s electric transmission and distribution infrastructure, as well as clarify costs and standards regarding overhead line extensions and underground electric infrastructure.

SUMMARY: The rules will require electric utilities to develop construction standards which, at a minimum, meet the National Electrical Safety Code; relocate facilities from the rear to the front of customer’s premises in certain circumstances; develop standards for third-party attachments to electric facilities; extend applicability of the standards to municipally operated systems and electric cooperatives; and clarify and revise the charges for overhead line extensions, underground construction, and conversion of overhead facilities to underground facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Florida’s five Investor Owned Utilities, 18 electric cooperatives, and 35 municipally operated companies will be affected by these rules. Additionally, telecommunications and cable companies that own or lease space on electric facilities may be indirectly affected.

Preliminary data provided by the IOUs indicates estimated costs for increased electric infrastructure reliability will range from \$63 Million to \$193 Million. No data is available from municipally operated systems, electric cooperatives, telecommunications and cable companies.

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

SPECIFIC AUTHORITY: 350.127(2), 366.04, 366.04(2)(f), 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04, 366.04(1), 366.04(2)(c), 366.04(2)(f), 366.04(5), 366.04(6), 366.05, 366.05(1), 366.05(7), 366.05(8), 366.06, 366.06(1) FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULES MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

A HEARING WILL BE HELD ON RULES 25-6.0341, 25-6.0342, AND 25-6.0343 AT THE DATE, TIME AND PLACE SHOWN BELOW. FOR RULES 25-6.034, 25-6.0345, 25-6.064, 25-6.078, AND 25-6.115, A HEARING WILL BE HELD THE DATE, TIME AND PLACE SHOWN BELOW ONLY IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE (IF NOT REQUESTED, A HEARING WILL NOT BE HELD ON RULES 25-6.034, 25-6.0345, 25-6.064, 25-6.078, AND 25-6.115).

DATE AND TIME: Tuesday, August 22, 2006, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry Harris, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6076

THE FULL TEXT OF THE PROPOSED RULES IS:

PART III GENERAL MANAGEMENT REQUIREMENTS

25-6.034 Standard of Construction.

(1) Application and Scope. This rule is intended to define construction standards for all overhead and underground electrical transmission and distribution facilities to ensure the provision of adequate and reliable electric service for operational as well as emergency purposes. This rule applies to all investor-owned electric utilities. ~~The facilities of the utility shall be constructed, installed, maintained and operated in accordance with generally accepted engineering practices to assure, as far as is reasonably possible, continuity of service and uniformity in the quality of service furnished.~~

(2) Each utility shall establish, no later than 180 days after the effective date of this rule, construction standards for overhead and underground electrical transmission and distribution facilities that conform to the provisions of this rule. Each utility shall maintain a copy of its construction standards at its main corporate headquarters and at each district office. Subsequent updates, changes, and modifications to the utility's construction standards shall be labeled to indicate the effective date of the new version and all revisions from the prior version shall be identified. Upon request, the utility shall provide access, within 2 working days, to a copy of its construction standards for review by Commission staff at the utility's offices in Tallahassee. The Commission has reviewed the American National Standard Code for Electricity Metering, 6th edition, ANSI C-12, 1975, and the American National Standard Requirements, Terminology and Test Code for Instrument Transformers, ANSI 57.13, and has found them to contain reasonable standards of good practice. A utility that is in compliance with the applicable provisions of these publications, and any variations approved by the Commission, shall be deemed by the Commission to have facilities constructed and installed in accordance with generally accepted engineering practices.

(3) The facilities of each utility shall be constructed, installed, maintained and operated in accordance with generally accepted engineering practices to assure, as far as is reasonably possible, continuity of service and uniformity in the quality of service furnished.

(4) Each utility shall, at a minimum, comply with the applicable edition of the National Electrical Safety Code (ANSI C-2) [NESC].

(a) The Commission adopts and incorporates by reference the 2002 edition of the NESC, published August 1, 2001. A copy of the 2002 NESC, ISBN number 0-7381-2778-7, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE).

(b) Electrical facilities constructed prior to the effective date of the 2002 edition of the NESC shall be governed by the applicable edition of the NESC in effect at the time of the initial construction.

(5) For the construction of distribution facilities, each utility shall, to the extent reasonably practical, feasible, and cost-effective, be guided by the extreme wind loading standards specified by Figure 250-2(d) of the 2002 edition of the NESC. As part of its construction standards, each utility shall establish guidelines and procedures governing the applicability and use of the extreme wind loading standards to enhance reliability and reduce restoration costs and outage times for each of the following types of construction:

(a) New construction;

(b) Major planned work, including expansion, rebuild, or relocation of existing facilities, assigned on or after the effective date of this rule; and

(c) Targeted critical infrastructure facilities and major thoroughfares taking into account political and geographical boundaries and other applicable operational considerations.

(6) For the construction of underground distribution facilities and their supporting overhead facilities, each utility shall, to the extent reasonably practical, feasible, and cost-effective, establish guidelines and procedures to deter damage resulting from flooding and storm surges.

(7) In establishing the construction standards, the utility shall seek input from other entities with existing agreements to share the use of its electric facilities. Any dispute or challenge to a utility's construction standards by a customer, applicant for service, or attaching entity shall be resolved by the Commission.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(c),(f), (5),(6), 366.05(1),(7),(8) FS. History—Amended 7-29-69, 12-20-82, Formerly 25-6.34, Amended _____.

25-6.0341 Location of the Utility's Electric Distribution Facilities.

In order to facilitate safe and efficient access for installation and maintenance, to the extent practical, feasible, and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customer's premises.

(1) For initial installation, expansion, rebuild, or relocation of overhead facilities, utilities shall use easements, public streets, roads and highways along which the utility has the legal right to occupy, and public lands and private property across which rights-of-way and easements have been provided by the applicant for service.

(2) For initial installation, expansion, rebuild, or relocation of underground facilities, the utility shall require the applicant for service to provide easements along the front edge of the property, unless the utility determines there is an operational, economic, or reliability benefit to use another location.

(3) For conversions of existing overhead facilities to underground facilities, the utility shall, if the applicant for service is a local government that provides all necessary permits and meets the utility's legal, financial, and operational requirements, place facilities in road rights-of-way in lieu of requiring easements.

(4) Where the expansion, rebuild, or relocation of electric distribution facilities affects existing third-party attachments, the electric utility shall seek input from and, to the extent practical, coordinate the construction of its facilities with the third-party attacher.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(c), (5), (6), 366.05(1),(8) FS. History—New _____.

25-6.0342 Third-Party Attachment Standards and Procedures.

(1) As part of its construction standards adopted pursuant to Rule 25-6.034, F.A.C., each utility shall establish and maintain written safety, reliability, pole loading capacity, and engineering standards and procedures for attachments by others to the utility's electric transmission and distribution poles (Attachment Standards and Procedures). The Attachment Standards and Procedures shall meet or exceed the applicable edition of the National Electrical Safety Code (ANSI C-2) pursuant to subsection 25-6.034(4), F.A.C., and other applicable standards imposed by state and federal law so as to assure, as far as is reasonably possible, that third-party facilities attached to electric transmission and distribution poles do not impair electric safety, adequacy, or reliability; do not exceed pole loading capacity; and are constructed, installed, maintained, and operated in accordance with generally accepted engineering practices for the utility's service territory.

(2) No attachment to a utility's electric transmission or distribution poles shall be made except in compliance with such utility's Attachment Standards and Procedures.

(3) In establishing the Attachment Standards and Procedures, the utility shall seek input from other entities with existing agreements to share the use of its electric facilities. Any dispute arising from the implementation of this rule shall be resolved by the Commission.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(c), (5), (6), 366.05(1), (8) FS. History--New .

25-6.0343 Municipal Electric Utilities and Rural Electric Cooperatives.(1) Standards of Construction.

(a) Application and Scope. This rule is intended to define construction standards for all overhead and underground electrical transmission and distribution facilities to ensure the provision of adequate and reliable electric service for operational as well as emergency purposes. This rule applies to all municipal electric utilities and rural electric cooperatives.

(b) Each utility shall establish, no later than 180 days after the effective date of this rule, construction standards for overhead and underground electrical transmission and distribution facilities that conform to the provisions of this rule. Each utility shall maintain a copy of its construction standards at its main corporate headquarters and at each district office. Subsequent updates, changes, and modifications to the utility's construction standards shall be labeled to indicate the effective date of the new version and all revisions from the prior version shall be identified. Upon request, the utility shall provide access, within 2 working days, to a copy of its construction standards for review by Commission staff in Tallahassee.

(c) The facilities of each utility shall be constructed, installed, maintained and operated in accordance with generally accepted engineering practices to assure, as far as is reasonably possible, continuity of service and uniformity in the quality of service furnished.

(d) Each utility shall, at a minimum, comply with the applicable edition of the National Electrical Safety Code (ANSI C-2) [NESC].

1. The Commission adopts and incorporates by reference the 2002 edition of the NESC, published August 1, 2001. A copy of the 2002 NESC, ISBN number 0-7381-2778-7, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE).

2. Electrical facilities constructed prior to the effective date of the 2002 edition of the NESC shall be governed by the applicable edition of the NESC in effect at the time of the initial construction.

(e) For the construction of distribution facilities, each utility shall, to the extent reasonably practical, feasible, and cost-effective, be guided by the extreme wind loading standards specified by Figure 250-2(d) of the 2002 edition of the NESC. As part of its construction standards, each utility shall establish guidelines and procedures governing the applicability and use of the extreme wind loading standards to enhance reliability and reduce restoration costs and outage times for each of the following types of construction:

1. New construction;

2. Major planned work, including expansion, rebuild, or relocation of existing facilities, assigned on or after the effective date of this rule; and

3. Targeted critical infrastructure facilities and major thoroughfares taking into account political and geographical boundaries and other applicable operational considerations.

(f) For the construction of underground distribution facilities and their supporting overhead facilities, each utility shall, to the extent reasonably practical, feasible, and cost-effective, establish guidelines and procedures to deter damage resulting from flooding and storm surges.

(2) Location of the Utility's Electric Distribution Facilities. In order to facilitate safe and efficient access for installation and maintenance, to the extent practical, feasible, and cost-effective, electric distribution facilities shall be placed adjacent to a public road, normally in front of the customer's premises.

(a) For initial installation, expansion, rebuild, or relocation of overhead facilities, utilities shall use easements, public streets, roads and highways along which the utility has the legal right to occupy, and public lands and private property across which rights-of-way and easements have been provided by the applicant for service.

(b) For initial installation, expansion, rebuild, or relocation of underground facilities, the utility shall require the applicant for service to provide easements along the front edge of the property, unless the utility determines there is an operational, economic, or reliability benefit to use another location.

(c) For conversions of existing overhead facilities to underground facilities, the utility shall, if the applicant for service is a local government that provides all necessary permits and meets the utility's legal, financial, and operational requirements, place facilities in road rights-of-way in lieu of requiring easements.

(3) Third-Party Attachment Standards and Procedures.

(a) As part of its construction standards adopted pursuant to subsection (1), each utility shall establish and maintain written safety, reliability, pole loading capacity, and engineering standards and procedures for attachments by others to the utility's electric transmission and distribution poles (Attachment Standards and Procedures). The Attachment Standards and Procedures shall meet or exceed the applicable edition of the National Electrical Safety Code (ANSI C-2) pursuant to paragraph (1)(d) of this rule and other applicable standards imposed by state and federal law so as to assure, as far as is reasonably possible, that third-party facilities attached to electric transmission and distribution poles do not impair electric safety, adequacy, or reliability; do not exceed pole loading capacity; and are constructed, installed, maintained, and operated in accordance with generally accepted engineering practices for the utility's service territory.

(b) No attachment to a utility's electric transmission or distribution poles shall be made except in compliance with such utility's Attachment Standards and Procedures.

(4) In establishing the construction standards and the attachment standards and procedures, the utility shall seek input from other entities with existing agreements to share the use of its electric facilities. Any dispute or challenge to a utility's construction standards by a customer, applicant for service, or attaching entity shall be resolved by the Commission. Where the expansion, rebuild, or relocation of electric distribution facilities affects existing third-party attachments, the electric utility shall seek input from and, to the extent practical, coordinate the construction of its facilities with the third-party attacher.

(5) If the Commission finds that a municipal electric utility or rural electric cooperative utility has demonstrated that its standards of construction will not result in service to the utility's general body of ratepayers that is less reliable, the Commission shall exempt the utility from compliance with the rule.

Specific Authority 350.127, 366.05(1) FS. Law Implemented 366.04(2)(c), (f), (5), (6), 366.05(8) FS. History--New

25-6.0345 Safety Standards for Construction of New Transmission and Distribution Facilities.

(1) In compliance with Section 366.04(6)(b), F.S., 1991, the Commission adopts and incorporates by reference the 2002 edition of the National Electrical Safety Code (ANSI C-2), published August 1, 2001, as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. Each investor-owned public electric utility, rural electric cooperative, and municipal electric system shall, at a minimum, comply with the standards in these provisions. Standards contained in the 2002 edition shall be applicable to new construction for which a work order number is assigned on or after the effective date of this rule.

(2) Each investor-owned public electric utility, rural electric cooperative and municipal electric utility shall report all completed electric work orders, whether completed by the utility or one of its contractors, at the end of each quarter of the year. The report shall be filed with the Director of the Commission's Division of Regulatory Compliance and Consumer Assistance ~~Auditing and Safety~~ no later than the 30th working day after the last day of the reporting quarter, and shall contain, at a minimum, the following information for each work order:

- (a) Work order number/project/job;
- (b) Brief title outlining the general nature of the work; ~~and~~
- (c) Estimated cost in dollars, rounded to nearest thousand and:-
- (d) Location of project.

(3) The quarterly report shall be filed in standard DBase or compatible format, DOS ASCII text, or hard copy, as follows:

(a) DBase Format

Field Name	Field Type	Digits
1. Work orders	Character	20
2. Brief title	Character	30
3. Cost	Numeric	8
4. Location	Character	50
5. KV	Numeric	5
6. Contiguous	Character	1

(b) DOS ASCII Text.

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

The following format is preferred, but not required:

Completed Electrical Work Orders For PSC Inspection

Work Order	Brief Title	Estimated Cost	Location	KV Rating	Contiguous (y/n)
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- (4) No change.

(5) As soon as practicable, but by the end of the next business day after it learns of the occurrence, each investor-owned electric public utility, rural electric

cooperative, and municipal electric utility shall (without admitting liability) report to the Commission any accident occurring in connection with any part of its transmission or distribution facilities which:

(a) through (b) No change.

(6) Each investor-owned electric public utility, rural electric cooperative, and municipal electric utility shall (without admitting liability) report each accident or malfunction, occurring in connection with any part of its transmission or distribution facilities, to the Commission within 30 days after it learns of the occurrence, provided the accident or malfunction:

(a) through (7) No change.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(f), (6), 366.05(7) FS. History--New 8-13-87, Amended 2-18-90, 11-10-93, 8-17-97, 7-16-02, _____.

PART IV GENERAL SERVICE PROVISIONS

25-6.064 Extension of Facilities; Contribution-in-Aid-of-Construction for Installation of New or Upgraded Facilities.

(1) Application and scope Purpose. The purpose of this rule is to establish a uniform procedure by which investor-owned electric utilities subject to this rule will calculate amounts due as contributions-in-aid-of-construction (CIAC) from customers who request new facilities or upgraded facilities require extensions of distribution facilities in order to receive electric service, except as provided in Rule 25-6.078, F.A.C.

(2) Contributions-in-aid-of-construction for new or upgraded overhead facilities (CIAC_{OH}) shall be calculated as follows: Applicability. This rule applies to all investor-owned electric utilities in Florida as defined in Section 366.02, F.S.

$$CIAC_{OH} \equiv \frac{\text{Total estimated work order job cost of installing the facilities}}{\text{Four years expected incremental base energy revenue}} - \frac{\text{Four years expected incremental base demand revenue, if applicable}}$$

(a) The cost of the service drop and meter shall be excluded from the total estimated work order job cost for new overhead facilities.

(b) The net book value and cost of removal, net of the salvage value, for existing facilities shall be included in the total estimated work order job cost for upgrades to those existing facilities.

(c) The expected annual base energy and demand charge revenues shall be estimated for a period ending not more than 5 years after the new or upgraded facilities are placed in service.

(d) In no instance shall the CIAC_{OH} be less than zero.

(3) Contributions-in-aid-of-construction for new or upgraded underground facilities (CIAC_{UG}) shall be calculated as follows:

$$CIAC_{UG} \equiv CIAC_{OH} \pm \frac{\text{Estimated difference between cost of providing the service underground and overhead}}$$

~~(3) Definitions. Actual or estimated job cost means the actual cost of providing the specified line extension facilities, calculated after the extension is completed, or the estimated cost of providing the specified facilities before the extension is completed.~~

~~(4) In developing the policy for extending overhead distribution facilities to customers, the following formulas shall be used to determine the contribution in aid of construction owed by the customer.~~

~~(a) For customers in rate classes that pay only energy charges, i.e., those that do not pay demand charges, the CIAC shall be calculated as follows:~~

$$CIAC_{oh} = (\text{Actual or estimated job cost for new poles and conductors and appropriate fixtures required to provide service, excluding transformers, service drops, and meters}) \times (4 \times \text{nonfuel energy charge per KWH} \times \text{expected annual KWH sales over the new line})$$

~~(b) For customers in rate classes that pay both energy charges and demand charges, the CIAC shall be calculated as follows:~~

$$CIAC_{oh} = (\text{Actual or estimated job cost for new poles and conductors and appropriate fixtures required to provide service, excluding transformers, service drops, and meters}) \times (4 \times \text{nonfuel energy charge per KWH} \times \text{expected annual KWH sales over the new line}) + (4 \times \text{expected annual demand charge revenues from sales over the new line})$$

~~(c) Expected demand charge revenues and energy sales shall be based on an annual period ending not more than five years after the extension is placed in service.~~

(5) In developing the policy for extending underground distribution facilities to customers, the following formula shall be used to determine the contribution in aid of construction:

$$CIAC_{ug} = (\text{Estimated difference between+ CIAC}_{oh} \text{ (as above) the cost of providing the distribution line extension including not only the distribution line extension itself but also the transformer, the service drop, and other necessary fixtures, with underground facilities vs. the cost of providing service using overhead facilities})$$

~~(6) Nothing in this rule shall be construed as prohibiting a utility from collecting from a customer the total difference in cost for providing underground service instead of overhead service to that customer.~~

~~(7) In the event that amounts are collected for certain distribution facilities via the URD differential tariff as permitted by Rule 25-6.078, F.A.C., that would also be collected pursuant to this rule, the utility shall give an appropriate credit for such amounts collected via the URD differential tariff when calculating the line extension CIAC due pursuant to this rule.~~

~~(4)(8) Each utility shall apply the above formulas in subsections (2) and (3) of this rule uniformly to residential, commercial and industrial customers requesting new or upgraded facilities at any voltage level requiring line extensions.~~

~~(5) The costs applied to the formula in subsections (2) and (3) shall be based on the requirements of Rule 25-6.034, Standards of Construction.~~

~~(9) Each utility shall calculate an appropriate CIAC for line extensions constructed to serve customers who receive service at the primary distribution voltage level and the transmission voltage level. This CIAC shall be based on the actual or estimated cost of providing the extension less an appropriate credit.~~

~~(6)(10) All CIAC calculations under this rule shall be based on estimated work order job costs. In addition, each The utility shall use its best judgment in estimating the total amount of annual revenues and sales which the new or upgraded facilities are each line extension is expected to produce in the near future.~~

~~(a) A customer may request a review of any CIAC charge within 12 months following the in-service date of the new or upgraded facilities. Upon request, the utility shall true-up the CIAC to reflect the actual costs of construction and actual base revenues received at the time the request is made.~~

~~(b) In cases where more customers than the initial applicant are expected to be served by the new or upgraded facilities, the utility shall prorate the total CIAC over the number of end-use customers expected to be served by the new or upgraded facilities within a period not to exceed 3 years, commencing with the in-service date of the new or upgraded facilities. The utility may require a payment equal to the full amount of the CIAC from the initial customer. For the 3-year period following the in-service date, the utility shall collect from those customers a prorated share of the original CIAC amount, and credit that to the initial customer who paid the CIAC. The utility shall file a tariff outlining its policy for the proration of CIAC.~~

~~(7)(11) The utility may elect to waive all or any portion of the line extension CIAC for customers, even when a CIAC is found to be applicable owing. If hHowever, if the utility waives a the CIAC, the utility shall reduce net plant in service as~~

~~though the CIAC had been collected, unless the Commission determines that there is a quantifiable benefit to the general body of ratepayers commensurate with the waived CIAC. Commission will reduce the utility's net plant in service by an equal amount for ratemaking purposes, as though the CIAC had been collected, except when the company's annual revenues from a customer are sufficient to offset the unpaid line extension CIAC under subsection (4) or (5). Each utility shall maintain records of amounts waived and any subsequent changes that served to offset the CIAC.~~

~~(12) In cases where larger developments are expected to be served by line extensions, the utility may elect to prorate the total line extension costs and CIAC's owed over the number of customers expected to connect to the new line.~~

~~(8)(13) A detailed statement of its standard facilities extension and upgrade policies shall be filed by each utility as part of its tariffs. The tariffs This policy shall have uniform application and shall be nondiscriminatory.~~

~~(9)(14) If a utility and applicant are unable to agree on the CIAC amount, in regard to an extension, either party may appeal to the Commission for a review.~~

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 7-2-85, Formerly 25-6.64, Amended _____.

PART V RULES FOR RESIDENTIAL ELECTRIC UNDERGROUND EXTENSIONS

25-6.078 Schedule of Charges.

(1) Each utility shall file with the Commission a written policy that shall become a part of the utility's tariff rules and regulations on the installation of underground facilities in new subdivisions. Such policy shall be subject to review and approval of the Commission and shall include an Estimated Average Cost Differential, if any, and shall state the basis upon which the utility will provide underground service and its method for recovering the difference in cost of an underground system and an equivalent overhead system from the applicant at the time service is extended. The charges to the applicant shall not be more than the estimated difference in cost of an underground system and an equivalent overhead system.

(2) For the purpose of calculating the Estimated Average Cost Differential, cost estimates shall reflect the requirements of Rule 25-6.034, F.A.C., Standards of Construction.

~~(3)(2) On or before October 15th of each year each utility shall file with the Commission's Division of Economic Regulation Form PSC/ECR 13-E, Schedule 1, using current material and labor costs. If the cost differential as calculated in Schedule 1 varies from the Commission-approved differential by plus or minus 10 percent or more, the utility shall file a written policy and supporting data and analyses as prescribed in subsections (1), (4)(3) and (5)(4) of this rule on or before~~

April 1 of the following year; however, each utility shall file a written policy and supporting data and analyses at least once every ~~3~~ three years.

~~(4)~~(3) Differences in Net Present Value of operational operating and maintenance costs, including average historical storm restoration costs over the life of the facilities, between underground and overhead systems, if any, ~~shall~~ may be taken into consideration in determining the overall Estimated Average Cost Differential. Each utility shall establish sufficient record keeping and accounting measures to separately identify operational costs for underground and overhead facilities, including storm related costs.

~~(5)~~(4) Detailed supporting data and analyses used to determine the Estimated Average Cost Differential for underground and overhead distribution systems shall be concurrently filed by the utility with the Commission and shall be updated using cost data developed from the most recent 12-month period. The utility shall record these data and analyses on Form PSC/ECR 13-E (10/97). Form PSC/ECR 13-E, entitled "Overhead/Underground Residential Differential Cost Data" is incorporated by reference into this rule and may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6900.

(5) through (8) renumbered (6) through (9) No change.

~~(10)~~(9) Nothing in this rule herein contained shall be construed to prevent any utility from waiving assuming all or any portion of a cost differential for of providing underground facilities distribution systems, provided, however, that such assumed cost differential shall not be chargeable to the general body of rate payers, and any such policy adopted by a utility shall have uniform application throughout its service area. If, however, the utility waives the differential, the utility shall reduce net plant in service as though the differential had been collected unless the Commission determines that there is a quantifiable benefit to the general body of ratepayers commensurate with the waived differential.

Specific Authority 350.127(2), 366.04(2)(f), 366.05(1) FS. Law Implemented 366.03, 366.04(1), (4), 366.04(2)(f), 366.06(1) FS. History—New 4-10-71, Amended 4-13-80, 2-12-84, Formerly 25-6.78, Amended 10-29-97,_____.

PART VII UNDERGROUND ELECTRIC DISTRIBUTION FACILITY CHARGES

25-6.115 Facility Charges for Conversion of Existing Overhead Providing Underground Facilities of Public Investor-owned Distribution Facilities Excluding New Residential Subdivisions.

(1) Each investor-owned public utility shall file a tariff showing the non-refundable deposit amounts for standard applications addressing ~~new construction and~~ the conversion of existing overhead electric distribution facilities to underground facilities ~~excluding new residential subdivisions~~. The tariff

shall include the general provisions and terms under which the public utility and applicant may enter into a contract for the purpose of ~~new construction or conversion of~~ existing overhead ~~electric~~ facilities to underground ~~electric~~ facilities. The non-refundable deposit amounts shall be calculated in the same manner as approximate the engineering costs for underground facilities serving each of the following scenarios: urban commercial, urban residential, rural residential, existing low-density single family home subdivision and existing high-density single family home subdivision service areas.

(2) For ~~the~~ purposes of this rule, the applicant is the person or entity requesting the conversion seeking the undergrounding of existing overhead electric distribution facilities to underground facilities. In the instance where a local ordinance requires developers to install underground facilities, the developer who actually requests the construction for a specific location is when a developer requests local government development approval, the local government shall not be deemed the applicant for purposes of this rule.

(3) No change.

(a) Such work meets the investor-owned public utility's construction standards;

(b) The investor-owned public utility will own and maintain the completed distribution facilities; and

(c) Such agreement is not expected to cause the general body of ratepayers to incur additional greater costs.

(4) No change.

(5) Upon an applicant's request and payment of the deposit amount, an investor-owned public utility shall provide a binding cost estimate for providing underground electric service.

(6) An applicant shall have at least 180 days from the date the estimate is received; to enter into a contract with the public utility based on the binding cost estimate. The deposit amount shall be used to reduce the charge as indicated in subsection (7) only when the applicant enters into a contract with the public utility within 180 days from the date the estimate is received by the applicant, unless this period is extended by mutual agreement of the applicant and the utility.

(7) through (8) No change.

(a) The estimated cost of construction of the underground distribution facilities based on the requirements of Rule 25-6.034, F.A.C., Standards of Construction, including the construction cost of the underground service lateral(s) to the meter(s) of the customer(s); and

(b) ~~For conversions, T~~the estimated remaining net book value of the existing facilities to be removed less the estimated net salvage value of the facilities to be removed.

(9) For the purpose of this rule, the charge for overhead facilities shall be the estimated construction cost to build new overhead facilities, including the service drop(s) to the meter(s)

of the customer(s). Estimated construction costs shall be based on the requirements of Rule 25-6.034, F.A.C., Standards of Construction.

(10) An applicant ~~requesting to a public utility for~~ construction of underground distribution facilities under this rule may challenge the utility's cost estimates ~~petition the Commission~~ pursuant to Rule 25-22.032, F.A.C.

(11) For purposes of computing the charges required in subsections (8) and (9):

(a) The utility shall include the Net Present Value of operational costs including the average historical storm restoration costs for comparable facilities over the expected life of the facilities.

(b) If the applicant chooses to construct or install all or a part of the requested facilities, all utility costs, including overhead assignments, avoided by the utility due to the applicant assuming responsibility for construction shall be excluded from the costs charged to the customer, or if the full cost has already been paid, credited to the customer. At no time will the costs to the customer be less than zero.

(12) Nothing in this rule shall be construed to prevent any utility from waiving all or any portion of the cost for providing underground facilities. If, however, the utility waives any charge, the utility shall reduce net plant in service as though those charges had been collected unless the Commission determines that there is quantifiable benefits to the general body of ratepayers commensurate with the waived charge.

~~(13)(14)~~ Nothing in this rule shall be construed to grant any investor-owned electric utility any right, title or interest in real property owned by a local government.

Specific Authority 350.127(2) ~~366.04~~, 366.05(1) FS. Law Implemented 366.03, 366.04, 366.05 FS. History—New 9-21-92, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Trapp

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 18, May 5, 2006

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any

person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.723
RULE TITLE: Visiting Check-In Procedures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify means of obtaining approval for a minor's visit where the legal guardian is incarcerated, yet someone else is taking care of the minor.

SUMMARY: Amends the rule to allow an incarcerated parent or guardian retaining legal custody of a minor to provided a notarized statement authorizing the child of the incarcerated parent to visit. Provides that such authorization remains subject to relevant court orders or relevant departmental rules regarding the inmate's contact with the minor in question.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23, 944.8031 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.723 Visiting Check-In Procedures.

(1) through (4) No change.

(5) A visitor seventeen years old or younger who cannot furnish proof of emancipation must be accompanied during a visit by an approved parent, legal guardian, or authorized adult and must remain under the supervision of that adult at all times. An authorized non-parental adult accompanying a visiting minor must provide a notarized document of guardianship from the minor's parent or legal guardian (neither of which may be an inmate except as provided below ~~not an inmate~~) granting permission for the minor to visit a specifically identified inmate. The document shall be notarized by someone other than the non-parental adult accompanying the minor and shall be updated every six months from the date of issue. In cases where it can be determined that legal custody remains with the incarcerated parent or legal guardian and has not been given to another adult by the court, a notarized statement from

the incarcerated parent or guardian shall be acceptable for purposes of authorizing children of the inmate to visit. Any such authorization remains subject to any relevant court orders or relevant departmental rules regarding the inmate's contact with the minor in question. Falsification of a document of guardianship shall result in the person being subject to suspension of visiting privileges pursuant to paragraph 33-601.731(9)(d), F.A.C.

(6) No change.

Specific Authority 944.09, ~~944.23~~ FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions – Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2006

LAND AND WATER ADJUDICATORY COMMISSION

Capital Region Community Development District

RULE CHAPTER NO.: 42CC-1
 RULE CHAPTER TITLE: Capital Region Community Development District

RULE NO.: 42CC-1.002
 RULE TITLE: Boundary

PURPOSE, EFFECT AND SUMMARY: The Petition was filed by the Capital Region Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add approximately 45.94 acres. (The District was originally established by Chapter 4CC-1, F.A.C., effective February 28, 2000.) The District currently covers approximately 3,241 acres of land located entirely within the City of Tallahassee, Florida, and unincorporated Leon County, Florida. After expansion, the District will encompass approximately 3,286.94 acres. There are no lands within the expansion parcel that are to be excluded from the District. Petitioner has written consent to amend the boundary of the District from the owners of one hundred percent of the real property comprising the expansion parcel. Pursuant to section 190.046(1)(e), F.S., the filing of the Petition for expansion by the District Board of Supervisors constitutes consent of the landowners. All of the land within the expansion parcel is included within the Southwood Development of Regional Impact. After expansion, the development plan within the District stays the same as the original petition. The District

will continue to support 2,074 single family residential units, 2,696 multifamily units, 2,194,117 square feet of office space and 799,502 square feet of commercial space. The 45.95 acre expansion area is planned for 76 single family residential units and 82 multifamily units. These units are included within the above referenced 2,074 single family units and 2, 696 multifamily units. No additional residential or non-residential development is anticipated as a result of the expansion of the District's boundary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "9" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the State of Florida, Leon County, and the City of Tallahassee. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be modest, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no effect on state and local revenues from the proposed amendment of the rule. The SERC indicates the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. The SERC further provides the decision to locate within the District is completely voluntary. The SERC concludes that the expansion of the District's boundary will have no impact or a positive impact on small businesses. As to impact on small counties and small cities, Leon County is not a "small" county and the City of Tallahassee is not a "small" city as defined by Section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

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

DATE AND TIME: Tuesday, August 1, 2006, 2:00 p.m.

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)487-1884, at least two (2) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42CC-1.002 Boundary.

The boundaries of the district are as follows:

The following descriptions include all or part of Sections 2, 3, 9, 10, 11, 14, 15, 16, 20, 21, 22, 23, 26, 27, 28 and 29, Township 1 South, Range 1 East, Leon County, Florida.

Portions of Sections 2, 11, 14, 23 and 26, Township 1 South, Range 1 East, more particularly described as follows:

BEGIN at the Northwest corner of Section 26, Township 1 South, Range 1 East; thence run South along the West line of said Section 26 for 451.73 feet more or less to the Northerly right-of-way line of State Road 261-A (Tram Road); thence run South 77 degrees 00 minutes 41 seconds East 191.64 feet; thence run North 495.02 feet more or less to the North line of said Section 26; thence continue North 2829.68 feet more or less to the beginning of a curve concave to the East; thence Northeasterly along said curve having a radius of 3444.00 feet through a central angle of 20 degrees 02 minutes 36 seconds for an arc distance of 1204.80 feet to the end of the curve; thence run North 20 degrees 02 minutes 37 seconds East for 635.00 feet to the beginning of a compound curve concave to the West; thence Northeasterly along said curve having a radius of 1956.02 feet, through a central angle of 19 degrees 57 minutes 51 seconds for an arc distance of 681.56 feet to the point of compound curvature; thence continue Northerly and Northwesterly along said curve having a radius of 1956.02 feet; through a central angle of 23 degrees 44 minutes 04 seconds for an arc distance of 810.27 feet to a point of reverse curve concave to the East; thence Northerly along said curve having a radius of 3144.08 feet, through a central angle of 21 degrees 38 minutes 15 seconds for an arc distance of 1187.35 feet to the beginning of a curve concave to the East; thence Northerly along said curve having a radius of 4983.90 feet through a central angle of 12 degrees 57 minutes 37 seconds for an arc distance of 1127.35 feet; thence run North 00 degrees 09 minutes 48 seconds East for 610.30 feet to the beginning of a curve concave to the West; thence Northerly along said curve having a radius of 10852.98 feet through a central angle of 04 degrees 30 minutes 46 seconds for an arc distance of 854.79 feet, thence run North 12 degrees 23 minutes 29 seconds West 425.58 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 07 degrees 08 minutes 57 seconds for an arc distance of 417.09 feet to the beginning of a curve concave to the Southwest, thence Northwesterly along said curve having a radius of 3342.64 feet through a central angle of 01 degrees 25

minutes 18 seconds for an arc distance of 82.93 feet; thence run North 06 degrees 51 minutes 48 seconds East for 945.08 feet to the beginning of a curve concave to the West, thence along said curve having a radius of 2700.04 feet through a central angle of 03 degrees 50 minutes 52 seconds for an arc distance of 181.33 feet; thence run North 03 degrees 00 minutes 57 seconds East for 4071.36 feet; thence continue North 03 degrees 00 minutes 57 seconds East for 1320.00 feet, more or less, to the North line of the South Half of the South Half of Section 2, Township 1 South, Range 1 East; thence run West along said North line of the South Half of the South Half of Section 2 to its intersection with the West line of said Section 2; thence run South along the West section lines of Sections 2, 11, 14 and 23, Township 1 South, Range 1 East to the Northwest corner of Section 26, Township 1 South, Range 1 East and the POINT OF BEGINNING.

LESS AND EXCEPT;

The rights of way for Southwood Plantation Road and Old St. Augustine Road.

ALSO, LESS AND EXCEPT;

That portion of the following description lying within Section 11, Township 1 South, Range 1 East.

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33 minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

SECTION 3

Commence at the Southwest corner of Section 3, Township 1 South, Range 1 East, and run thence North along the Section line 1336.6 feet, thence East 880.0 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING run thence East 1250.0 feet more or less to a point 500 feet West of a point 1336.6 North of the Southeast corner of the Southwest Quarter of said Section 3, thence South 1336.6 feet more or less to the South line of said Section 3, thence West

along said South line of Section 3 to a point due South of the point of beginning, thence North 1336.6 feet more or less to the POINT OF BEGINNING.

AND ALSO;

Begin at the Southwest corner of Section 3, Township 1 South, Range 1 East, thence run North 162.4 feet along the Section line to the South boundary of Old St. Augustine Road, thence southeasterly 845.19 along the South boundary of said road to its intersection with the South Line of said Section 3, thence West along said South line to the POINT OF BEGINNING.

AND ALSO;

Commence at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 3, Township 1 South, Range 1 East, and run thence South 00 degrees 30 minutes West 1266.8 feet along the quarter-section line, thence South 89 degrees 30 minutes East 647.3 feet, thence South 00 degrees 30 minutes West 13.6 feet, thence South 89 degrees 30 minutes East 336.35 feet to a point which is the POINT OF BEGINNING. From said POINT OF BEGINNING, run thence South 89 degrees 30 minutes East 336.35 feet, thence North 00 degrees 30 minutes East 1081.3 feet along the East boundary of the Northwest quarter of the Southeast quarter of said Section 3, to a point 207.7 feet South 00 degrees 30 minutes West of the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 3, thence North 89 degrees 30 minutes West 336.35 feet, thence South 00 degrees 30 minutes West 1081.3 feet to the POINT OF BEGINNING.

AND ALSO;

Begin at the Southeast corner of Section 3, Township 1 South, Range 1 East, and thence run North 1495.0 feet along the East boundary of said Section 3, thence West 701.0 feet, thence North 1158.0 feet to a point on the North boundary of the Southeast Quarter of said Section 3, thence West 639.3 feet to the Northwest corner of the East ½ of the Southeast quarter of said Section 3, thence South 1289.0 feet, thence West 672.7 feet, thence North 13.6 feet, thence West 323.15 feet, thence South 537.53 feet, thence West 324.15 feet to a point on the West boundary of the Southeast quarter of said Section 3, which said point is 1804.33 feet South of the Northwest corner of the Southeast quarter of said Section 3, thence run South 867.4 feet more or less to the South line of said Section 3, thence East along said South line 2640.0 feet more or less to the POINT OF BEGINNING.

AND ALSO;

Commence at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence South 89 degrees 17 minutes 39 seconds East 429.17 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run thence South 89 degrees 17 minutes 38 seconds East 142.0 feet to the West boundary of that property described in Official Records Book 1410, Page 1913 of the Public Records of Leon County, Florida, thence North 00

degrees 49 minutes 21 seconds East along said boundary 322.92 feet to the southerly right of way boundary of State Road No. 20 (Apalachee Parkway), thence South 85 degrees 40 minutes 30 seconds West along said boundary 200.81 feet, thence leaving said boundary South 00 degrees 58 minutes 17 seconds West 218.30 feet, thence South 32 degrees 54 minutes 08 seconds East 104.47 feet to the POINT OF BEGINNING.

LESS AND EXCEPT;

Begin at the Southwest corner of the East half of the Northeast quarter of Section 3, Township 1 South, Range 1 East, Leon County, Florida, marked by a one inch iron pipe and run thence North 00 degrees 36 minutes 43 seconds East along the West boundary of that property described in Official Records Book 1306, Page 2238 of the Public Records of Leon County, Florida 272.53 feet to the Southern right of way boundary of State Road 20 (Apalachee Parkway), thence along said right of way boundary North 83 degrees 40 minutes 30 seconds East 292.77 feet, thence leaving said right of way boundary run South 03 degrees 41 minutes 54 seconds East along the East boundary of said property in Official Records Book 1306, Page 2238 for a distance of 299.09 feet, thence South 89 degrees 17 minutes 38 seconds East 115.01 feet, thence South 32 degrees 53 minutes 35 seconds East 17.31 feet, thence South 00 degrees 35 minutes 30 seconds West 1171.25 feet, thence South 87 degrees 54 minutes 45 seconds West 777.95 feet to the East boundary of that property described in Official Records Book 610, Page 165 of the Public Records of Leon County, Florida, thence North 00 degrees 41 minutes 14 seconds East along said boundary 1012.36 feet to the South boundary of that property described in Official Records Book 1257, Page 614 of the Public Records of Leon County, Florida, thence South 89 degrees 11 minutes 08 seconds East along said boundary 336.62 feet, thence North 00 degrees 36 minutes 43 seconds East along the East boundary of said property 211.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

The rights of way for Southwood Plantation Road, Old St. Augustine Road and the 100-foot power line right of way conveyed to the City of Tallahassee.

SECTION 9

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 9, Township 1 South, Range 1 East, less the right-of-way of State Road No. 363 (Capital Circle).

AND ALSO;

That part of the West Half of the Northeast Quarter lying South and East of State Road No. 363 (Capital Circle).

AND ALSO;

The Southeast Quarter of the Northeast Quarter less the North 66 feet thereof.

AND ALSO;

BEGIN at a point 66 feet South of the Southwest corner of the Northeast Quarter of the Northeast Quarter, thence run North 210 feet; thence East 210 feet; thence run South 210 feet; thence run West 210 feet to the POINT OF BEGINNING.

LESS AND EXCEPT;

The 100-foot Power Line right-of-way conveyed to the City of Tallahassee and the right-of-way for State Road No. 363 (Capital Circle).

SECTION 10

All of Section 10, Township 1 South, Range 1 East.

LESS AND EXCEPT;

COMMENCE at the intersection of the South right-of-way line of State Road No. 364 (Old St. Augustine Road) and the West boundary of the East Half of the Northeast Quarter of Section 10, Township 1 South, Range 1 East, Leon County, Florida; thence run South 76 degrees 57 minutes East along the South right-of-way line of said State Road No. 364 a distance of 670.59 feet to the POINT OF BEGINNING; thence run South 00 degrees 34 minutes 40 seconds East 1399.27 feet to a concrete monument; thence run South 89 degrees 13 minutes 20 seconds East 648.44 feet to a St. Joe Paper Company concrete monument on the West right-of-way line of Southwood Plantation Road; thence run North 03 degrees 33 minutes 20 seconds East along said West right of way line of Southwood Plantation Road a distance of 1251.37 feet, more or less, to a concrete monument marking the intersection of the West right-of-way line of Southwood Plantation Road with the South right-of-way line of Old St. Augustine Road; thence run North 76 degrees 57 minutes West along said South right-of-way line of Old St. Augustine Road a distance of 758 feet, more or less, to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

BEGIN at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 10, Township 1 South, Range 1 East, and run thence North 200 feet, thence East 500 feet, thence South 185 feet, thence East 820 feet to the East line of said Section 10, thence South 15 feet to the South line of said Section 10, thence West 1320 feet, more or less, to the POINT OF BEGINNING, containing 2.57 acres, more or less.

ALSO, LESS AND EXCEPT;

BEGIN at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 10,

Township 1 South, Range 1 East, thence run East 362 feet, thence run North 385 feet to a point in the center of the St. Augustine Road, thence run in a Northwesterly direction 398 feet to a point on the West boundary of the Northeast Quarter of said Section 10, said point being 579 feet North of the POINT OF BEGINNING, thence run South 579 feet to the POINT OF BEGINNING, except the portion thereof included in the right-of-way of the Old St. Augustine Road.

ALSO, LESS AND EXCEPT;

COMMENCE at the Southeast corner of Section 10, Township 1 South, Range 1 East, Leon County, Florida, and run thence West along the section line a distance of 20 feet, or to the West boundary of Southwood Road, thence North along the West boundary of said Southwood Road, a distance of 40 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue thence North along said West boundary 100 feet, thence West parallel to the South line of said Section 10 a distance of 435.6 feet, thence South 100 feet, thence East 435.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

BEGIN at the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 10, Township 1 South, Range 1 East and run West along the North line of said Section 10 for 500 feet; thence run south 456 feet, more or less, to the Northerly right-of-way line of Old St. Augustine Road; thence Southeasterly along the North right-of-way line of Old St. Augustine Road 589 feet, more or less, to the East boundary of the Northwest Quarter of said Section 10; thence North 678.6 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

The rights of way for Old St. Augustine Road, Southwood Plantation Road and the 100-foot power line right of way are conveyed to the City of Tallahassee.

SECTION 15

All of Section 15, Township 1 South, Range 1 East, Leon County, Florida.

LESS AND EXCEPT;

That part of the following described parcel lying in Section 15, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of

curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees

31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

SECTION 16

All of Section 16, Township 1 South, Range 1 East lying East of State Road 261 (Capital Circle).

AND ALSO;

The North 34.99 chains of the East half of the Northwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

AND ALSO;

The West half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida.

AND ALSO;

All that part of the South 26.66 chains of the East half of the Southwest quarter of Section 16, Township 1 South, Range 1 East, Leon County, Florida, lying West of State Road 261 (Capital Circle).

LESS AND EXCEPT;

The right of way for State Road 261 (Capital Circle), the 100 foot power line right of way conveyed to the City of Tallahassee and the right of way conveyed as the Blair Stone Road Extension recorded in Leon County Official Records Book 2080, Page 1542.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet

to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet (chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 3694.66 feet through a central angle of 06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04

seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way),

thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261), thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.96 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 11 degrees 41 minutes 59 seconds for an arc length of 779.97 feet (chord of 778.61 feet bears North 06 degrees 09 minutes 27 seconds East), thence North 00 degrees 18 minutes 28 seconds East 2903.59 feet, thence leaving said centerline run South 89 degrees 57 minutes 06 seconds East 125.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 18 minutes 28 seconds East 812.00 feet to a set iron rebar and cap, thence South 89 degrees 41 minutes 32 seconds East 778.83 feet to a set iron rebar and cap on the westerly right of way of a proposed roadway (65 foot right of way), thence South along said westerly right of way 176.04 feet to a set iron rebar and cap marking a point of curve to the left, thence along said right of way curve with a radius of 2550.10 feet through a central angle of 13 degrees 38 minutes 55 seconds for an arc length of 607.47 feet (chord of 606.03 feet bears South 06 degrees 49 minutes 28 seconds East) to a set iron rebar and cap, thence South 13 degrees 38 minutes 58 seconds East 31.65 feet to a set iron rebar and cap, thence leaving said proposed right of way run North 89 degrees 57 minutes 06 seconds West 867.59 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described property lying in Section 16, Township 1 South, Range 1 East.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet

to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

SECTION 20

The East Half of Section 20, Township 1 South, Range 1 East
LESS AND EXCEPT;

That part of the North Half of the North Half of said Section 20 lying North of State Road 261-A (Tram Road).

The right of way for State Road 261-A (Tram Road) and the 100-foot power line right of way conveyed to the City of Tallahassee.

SECTION 21

All of Section 21, Township 1 South, Range 1 East, lying North of State Road 261-A (Tram Road) and the following portion of said Section 21 lying South of Tram Road and West of Capital Circle:

BEGIN at the Southwest corner of Section 21, Township 1 South, Range 1 East, thence run North along the West line of said Section 21 to its intersection with the Southerly right-of-way line of State Road 261-A (Tram Road); thence run Southeasterly along said right-of-way line to the West boundary of that property described as Parcel No. Three in Official Records Book 2006, Page 2252 of the Public Records of Leon County, Florida; thence run South along said boundary and continuation thereof for 1002.3, more or less, to the North boundary of that property described in Official Records Book 1225, Page 2379 of the Public Records of Leon County, Florida; thence run South along the West boundary of said property described in Official Records Book 1225, Page 2379 and a continuation thereof to the South line of said Section 21; thence run West for 660 feet, more or less, to the Southwest corner of said Section 21 and the POINT OF BEGINNING.

AND ALSO;

The following described parcel lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector, thence run South 13 degrees 01 minute 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said

northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 21 degrees 57 minutes 48 seconds East 95.89 feet to a concrete monument, thence run North 10 degrees 53 minutes 34 seconds East 219.79 feet to a concrete monument, thence run North 02 degrees 57 minutes 51 seconds East 603.14 feet to a concrete monument, thence run North 07 degrees 58 minutes 29 seconds East 112.07 feet to a point on the southerly right of way boundary of Shumard Oak Boulevard and a curve concave southwesterly, thence run southeasterly along said right of way curve with a radius of 666.67 feet through a central angle of 24 degrees 05 minutes 36 seconds for an arc distance of 280.34 feet (chord of 278.28 feet bears South 76 degrees 41 minutes 39 seconds East) to a point of reverse curve to the left, thence run southeasterly along said curve with a radius of 1293.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc distance of 528.55 feet (chord of 524.87 feet bears South 76 degrees 21 minutes 29 seconds East), thence run South 88 degrees 04 minutes 07 seconds East 297.07 feet to a point of curve to the right, thence run southeasterly along said curve with a radius of 30.00 feet through a central angle of 90 degrees 54 minutes 41 seconds for an arc distance of 47.60 feet (chord of 42.76 feet bears South 42 degrees 36 minutes 47 seconds East) to a point of curve to the right and the westerly right of way boundary of Tram Road Connector, thence run southwesterly along said right of way curve with a radius of 1168.00 feet through a central angle of 17 degrees 26 minutes 30 seconds for an arc distance of 355.56 feet (chord of 354.19 feet bears South 11 degrees 33 minutes 49 seconds West), thence run South 20 degrees 17 minutes 04 seconds West 816.47 feet, thence leaving said westerly right of way boundary run North 69 degrees 42 minutes 56 seconds West 934.79 feet to the POINT OF BEGINNING.

AND ALSO;

The existing St. Joe Corp. property lying in the Southeast Quarter of Section 21, Township 1 South, Range 1 East, Leon County, Florida lying south of Tram Road (know as Tax ID parcel 31-21-20-002-000.0).

LESS AND EXCEPT;

The right-of-way of State Road No. 263 (Capital Circle), the right-of-way of State Road No. 261-A (Tram Road), and the 100-foot Power Line right-of-way deeded to the City of Tallahassee.

ALSO, LESS AND EXCEPT;

BEGIN at a point on the West line of Section 21, Township 1 South, Range 1 East, said point being 1326.2 feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 21, and run thence East 100 feet, thence

North 01 degrees 58 minutes West for 390.25 feet to a point on the South boundary of the right-of-way of the public road, thence Northwesterly along said right-of-way boundary for 100 feet to a point on the West line of said Section 21, thence South along the Section line for 440 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying in Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of

468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 1469.04 feet to a point of curve to the right, thence along said curve with a radius of 3205.07 feet through a central angle of 17 degrees 06 minutes 44 seconds for an arc length of 957.24 feet (chord of 953.69 feet bears North 68 degrees 25 minutes 19 seconds West), thence North 59 degrees 51 minutes 57 seconds West 846.38 feet to the intersection of the centerline of Tram Road with the centerline of Capital Circle Southeast (State Road No. 261),

thence North 12 degrees 00 minutes 01 seconds East along said centerline 1.97 feet, thence North 12 degrees 00 minutes 27 seconds East along said centerline 1844.79 feet to a point of curve to the left, thence along said curve with a radius of 3819.66 feet through a central angle of 05 degrees 31 minutes 26 seconds for an arc length of 368.25 feet (chord of 368.10 feet bears North 09 degrees 14 minutes 44 seconds East), thence leaving said centerline run North 82 degrees 45 minutes 59 seconds West 125.01 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 82 degrees 45 minutes 59 seconds West along the northerly right of way of a proposed road (100 foot right of way) a distance of 407.94 feet to set iron rebar and cap marking a point of curve to the left, thence along said curve with a radius of 4425.00 feet through a central angle of 06 degrees 47 minutes 31 seconds for an arc length of 524.55 feet (chord of 524.25 feet bears North 86 degrees 09 minutes 44 seconds West) to a set iron rebar and cap, thence North 89 degrees 33 minutes 30 seconds West 254.27 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 00 seconds for an arc length of 47.12 feet (chord of 42.43 feet bears North 44 degrees 33 minutes 30 seconds West) to a set iron rebar and cap on the easterly right of way of a proposed roadway (100 foot right of way), thence North 00 degrees 26 minutes 30 seconds East along said right of way 992.45 feet to a set iron rebar and cap marking a point of curve to the right, thence along said right of way curve with a radius of 750.00 feet through a central angle of 92 degrees 45 minutes 19 seconds for an arc length of 1214.16 feet (chord of 1085.85 feet bears North 46 degrees 49 minutes 10 seconds East) to a set iron rebar and cap thence South 86 degrees 48 minutes 11 seconds East along said right of way 444.13 feet to a set iron rebar and cap, thence leaving said right of way run South 00 degrees 18 minutes 28 seconds West 1433.65 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 3694.66 feet through a central angle of 06 degrees 09 minutes 02 seconds for an arc length of 396.61 feet (chord of 396.42 feet bears South 03 degrees 22 minutes 59 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the

centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwesterly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds for an arc distance 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwesterly along said westerly right-of-way along a curve to the right with a radius of 690.00 feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwesterly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 east, Leon County, Florida, and run thence Southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03 degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord

bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259 - 66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 575.14 feet to the easterly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said easterly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 690.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 280.36 feet (chord of 278.43 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 182.52 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING, continue North 36 degrees 20 minutes 50 seconds East, along said easterly right-of-way boundary, a distance of 341.40 feet; thence South 53 degrees 39 minutes 10 seconds East, leaving said easterly right-of-way boundary, a distance of 80.41 feet; thence South 24 degrees 32 minutes 39 seconds East a distance of 102.95 feet; South 22 degrees 38 minutes 05 seconds West a distance of 140.69 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 125.00 feet, through a central angle of 103 degrees 42 minutes 45 seconds, an arc distance of 226.27 feet (chord of 196.62 feet bears South 74 degrees 29 minutes 27 seconds West) to a point of tangency; thence North 53 degrees 39 minutes 10 seconds West a distance of 82.27 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259 - 66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 695.14 feet to the westerly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said westerly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 810.00 feet, through a central angle

of 23 degrees 16 minutes 48 seconds, an arc distance of 329.11 feet (chord of 326.86 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 908.41 feet to a point of curve to left; thence Northeasterly, along said curve, on a radius of 690.00, through a central angle of 14 degrees 01 minutes 10 seconds, an arc distance of 168.83 feet (chord of 168.41 feet bears North 29 degrees 20 minutes 15 seconds East) to the POINT OF BEGINNING. From said POINT OF BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259 - 66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 1461.36 feet to a point of curve to the right; thence Northwesterly, along said northerly right-of-way curve, on a radius of 3173.42 feet, through a central angle of 06 degrees 02 minutes 35 seconds, an arc distance of 334.71 feet (chord of 334.55 feet bears North 73 degrees 54 minutes 41 seconds West) to the easterly boundary of the Capital Circle Office Center; thence along said easterly boundary as follows: North 35 degrees 45 minutes 00 seconds East a distance of 1562.75 feet; thence North 27 degrees 54 minutes 38 seconds East a distance of 214.56 feet; thence North 22 degrees 00 minutes

33 seconds East a distance of 117.90 feet; thence North 10 degrees 57 minutes 24 seconds East a distance of 219.90 feet; thence North 03 degrees 00 minutes 34 seconds East a distance of 403.26 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING, thence continue North 03 degrees 00 minutes 34 seconds East, along said easterly right-of-way boundary of Capital Circle Office Center, a distance of 200.00 feet; thence North 07 degrees 59 minutes 51 seconds East a distance of 111.96 feet to a point on a curve concave to the south for the southerly right-of-way boundary of Shumard Oak Boulevard (proposed 140' Right-of-way extension); thence Easterly, leaving said easterly boundary of Capital Circle Office Center, along said curve, on a radius of 666.68 feet, through a central angle of 24 degrees 07 minutes 25 seconds, an arc distance of 280.70 feet (chord of 278.63 feet bears South 75 degrees 39 minutes 54 seconds East); thence South 23 degrees 59 minutes 03 seconds West, leaving said southern right-of-way boundary of Shumard Oak Boulevard, a distance of 48.29 feet to a point of curve to the left; thence Southwesterly, along said curve, on a radius of 140.00 feet, through a central angle of 52 degrees 35 minutes 41 seconds, an arc distance of 128.51 feet (chord of 124.05 feet bears South 02 degrees 18 minutes 47 seconds West) to a point of reverse curve; thence Southeasterly, along said curve, on a radius of 140.00 feet, through a central angle of 42 degrees 21 minutes 34 seconds, an arc distance of 103.50 feet (chord of 101.16 feet bears South 07 degrees 25 minutes 51 seconds East); thence South 13 degrees 44 minutes 56 seconds West a distance of 101.60 feet; thence South 76 degrees 08 minutes 21 seconds West a distance of 73.52 feet to a point on a curve concave to the northeast; thence Northwesterly, along said curve, on a radius of 320.00 feet, through a central angle of 33 degrees 52 minutes 27 seconds, an arc distance of 189.19 feet (chord of 186.45 feet bears North 43 degrees 46 minutes 53 seconds West) to a point on a line; thence North 86 degrees 59 minutes 26 seconds West a distance of 71.22 feet to the POINT OF BEGINNING.

SECTION 22

All of Section 22, Township 1 South, Range 1 East, Leon County, lying North of State Road 261-A (Tram Road).

LESS AND EXCEPT;

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the

centerline of said Tram Road Connector 86.22 feet to a nail and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a nail and cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a nail and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a nail and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a nail and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a nail and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oaks Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West) to a concrete monument, thence North 45 degrees 02 minutes 49 seconds West 16.88 feet to a concrete monument on the easterly right of way of Satellite Boulevard, thence run North 12 degrees 57 minutes 04 seconds East 425.57 feet to a concrete monument, thence North 06 degrees 56 minutes 31 seconds East 313.58 feet to a concrete monument, thence North 00 degrees 03 minutes 25 seconds West 403.16 feet to a concrete monument, thence North 03 degrees 44 minutes 41 seconds East 288.47 feet to an iron rod and cap, thence North 11 degrees 09 minutes 38 seconds East 286.37 feet to a concrete monument, thence North 16 degrees 57 minutes 18 seconds East 242.82 feet to a point on the southerly right of way of a proposed roadway (65 foot right of way); thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 412.87 feet to a

point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79 degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING, containing 45.938 acres more or less.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 21, Township 1 South, Range 1 East, Leon County, Florida.

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the Tram Road Connector (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet; thence leaving said centerline run North 76 degrees 58 minutes 38 seconds West 60.00 feet to a concrete monument on the westerly right-of-way boundary of said Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING thence run South 13 degrees 01 minutes 22 seconds West along said westerly right-of-way 53.22 feet to a concrete monument marking the north right-of-way boundary of said Tram Road; thence run North 76 degrees 58 minutes 41 seconds West along said northerly right-of-way of Tram Road 766.36 feet to a set iron rod and cap marking a point of curve to the right, thence run northwesterly along said right of way curve with a radius of 3172.07 feet through a central angle of 06 degrees 02 minutes 20 seconds for an arc distance of 334.34 feet (chord bears North 73 degrees 57 minutes 31 seconds West 334.18 feet) to a concrete monument marking the easterly boundary of the existing Capital Circle Office Center; thence leaving said northerly right-of-way run North 35 degrees 42 minutes 40 seconds East 1562.71 feet to a concrete monument; thence run North 27 degrees 52 minutes 52 seconds East 214.31 feet to a concrete monument; thence run North 21 degrees 57 minutes 48 seconds East 22.24 feet to an iron rod and cap; thence leaving said easterly boundary of the existing

Capital Circle Office Center run South 69 degrees 42 minutes 56 seconds East 739.36 feet; thence run southwesterly along a non-tangent curve to the right with a radius of 140.00 feet through a central angle of 40 degrees 16 minutes 49 seconds for an arc distance 98.42 feet (chord bears South 14 degrees 04 minutes 23 seconds West 96.41 feet) to a point of reverse curve to the left; thence run southeasterly along said curve with a radius of 110.00 feet through a central angle of 101 degrees 55 minutes 47 seconds for an arc distance of 195.69 feet (chord bears South 16 degrees 42 minutes 26 seconds East 170.89 feet); thence run South 67 degrees 43 minutes 00 seconds East 81.70 feet to the westerly right-of-way boundary of said Tram Road Connector; thence run southwesterly along said westerly right-of-way along a curve to the right with a radius of 690.00 feet through a central angle of 14 degrees 01 minutes 10 seconds for an arc distance of 168.83 feet (chord bears South 29 degrees 17 minutes 35 seconds West 168.41 feet) to a concrete monument; thence run South 36 degrees 18 minutes 10 seconds West along said westerly right of way 873.23 feet to a concrete monument marking a point of curve to the right, thence run southwesterly along said right of way curve with a radius of 810.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc distance of 329.11 feet (chord bears South 24 degrees 39 minutes 46 seconds West 326.85 feet) to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described right of way of Satellite Boulevard, Shumard Oak Boulevard, and Tram Road Connector lying in Sections 21 and 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCE at the Northeast corner of Section 16, Township 1 South, Range 1 East, Leon County, Florida, and run thence southerly along the East boundary of said Section 16 a distance of 5267.45 feet, thence departing said East boundary of said Section 16 run North 89 degrees 55 minutes West 2435.48 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 22 minutes East 539.88 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 1145.90 feet, through a central angle of 13 degrees 38 minutes 11 seconds for an arc distance of 272.72 feet (chord bears North 85 degrees 10 minutes 09 seconds East 272.08 feet) thence North 78 degrees 21 minutes 04 seconds East 534.04 feet to a point on a curve concave Southwesterly, thence along said curve having a radius of 1495.50 feet, through a central angle of 28 degrees 41 minutes 51 seconds for an arc distance of 749.04 feet (chord bears South 87 degrees 18 minutes 01 seconds East 741.24 feet), thence South 72 degrees 57 minutes 06 seconds East 648.97 feet, thence South 17 degrees West 242.82 feet, thence South 11 degrees West 286.37 feet, thence South 04 degrees West 288.47 feet, thence South 403.15 feet, thence South 07 degrees West 313.63 feet, thence South 13 degrees West 501.05 feet, thence South 08 degrees West 189.52 feet, thence South 03

degrees West 603.15 feet, thence South 11 degrees East 219.95 feet, thence South 22 degrees West 117.84 feet, thence South 28 degrees West 214.38 feet, thence South 35 degrees 43 minutes 28 seconds West 1562.52 feet to a point on the Northerly right of way boundary of State Road 261-A (Tram Road), said point being on a curve concave Northeasterly, thence along said Northerly right of way boundary of Tram Road and said curve having a radius of 3178.52 feet, through a central angle of 02 degrees 14 minutes 42 seconds for an arc distance of 124.54 feet (chord bears South 69 degrees 46 minutes 38 seconds East 124.53 feet) to a point on a curve concave Northeasterly, thence along said curve having a radius of 3178.52 feet, through a central angle of 08 degrees 47 minutes 00 seconds for an arc distance of 487.26 feet (chord bears North 64 degrees 15 minutes 48 seconds West 486.79 feet), thence North 59 degrees 56 minutes West 733.87 feet, thence departing said Northerly right of way boundary of Tram Road run North 12 degrees 04 minutes 1851.01 feet to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 00 degrees 10 minutes 46 seconds for an arc distance of 12.35 feet (chord bears North 11 degrees 58 minutes 49 seconds East 12.35 feet) to a point on a curve concave Northwesterly, thence along said curve having a radius of 3944.83 feet, through a central angle of 11 degrees 31 minutes 14 seconds for an arc distance of 793.19 feet (chord bears North 06 degrees 07 minutes 37 seconds East 791.86 feet), thence North 00 degrees 22 minutes 897.83 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT;

That part of the following described parcel lying Section 22, Township 1 South, Range 1 East, Leon County, Florida.

COMMENCING at a concrete monument marking the Southeast Corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida: thence North 00 degrees 16 minutes 20 seconds East a distance of 971.56 feet to the northerly right-of-way boundary of Tram Road (County Road 259 – 66' Right-of-way); thence North 76 degrees 55 minutes 58 seconds West, along said northerly right-of-way boundary, a distance of 695.14 feet to the westerly right-of-way boundary of Tram Connector (proposed 120' Right-of-way); thence along said westerly right-of-way boundary as follows: North 13 degrees 04 minutes 02 seconds East a distance of 53.58 feet to a point of curve to the right; thence Northeasterly, along said curve, on a radius of 810.00 feet, through a central angle of 23 degrees 16 minutes 48 seconds, an arc distance of 329.11 feet (chord of 326.86 feet bears North 24 degrees 42 minutes 26 seconds East) to a point of tangency; thence North 36 degrees 20 minutes 50 seconds East a distance of 908.41 feet to a point of curve to left; thence Northeasterly, along said curve, on a radius of 690.00, through a central angle of 14 degrees 01 minutes 10 seconds, an arc distance of 168.83 feet (chord of 168.41 feet bears North 29 degrees 20 minutes 15 seconds East) to the POINT OF BEGINNING. From said POINT OF

BEGINNING, thence North 67 degrees 40 minutes 20 seconds West a distance of 81.70 feet to a point of curve to the right; thence Northwesterly, along said curve, on a radius of 110.00 feet, an arc distance of 195.69 feet (chord of 170.89 feet bears North 16 degrees 42 minutes 26 seconds West) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 140.00 feet; through a central angle of 41 degrees 09 minutes 41 seconds, an arc distance of 100.58 feet (chord of 98.43 feet bears North 13 degrees 40 minutes 37 seconds East) to a point of reverse curve; thence Northeasterly, along said curve, on a radius of 150.00 feet, through a central angle of 65 degrees 22 minutes 28 seconds, an arc distance of 171.15 feet (chord of 162.02 feet bears North 25 degrees 47 minutes 01 seconds East) to a point of tangency; thence North 58 degrees 28 minutes 15 seconds East a distance of 108.90 feet; thence South 69 degrees 40 minutes 16 seconds East a distance of 113.74 feet to the westerly right-of-way boundary of said Tram Connector; thence South 20 degrees 19 minutes 44 seconds West a distance of 459.89 feet to a point of curve to the right; thence Southwesterly, along said curve, on a radius of 690.00 feet, through a central angle of 01 degrees 59 minutes 56 seconds, an arc distance of 24.07 feet (chord of 24.07 feet bears South 21 degrees 19 minutes 42 seconds West) to the POINT OF BEGINNING.

SECTION 27

That portion of Section 27, Township 1 South, Range 1 East, lying North of the right of way of State road 261-A (Tram Road).

SECTIONS 28 and 29

Any portions of the North Half of Sections 28 and 29, Township 1 South, range 1 East, which may be found to lay North of State Road 261 (Capital Circle).

AND ALSO

A 45.94-acre parcel lying in Sections 15,16,21 and 22 of Township 1 South, Range 1 South, Leon County, Florida and being recorded in Official Records Book 2245, Page 40 of the Public Records of Leon County, Florida as follows:

Commencing at a concrete monument marking the Southeast corner of Section 21, Township 1 South, Range 1 East, Leon County, Florida, thence run North 00 degrees 13 minutes 37 seconds East 937.73 feet to a nail and cap marking the centerline of the 66 foot right-of-way of Tram Road (County Road No. 259); thence run North 76 degrees 58 minutes 41 seconds West along said centerline 642.68 feet to a nail and cap marking the intersection of the centerline of Four Oaks Boulevard (a 120 foot right-of-way) and the centerline of said Tram Road; thence run North 13 degrees 01 minutes 22 seconds East along the centerline of said Tram Road Connector 86.22 feet to a iron rod and cap marking a point of curve to the right, thence along said curve with a radius of 750.00 feet through a central angle of 23 degrees 16 minutes 48 seconds for an arc length of 304.74 feet (chord of 302.64 feet bears North 24 degrees 39 minutes 46 seconds East) to a iron rod and

cap, thence North 36 degrees 18 minutes 10 seconds East 873.23 feet to a iron rod and cap marking a point of curve to the left, thence along said curve with a radius of 750.00 feet through a central angle of 16 degrees 01 minutes 06 seconds for an arc length of 209.68 feet (chord of 209.00 feet bears North 28 degrees 17 minutes 37 seconds East) to a iron rod and cap, thence North 20 degrees 17 minutes 04 seconds East 1027.50 feet to a iron rod and cap marking a point of curve to the left, thence along said curve with a radius of 1228.00 feet through a central angle of 18 degrees 21 minutes 41 seconds for an arc length of 393.53 feet (chord of 391.85 feet bears North 11 degrees 06 minutes 13 seconds East) to a iron rod and cap, thence North 01 degrees 55 minutes 23 seconds East 381.73 feet to a iron rod and cap, thence leaving said centerline run North 88 degrees 04 minutes 37 seconds West 60.00 feet to the westerly right of way of Tram Road Connector for the POINT OF BEGINNING. From said POINT OF BEGINNING run South 01 degrees 55 minutes 23 seconds West 199.99 feet to a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 00 minutes 30 seconds for an arc length of 47.13 feet (chord of 42.43 feet bears South 46 degrees 55 minutes 38 seconds West) to a point on the northerly right of way of Shumard Oak Boulevard (a 140 foot right of way), thence along said roadway as follows: North 88 degrees 04 minutes 07 seconds West 297.19 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 1153.00 feet through a central angle of 23 degrees 25 minutes 16 seconds for an arc length of 471.32 feet (chord of 468.04 feet bears North 76 degrees 21 minutes 29 seconds West) to a set iron rebar and cap marking a point of reverse curve, thence along said curve with a radius of 806.67 feet through a central angle of 21 degrees 29 minutes 44 seconds for an arc length of 302.64 feet (chord of 300.87 feet bears North 75 degrees 23 minutes 43 seconds West), thence North 45 degrees 02 minutes 49 seconds West 17.81 feet to a point on the easterly right of way boundary of Bald Cypress Way (right of way varies), thence along said easterly right of way boundary run North 01 degrees 59 minutes 19 seconds West 113.27 feet to a point of curve to the right, thence run northeasterly along said curve with a radius of 1357.00 feet through a central angle of 08 degrees 56 minutes 38 seconds for an arc distance of 211.83 feet (chord of 211.62 feet bears North 02 degrees 29 minutes 00 seconds East), thence run North 06 degrees 57 minutes 19 seconds East 105.16 feet, thence run North 83 degrees 02 minutes 41 seconds West 10.00 feet, thence run North 06 degrees 57 minutes 19 seconds East 1536.52 feet to a point on the southerly right of way boundary of Merchants Row Boulevard (right of way varies), thence run South 73 degrees 00 minutes 38 seconds East along said southerly right of way 501.22 feet to a point of curve to the left having a radius of 1560.50 feet; thence run easterly along said curve through a central angle of 13 degrees 47 minutes 34 seconds for an arc length of 375.66 feet (chord of 374.75 feet bears South 79

degrees 54 minutes 25 seconds East) to a set iron rebar, thence South 86 degrees 48 minutes 12 seconds East 126.21 feet to a set iron rebar and cap marking a point of curve to the right, thence along said curve with a radius of 30.00 feet through a central angle of 90 degrees 19 minutes 33 seconds for an arc length of 47.29 feet (chord of 42.55 feet bears South 41 degrees 38 minutes 25 seconds East) to a set iron rebar and cap on the westerly right of way of Tram Road Connector (120.00 foot right of way), thence along said westerly right of way run South 03 degrees 31 minutes 21 seconds West 1676.79 feet to a set iron rebar and cap, thence South 01 degrees 55 minutes 23 seconds West 10.84 feet to the POINT OF BEGINNING. The above-described parcel contains 45.94 acres more or less. The above described properties containing an aggregate of 3,286.94 acres more or less.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 4-21-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1801, The Capitol, Tallahassee, Florida 32399-0001

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-30	Expert Medical Advisor Certification Rule
RULE NOS.:	RULE TITLES:
59A-30.002	Definitions
59A-30.003	Qualifications for Expert Medical Advisor Certification
59A-30.004	Application for Certification
59A-30.005	Selection of Expert Medical Advisors
59A-30.006	Temporary Expert Medical Advisors
59A-30.007	Expert Medical Advisor Responsibilities
59A-30.008	Billing and Reimbursement for Expert Medical Advisor Services
59A-30.009	Recertification of Expert Medical Advisors
59A-30.010	Expert Medical Advisor Decertification

PURPOSE AND EFFECT: To promulgate a rule consistent with the Agency's authority to establish the procedural requirements for the Expert Medical Advisor (EMA) program authorized in Section 440.13(9), Florida Statutes.

SUMMARY OF RULE: The proposed rules substantially reword Chapter Rule 59A-30, Florida Administrative Code, to clarify the requirements for being certified and successfully participating as an Agency approved Expert Medical Advisor.

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: 440.13(9) FS.

LAW IMPLEMENTED: 440.13(9) FS.

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

DATE AND TIME: Friday, July 28, 2006, 9:00 a.m. – 11:30 a.m.

PLACE: Conference Room 104-J, Hartman Building, 2012 Capital Circle, S.E., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Welby Cox-Meyers, Registered Nursing Consultant

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-30.002 Definitions.

For purposes of this rule the following definitions apply:

(1) “Board certification” or “board certified” means the physician has been awarded board certification or diplomate status by the American Board of Medical Specialties, American Board of Internal Medicine, American Board of Physician Specialties, American Osteopathic Association, American Board of General Dentistry, American Board of Podiatric Orthopedics and Primary Podiatric Medicine, American Board of Podiatric Surgery, American Chiropractic Rehabilitation Board, American Chiropractic Neurology Board, American Chiropractic Internists, American Chiropractic Board of Nutrition, American Chiropractic Board of Occupational Health, American Board of Chiropractic Orthopedists, American Board of Chiropractic Radiology, or American Chiropractic Board of Sports Physicians. “AHCA” means the Agency for Health Care Administration.

(2) “Board eligible” or “board eligibility” means the physician has been recognized by the applicable national-specialty board as eligible to take the board certification examination. “Application” means form AHCA Form 3160-0021 required by these rules in order to request to

~~become an expert medical advisor. The AHCA Form 3160-0021 application form is incorporated into this rule chapter by reference in subsection 59A-30.003(1), F.A.C.~~

~~(3) “Board certification” means the physician has passed the required examination(s) to become certified by his/her licensing board pursuant to Rules 61F2-11.012 and 61F2-11.013, F.A.C.; Rules 61F8-10.001 and 61F8-10.0015, F.A.C.; or a Board approved by the American Board of Medical Specialties (ABMS) or the American Podiatric Medical Association (APMA); or the American Osteopathic Association (AOA).~~

~~(4) “Board eligible” means the physician has completed all requirements necessary to take a Board certification examination pursuant to subsection (3) above.~~

~~(5) “Carrier” is defined in Section 440.13(1)(e), Florida Statutes.~~

~~(6) “Conflict of interest” means that an expert medical advisor has examined or has prior knowledge of the injured employee to be evaluated or has a financial or ownership interest in the outcome of the case.~~

~~(7) “Decertification” means Agency revocation of certification to be an expert medical advisor to the Agency or to a judge of compensation claims.~~

~~(8) “Disciplinary action” means administrative sanctions imposed upon a physician by either the Agency or the Department of Health.~~

~~(9) “Agency” is defined in Section 440.02(12), Florida Statutes.~~

~~(10) “Expert medical advisor” means a physician who has been certified by the Agency as an expert medical advisor and who has contracted with the Agency to provide peer review or medical consultation to the Agency or to a judge of compensation claims.~~

~~(11) “Physician” is defined in Section 440.13(1)(r), Florida Statutes.~~

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History—New 1-23-95, Formerly 38F-54.002, Amended _____.

59A-30.003 ~~Qualifications Procedure~~ for Expert Medical Advisor Certification

~~(+) To be certified as an Expert Medical Advisor, a physician shall meet the following qualifications:~~

(1) Must have been certified as a health care provider by the Agency pursuant to Chapter 59A-29, F.A.C., for a period of not less than twelve months prior to the date of the Expert Medical Advisor application

(a) Meet the eligibility requirements as set out in Rule 59A-30.004, F.A.C.; and

(b) Submit a signed, typed and completed application form AHCA Form 3160-0021 to the following address: Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 26, Tallahassee, Florida 32308-5403. Illegible or unsigned

applications shall be returned. The application form AHCA Form 3160-0021 is hereby incorporated by reference into Chapter 59A-30, F.A.C. The version of the form required by this rule shall bear the date January 20, 1995. A copy of the application form AHCA Form 3160-0021 may be obtained from the Agency at the address set forth in this paragraph:

(e) Submit a current curriculum vitae, together with the application form AHCA Form 3160-0021, which shall include:

1. Type of practice (administration, medical teaching, medical research, group practice, consulting, retired, other);
2. Type of specialty including year of certification, recertification/subcertification as appropriate and name of certifying board;
3. Year of birth;
4. Date of medical degree and name of university conferring the degree;
5. Hospital affiliations;
6. Professional memberships;
7. Teaching positions;
8. Military record;
9. Name of articles and journals in which published.

(d) Submit photocopy of current specialty board certificate or submit proof of specialty board eligibility.

(e) Submit a copy of verification of Agency approved workers' compensation course completion.

(2) Must hold valid licensure, issued by the Florida Department of Health, with "clear and active" status; and Within 30 days following verification of eligibility, the Agency shall notify the applicant of his/her status as an expert medical advisor.

(3) Must hold specialty-board certification or specialty-board eligibility applicable to the specialty for which the applicant seeks certification. If the applicable national-specialty board does not recognize "board eligible" or "board eligibility" status, the applicant must hold board certification for the specialty; and

(4) Must demonstrate experience in the assignment of permanent impairment ratings greater than zero (0%) to Florida's injured employees, pursuant to Rule 69L-7.604, F.A.C., within the two-year period immediately preceding the date of application; and

(5) Must demonstrate experience in performing independent medical examinations pursuant to Sections 440.13(2) or 440.13(5), Florida Statutes, within the two-year period immediately preceding the date of application; and

(6) Must have completed twenty hours of continuing medical education, specifically related to the practitioner's field of specialty, within the two-year period immediately preceding the date of application. Completion of courses required for licensure by the Florida Department of Health addressing Domestic Violence, HIV-AIDS and Prevention of

Medical Errors will not be applied to the medical continuing education requirements for Expert Medical Advisor certification; and

(7) Must possess knowledge of the Florida Statutes related to workers' compensation, specifically Sections 440.02, 440.09, 440.093, 440.102, 440.105, 440.13, 440.134, 440.15(3), 440.15(5), 440.151, 440.20 and 440.491, F.S.; and possess knowledge of the Florida Administrative Code Rules 69L-7.602 and 69L-7.020, F.A.C., related to workers' compensation.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History—New 1-23-95, Amended 6-8-95, Formerly 38F-54.003, Amended _____.

59A-30.004 Application Selection—Criteria for Certification Expert Medical Advisors.

(1) A physician shall apply for Expert Medical Advisor certification by submitting a signed, legible and accurately completed Expert Medical Advisor Certification Application, AHCA Form 3160-0021, to the following address: AHCA Workers' Compensation Medical Services Unit, c/o Department of Financial Services, Division of Workers' Compensation, 200 E. Gaines Street, Tallahassee, FL, 32399-4232. The Expert Medical Advisor Certification Application, AHCA Form 3160-0021, revised May 2006, is incorporated by reference into Chapter 59A-30, F.A.C., and may be obtained from the AHCA Workers' Compensation Medical Services Unit; c/o Department of Financial Services, Division of Workers' Compensation's website: www.fldfs.com/wc/forms.html#7. The minimum criteria for a physician to be certified as an expert medical advisor is as follows:

(a) Be certified as a health care provider by the Agency pursuant to Chapter 59A-29, F.A.C.; and

(b) Possess board certification or board eligibility in specialty or area of practice. The physician shall be in good standing with a certifying board listed in this rule. The list of ABMS, AOA and APMA boards referred to in this rule is hereby incorporated by reference. The version of the list required by this rule shall bear the date October 15, 1994. A copy of the list may be obtained from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 26, Tallahassee, Florida 32308-5403; and

(c) Treated no fewer than 24 work-related injuries per calendar year in the one year period before the date of the application. The treatment provided shall have been approved by the carrier; and

(d) Attended at least one Agency sponsored or Agency approved workshop during the two year period before the date of application including training on impairment rating using the Florida Impairment Rating Guide; and

~~(e) Performed no fewer than 12 independent medical examinations in workers' compensation cases in the two years before the date of application; and~~

~~(f) Performed medical record reviews in workers' compensation cases in the two years before the date of application; and~~

~~(g) Assigned no fewer than twelve permanent impairment ratings with a rating greater than 0% to an injured employee pursuant to Rule 4L-7.604, F.A.C.; and~~

~~(h) Satisfies one of the following:~~

~~1. Been in practice a minimum of 20 hours per week in the five years before the date of application and has practiced in his/her specialty in the three years before the date of application; or~~

~~2. Is on the faculty of an institution of higher learning in his/her discipline; or~~

~~3. Participated on an Agency advisory committee, task force committee, or peer review committee or has performed consultant services for the Agency within the three years before the date of application.~~

~~(2) As part of the Expert Medical Advisor certification application, the physician shall agree to provide consultation or services in accordance with the timetables set forth in Chapter 440, Florida Statutes and abide by rules adopted by the Agency, including, but not limited to, rules pertaining to procedures for review of the services rendered by health care providers and preparation of reports and testimony or recommendations for submission to the Agency or judge of compensation claims. A physician who has been suspended or decertified by the Agency pursuant to Chapter 59A-29, F.A.C., is not eligible to be selected as an expert medical advisor during the period of suspension or decertification.~~

~~(3) The application shall be accompanied by the following documentation to establish that the qualifications for Expert Medical Advisor certification set forth in Rule 59A-30.003, F.A.C., have been met:~~

~~(a) To document specialty-board certification or specialty-board eligibility, the applicant must submit a copy of a current certificate of national specialty-board certification or written proof of specialty-board eligibility and documentation that indicates any expiration date for specialty-board certification or specialty-board eligibility applicable to the specialty for which the applicant seeks certification.~~

~~(b) To demonstrate experience in the assignment of permanent impairment ratings to Florida's injured employees, pursuant to Rule 69L-7.604, F.A.C., the applicant must submit five completed DFS-F5-DWC-25 forms (with all patient identification redacted) indicating assignment of the date of maximum medical improvement and calculation of the permanent impairment rating greater than zero (0%) for injured employee evaluations completed within the two-year period immediately preceding the date of application; and~~

(c) To demonstrate experience in performing independent medical examinations pursuant to Sections 440.13(2) or 440.13(5), Florida Statutes, the applicant must submit copies of five independent medical examination reports (with all patient identification redacted) written for workers' compensation injured employees within the two-year period immediately preceding the date of application; and

(d) To demonstrate completion of twenty hours of continuing medical education, specifically related to the practitioner's field of specialty, the applicant must submit copies of certificates of completion for twenty hours of continuing medical education, related to the specialty field of practice, completed within the two-year period immediately preceding the date of application. Certificates for courses required for licensure by the Florida Department of Health addressing Domestic Violence, HIV-AIDS and Prevention of Medical Errors will not be applied to the medical education requirements for Expert Medical Advisor certification; and Attended at least one Agency sponsored or Agency approved workshop during the two year period before the date of application including training on impairment rating using the Florida Impairment Rating Guide.

(4) To demonstrate knowledge of Florida Workers' Compensation, the physician must attest to knowledge of the Florida Statutes related to workers' compensation, specifically Sections 440.02, 440.09, 440.093, 440.102, 440.105, 440.13, 440.134, 440.15(3), 440.15(5), 440.151, 440.20 and 440.491; and knowledge of the Florida Administrative Code Rules 69L-7.602 and 69L-7.020. If an Expert Medical Advisor applicant is not otherwise familiar with the statutes and rules identified above, he/she may attest to familiarity with those rules and statutes upon completion of the Workers' Compensation Health Care Provider Educational Tutorial available on the Department of Financial Services, Division of Workers' Compensation's website: www.fldfs.com/wc.

(5) The Agency will review the Expert Medical Advisor certification application, pursuant to the requirements of Section 120.60, Florida Statutes, and notify the applicant of any deficiencies in the application submitted. If the Agency does not receive, within 30-calendar days of the applicant's receipt of notice of deficiencies, information curing all deficiencies identified by the Agency, the Expert Medical Advisor Certification Application will be denied.

(6) Throughout the certification period, the Expert Medical Advisor shall notify the Agency:

(a) If specialty-board certification has expired.

(b) If Florida Department of Health license status is changed from "clear and active".

(c) Of any change in address or contact information.

(7) Expert Medical Advisor certification shall be for a period of two years. If at any time during the certification period, the physician no longer meets all qualifications for Expert Medical Advisor certification, the Expert Medical Advisor certification shall be revoked.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.004, Amended _____.

59A-30.005 Selection Assignment of Expert Medical Advisors.

(1) All individuals contracted to provide services through certification as an Expert Medical Advisor will be placed on an Agency list of certified Expert Medical Advisors eligible for selection as an Expert Medical Advisor by the Agency or a judge of compensation claims. The expert medical advisor shall be utilized by the Agency and the judges of compensation claims pursuant to Sections 440.13(9)(b)(e), Florida Statutes.

(2) When Expert Medical Advisor services are needed requested by a judge of compensation claims or the Agency, the Agency shall:

(a) Select an Expert Medical Advisor from the Agency's list of certified Expert Medical Advisors; and within 10 days, assign an expert medical advisor through a rotation system based on the specific physician expertise requested.

(b) Make the necessary arrangements for the Expert Medical Advisor to provide the Expert Medical Advisor services

(3) When Expert Medical Advisor services are needed in a proceeding before a judge of compensation claims, the judge of compensation claims shall: The Agency shall contact the expert medical advisor; define the assignment; notify the carrier prior to the service being rendered; and notify the requesting party of the name of the Expert Medical Advisor selected.

(a) Select an Expert Medical Advisor from the Agency's list of certified Expert Medical Advisors; and

(b) Make the necessary arrangements for the Expert Medical Advisor to provide the Expert Medical Advisor services.

(4) Upon receiving notice of selection by the Agency or judge of compensation claims as an Expert Medical Advisor the physician shall disclose any conflict of interest related to the case for which the physician was selected and shall decline selection as an Expert Medical Advisor.

(5) A physician who has been decertified pursuant to Chapter 59A-29, F.A.C., and/or has ever been decertified pursuant to Rule 59A-30.010, F.A.C., shall not be certified as an Expert Medical Advisor.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.005, Amended _____.

59A-30.006 Temporary Expert Medical Advisors.

(1) When the Agency or a judge of compensation claims needs requests the services or opinion of an Expert Medical Advisor services and the particular area of expertise requested there is no not represented among the available Expert Medical Advisors, on the Agency's list of certified Expert Medical Advisors who meets the needs of the judge of compensation claims and is available to provide the Expert Medical Advisor services needed, the judge of compensation claims may propose a specific physician for temporary Expert Medical Advisor certification by the Agency shall select a qualified individual upon the recommendation of a state or national medical professional organization.

(2) The selectee shall send to the Agency will certify the specific physician proposed by the judge of compensation claims as a temporary Expert Medical Advisor if one of the following is met: a copy of his/her license and board certification or verify his/her board eligibility before being assigned the status of temporary expert medical advisor.

(a) All parties in a proceeding before the judge of compensation claims stipulate to the qualifications of the medical-specialty-board certified physician to provide Expert Medical Advisor services in the judge of compensation claims proceeding; or

(b) The physician has a valid and active license to practice medicine, has medical specialty-board certification and the judge of compensation claims has established that the physician has training or experience applicable to the specific medical issue before the judge of compensation claims.

(3) Certification as a temporary Expert Medical Advisor shall be limited to the specific case for which the judge of compensation claims proposed the physician for temporary Expert Medical Advisor certification Approval to serve services are requested.

(4) A physician who has been suspended or decertified pursuant to Chapter 59A-29, F.A.C., and/or has ever been decertified pursuant to Rule 59A-30.010, F.A.C., shall not be certified approved as a temporary Expert Medical Advisor.

(5) Upon receiving notice of selection by the judge of compensation claims as a temporary Expert Medical Advisor, the physician shall disclose any conflict of interest related to the case for which the physician was selected and shall decline selection as a temporary Expert Medical Advisor.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.006, Amended _____.

59A-30.007 Expert Medical Advisor Responsibilities.

(1) An physician expert medical advisor shall disclose any conflict of interest upon receiving notice of selection as an Expert Medical Advisor and shall not accept selection if a conflict of interest exists an assignment when he or she has the specific the case in question. For the purposes of this rule,

“conflict of interest” means that an Expert Medical Advisor has matters of business or private interest or potential gain that may influence decisions or opinions related to the medical care provided, the physician examined or has prior knowledge of the injured employee, that are in existence while fulfilling responsibilities to be evaluated or has a financial or ownership interest in the outcome of the case.

(2) When the judge of compensation claims selects an Expert Medical Advisor, the Expert Medical Advisor shall complete and submit a written report to the judge of compensation claims within 15-calendar days following Within 45 days after the receipt of all medical records and examination of the injured employee the expert medical advisor shall complete an evaluation of the injured employee and issue a report of the results of his/her evaluation to the Agency and/or, if requested, to a judge of compensation claims. The medical records, which may be submitted to an Expert Medical Advisor shall be within the discretion of the judge of compensation claims.

(3) When the Agency selects an Expert Medical Advisor, the Expert Medical Advisor shall complete and submit a written report to the Agency within 15-calendar days following receipt of all medical records. Reimbursement for expert medical advisor services shall not exceed \$200 per hour or a maximum reimbursement of \$1600 per case, not including reasonable expenses associated with travel, when applicable.

(4) The Expert Medical Advisor shall furnish a copy of the written report to the insurer carrier and to the injured employee pursuant to Section 440.13(9)(d), Florida Statutes.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History–New 1-23-95, Formerly 38F-54.007, Amended _____.

59A-30.008 Billing and Reimbursement for Expert Medical Advisor Services Carrier Responsibilities.

(1) Within 30-calendar days following completion of the written report, the physician must submit billing for Expert Medical Advisor services on the Agency approved or judge of compensation claims approved invoice, as applicable, documenting total number of hours and total dollar charges.

(2) In a judge of compensation claims proceeding, if additional diagnostic testing is required for the Expert Medical Advisor to render a medical opinion, charges for diagnostic testing shall:

(a) Require prior authorization from the judge of compensation claims; and

(b) Be billed in accordance with Rule 69L-7.602, F.A.C.; and

(c) Be reimbursed in accordance with the appropriate Florida Workers’ Compensation reimbursement manual in effect on the date services were completed.

(3) Within 45-calendar days from receipt of both the Expert Medical Advisor’s copy of the written report and invoice, reimbursement shall be rendered to the Expert Medical Advisor. The carrier shall reimburse an expert medical advisor within 45 days of receipt of the expert medical advisor’s evaluation pursuant to Section 440.13(9)(f), Florida Statutes.

(4) Hourly reimbursement for Expert Medical Advisor services shall include reimbursement for all services rendered except specialty-diagnostic testing.

(5) Reimbursement for Expert Medical Advisor services, pursuant to an Expert Medical Advisor Contract, shall be as follows:

(a) For an Expert Medical Advisor selected by the Agency pursuant to subsection 59A-30.005(2), F.A.C., reimbursement shall not exceed \$200.00 per hour for no more than eight hours per case, not including reasonable expenses associated with travel, when applicable, which will be reimbursed in accordance with Section 112.081, Florida Statutes.

(b) For an Expert Medical Advisor selected by a Judge of Compensation Claims pursuant to subsection 59A-30.005(3), F.A.C., reimbursement shall not exceed \$300.00 per hour for no more than eight hours per case, not including reasonable expenses associated with travel, when applicable, which will be reimbursed in accordance with Section 112.081, Florida Statutes.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History–New 1-23-95, Formerly 38F-54.008, Amended _____.

59A-30.009 Recertification of Expert Medical Advisors.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History–New 1-23-95, Formerly 38F-54.009, Repealed _____.

59A-30.010 Expert Medical Advisor Decertification.

(1) An Expert Medical Advisor shall be decertified for any one of the following:

(a) The physician is removed from the Agency’s list of physicians authorized to provide services to workers’ compensation injured employees.

(b) The physician fails to report a conflict of interest and decline selection in a case assignment as required in Rule 59A-30.004, F.A.C. Decertification pursuant to Section 440.13(13), Florida Statutes, and Chapter 59A-29, F.A.C.; or

(2) If an Expert Medical Advisor is decertified by the Agency, the physician shall not be eligible for certification as an Expert Medical Advisor in the future. Failure to report prior involvement or conflict of interest in a case assignment; or

(3) Failure to meet the terms of the expert medical advisor contract with the Agency.

Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Welby Cox-Myers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Warring, Bureau Chief, Managed Health Care

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2006

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.002	Medicaid Provider Reimbursement Schedule

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference errata January 2006 to the Florida Medicaid Provider Reimbursement Schedule. The errata contain corrections to the Hearing Services Fee Schedule, Podiatry Services Fee Schedule, and Birth Center Services Fee Schedule. The effect will be to incorporate into rule errata January 2006 to the Florida Medicaid Provider Reimbursement Schedule.

SUMMARY: The purpose of this rule amendment is to incorporate by reference errata January 2006 to the Florida Medicaid Provider Reimbursement Schedule. The errata contain corrections to the Hearing Services Fee Schedule, Podiatry Services Fee Schedule, and Birth Center Services Fee Schedule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of 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: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908 FS.

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

DATE AND TIME: Monday, July 31, 2006, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Ottinger, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7314

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, January 2006, errata January 2006, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History--New 8-18-05, Amended 11-30-05, 4-16-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jason Ottinger

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alan Levine, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-5.008	Definitions
61C-5.0085	Continuing Education Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to implement the statutory requirements of Chapter 399, Florida Statutes. This rule provides definitions of terms used in the chapter and provides the specifications for continuing education requirements for elevator safety personnel, the submittal, review, and approval of elevator training programs; instructor qualifications; and, the exemption for certain military personnel.

SUMMARY: This rule provides the specifications for the submittal, review, and approval of elevator safety personnel continuing education programs; the required components of continuing education programs; and, the mandatory timelines for submittal of continuing education programs. Copies of the rule may be obtained from John Calpini at the Department of Business and Professional Regulation, Division of Hotels and Restaurants Tallahassee office at (850)488-9098.

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

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

SPECIFIC AUTHORITY: 399.001, 399.01(17), 399.049 FS.

LAW IMPLEMENTED: 399.01(17) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Michelle Comingore, Operations Review Specialist Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-1133. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Calpini, Chief, Bureau of Elevator Safety, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-9098

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-5.008 Definitions.

When used in this rule, the following terms shall have these meanings:

(1) “Bureau” means the Bureau of Elevator Safety.

(2) “Course” means a course, seminar or other program of instruction approved by the bureau for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes.

(3) “Course hour” means fifty minutes of instruction, exclusive of breaks, recesses, or time not spent in instruction.

(4) “Course provider” means the person or entity approved by and registered with the bureau pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule.

(5) “Course instructor” means the person appointed by the course provider to actually conduct an approved course.

(6) “Current satisfactory inspection” means an inspection completed on or after August 1 of the previous year that is the most recent annual inspection conducted prior to submission of the current application for renewal and contains no violations.

(7) “Direct supervision” means a certificate of competency holder supervising an elevator helper as set forth in Section 399.01(16), Florida Statutes, is within physical proximity of the person being directly supervised such that timely

observation and evaluation of the work being performed is facilitated to ensure the work is completed in accordance with applicable statutory and administrative code requirements.

(8) “Session” means each distinct occasion a course is conducted.

(9) “Syllabus” means a detailed outline of the course content to a level of detail that sufficiently demonstrates the relevance required by subsection 61C-5.008(3), F.A.C.

Specific Authority 399.01(17), 399.02(6) FS. Law Implemented 399.01(17) FS. History—New _____.

61C-5.0085 Continuing Education Requirements.

(1) Continuing Education Requirements.

(a) To renew a Certificate of Competency, a Certified Elevator Technician, or a Certified Elevator Inspector credential issued by the bureau pursuant to Chapter 399, Florida Statutes, that requires continuing education, a person must submit, in addition to the required application and fee, proof of completion within the current annual licensure period of 8 hours of approved continuing education.

(b) A person holding more than one individual credential issued by the bureau that requires continuing education need only complete 8 hours of continuing education during each annual period, but must submit proof of completion of the continuing education with each application submitted to the bureau for renewal of the credentials.

(c) A person initially certified or registered by the bureau 180 days or more prior to the renewal deadline must complete 4 hours of approved continuing education as a condition of renewal.

(d) A person initially certified or registered by the bureau for less than 180 days prior to the renewal deadline need not complete any approved continuing education as a condition of renewal.

(2) Course Provider Approval.

(a) Each course provider must register with and obtain approval from the bureau to appoint instructors and conduct courses that satisfy continuing education requirements of Chapter 399, Florida Statutes, by submitting a completed application. Approval shall be granted upon verification that the provider possesses the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by the bureau and in good standing;

2. Certification in good standing, pursuant to American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;

3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry may, upon verification, be approved as a course provider.

(c) Each course provider approval and registration expires three years from the date of issue, and must be renewed prior to conducting any further courses intended to satisfy continuing education requirements of Chapter 399, Florida Statutes.

(d) Each course provider seeking bureau approval must submit at least one continuing education course syllabus to the bureau for approval.

(e) A course provider must provide the bureau written notice of any material changes to information contained in its most recent application for, or renewal of, approval and registration no later than 30 days after such a change.

(f) The bureau shall maintain a list of all course providers it has approved.

(g) The bureau shall deny approval of, suspend, or revoke the registration of any course provider if based on any of the following:

1. Obtaining or attempting to obtain registration or course approval through fraud, deceit, false statements, or misrepresentation of material facts, whether such statements or misrepresentations are made knowingly or negligently.

2. Failure to provide complete and accurate information in the initial application for registration or in any notification of change in information.

3. Failure to notify the bureau of a change in the information required in subsection (4) for registration of course providers.

4. Falsification of any records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

5. Failure to maintain any required records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

6. Failure to properly record attendance at any session of an approved course.

7. Failure to provide the bureau with copies of any document or other information required to be maintained by the course provider pursuant to this rule.

8. Advertising that a course is approved prior to the date approval is granted, or otherwise including false or misrepresentative information in advertising.

9. Participating in any activity designed or intended to circumvent or evade the requirements of Chapter 399, Florida Statutes, or the rules adopted by the bureau to implement that section.

10. Failure to include the bureau course identification number in any advertisement, brochure, course completion certificate, or other marketing or instructional material.

(h) If a course provider's registration is suspended or revoked, the course provider must cancel all sessions scheduled after the suspension or revocation takes effect and refund any fees associated with those sessions until such time as the course provider is restored to good standing.

(i) The bureau may deny approval or renewal of, suspend, or revoke the registration of any course provider when any license prerequisite to approval and registration of the course provider becomes suspended or revoked by the bureau.

(j) A provider whose approval and registration is delinquent, expired, suspended or revoked may not conduct courses. Any courses conducted while a provider is delinquent, expired, suspended or revoked, will not satisfy the continuing education requirements of Chapter 399, Florida Statutes.

(3) Continuing Education Course Approval.

(a) To satisfy continuing education requirements of Chapter 399, Florida Statutes, and this rule, each approved course provider must submit at least one continuing education course syllabus to the bureau for approval. To be approved as a course of continuing education for purposes of Chapter 399, Florida Statutes and this rule, the course must provide technical or safety relevance to elevator construction, alteration, modification, repair or maintenance.

(b) The following subjects are relevant and provided as a guide. Courses submitted for approval need not encompass all these nor be limited to only these: elevator general theory and principles; plan and specification reading and interpretation; electrical codes; wiring and protection; wiring methods and materials; special occupancies and situations; life safety and Americans with Disabilities Act; current adopted elevator safety codes; inspectors manuals and structural considerations; wheelchair or accessibility lifts; OSHA Safety standards; periodic safety tests; or use of specialized tools and equipment.

(c) Continuing education courses will only be considered for approval when the appropriate application is submitted by an approved course provider to the bureau. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the name and qualifications of all instructors known at the time of the application. The bureau shall assign each approved course a unique identification number.

(d) Any course denied approval may be modified and resubmitted for approval.

(e) The bureau may not deny or withdraw approval for a course on the sole basis that another course provider conducts the same or similar course approved by the bureau.

(4) Course Instructor Qualifications.

(a) Course instructors must be affiliated with an approved course provider and possess education and experience that qualifies the instructor to teach the course or parts of the course to which he or she is assigned. This education and experience

must be verified by the course provider, and consist of the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by and in good standing with the bureau;
2. Current certification under the American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;
3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry verified by the course provider, and whose license, certification, or registration is in good standing, also verified by the course provider, may teach a course within the scope of his or her license.

(5) Records Required of Course Providers.

(a) The course provider must maintain records for each session of courses it conducts for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes, and provide any of these required records upon request by the bureau. Such records must be maintained for three years, and contain the following:

1. The time, dates and address of each course session.
2. The name, address and qualifications of any instructor teaching any portion of a course session.
3. The syllabus of each course, which must be provided to each attendee.
4. The name, address and bureau certification or registration number and type of each person that completed a course session, regardless of whether a fee is charged.

5. The original sign-in sheet used on-site to record attendance for each course session, which must include: the time, date and address of the course session, the attendee's printed name, signature, and bureau certification or registration number and type, and number of course hours the attendee completed. The sign-in sheet must prominently bear the following statement above the attendees information: "By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session." The sign-in sheet must also bear the following statement: "I attest the information recorded herein is true and accurate" above the signature of the instructor and the printed names of the course provider and instructor.

(b) Upon completion of a course, each attendee shall receive from the course provider a certificate measuring 8 1/2 inches by 11 inches, displaying the following: the time, date

and address of the course session; name of the course; number of course hours attended; the name of the course provider and instructor, and bureau course identification number.

(6) Advertising Continuing Education Courses.

(a) A course provider may not advertise a course as approved by the bureau until such approval is granted.

(b) A course provider may not misrepresent or include false or misleading information regarding the contents, instructors or number of hours of any course approved under this rule.

(c) The course provider must include the bureau course identification number in any advertising used in connection with the course, and any other materials used in connection with the course including but not limited to the syllabus or other instructional materials.

(7) Continuing Education Exemption for Certain Military Personnel.

A licensee who is a member of the Armed Forces of the United States or is called to active duty with the Armed Forces of the United States and is caused to be absent from the State of Florida because of duties with the armed forces lasting 180 days or longer shall be exempt from all continuing education requirements under these rules during such absence. The licensee must show proof to the bureau of the absence and the licensee's military status.

Specific Authority 399.001, 399.01(17), 399.02(6), 399.049 FS. Law Implemented 399.01(17) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
John Calpini, Chief, Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 2005, Vol. 31, No. 25

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.0021
RULE TITLE: Certification and Registration of Business Organizations

PURPOSE AND EFFECT: The Board proposes to review the existing Financially Responsible Bond amount.

SUMMARY: The Board proposed to increase the bond amount from 50,000 to 500,000, consistent with increase in payment cap and make the bond amount payable to Florida Homeowners' Construction Fund instead of Construction Industries Fund.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 455.213, 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143, 455.213 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Board Construction Industry Licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.0021 Certification and Registration of Business Organizations.

(1) through (2) No change.

(3)(a) No change.

(b) If the business organization has a financially responsible officer, the financially responsible officer, rather than the qualifying contractor, shall complete the Financial Responsibility Acknowledgment Statement contained in the DBPR/CILB/021, Financially Responsible Officer Application, supplied by the Department. In addition, the financially responsible officer shall comply with the requirements of Rules 61G4-15.005 and 61G4-15.006, F.A.C., except that the financially responsible officer shall also demonstrate a personal or business organization net worth of at least \$10,000 regardless of the category of contractor's license held by any other qualifier for the business organization, \$10,000 cash and a bond in form acceptable to the Board's Executive Director made payable to the Florida Homeowners' Construction Construction Industries Recovery Fund as reimbursement in the amount of \$500,000 ~~50,000~~. For purposes of Section 489.105(14), F.S., a "person" means a human being who is at least eighteen (18) years of age.

(c) through (7) No change.

Specific Authority 489.108 FS. Law Implemented 455.213, 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143, 455.213 FS. History—New 12-6-83, Formerly 21E-15.021, Amended 3-29-88, 8-8-88, 9-24-92, 12-28-92, Formerly 21E-15.0021, Amended 7-18-94, 7-5-95, 11-12-95, 2-6-96, 7-1-96, 9-3-96, 11-27-96, 11-13-97, 9-15-98, 7-7-05, 1-23-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board Construction Industry Licensing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board Construction Industry Licensing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.:	RULE TITLE:
61G4-18.001	Continuing Education Requirements for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes to amend the rule for continuing education requirements for certificate holders and registrants.

SUMMARY: The proposed amendment discusses the continuing education credits for instructors, teachers, lecturers, panelists, and discussion leaders.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Board Construction Industry Licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants.

(1) through (6) No change.

(7) Continuing education credit shall be granted to instructors, teachers, lectures, panelists and discussion leaders of a specific continuing education course, on a hour for hour basis, for the first presentation each renewal cycle.

(8) Continuing Education credit for a specific course will be awarded only once for each renewal cycle.

- ~~(9)(7)~~ No change.
- ~~(10)(8)~~ No change.
- ~~(11)(9)~~ No change.
- ~~(12)(10)~~ No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS. History—New 12-2-93, Amended 5-19-94, 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, 1-23-00, 2-1-00, 12-27-00, 3-25-01, 7-26-04, 9-1-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board Construction Industry Licensing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board Construction Industry Licensing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

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 address the requirements for a Public Accounting Firm when it offers to perform services involving assembled financial statements.

SUMMARY: Public Accounting Firms may utilize the name and license number of the firm in a transmitted letter offering to perform services involving assembled financial statements.

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: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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:

61H1-20.0053 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,_____.

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 20, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2006

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.

SUMMARY: The requirements that firms file a list every two years of co-partners, shareholders or members who are non-CPAs with the Division of Certified Public Accounting will be deleted from the rule.

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: 473.304, 473.3101 FS.
 LAW IMPLEMENTED: 473.3101 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Johnson, Executive Director, Board of Accountancy/MQA, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE 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,_____.

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 20, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy
 RULE NO.: RULE TITLE:
 61H1-29.002 Temporary License
 PURPOSE AND EFFECT: The Board proposes to amend the rule to delete the requirements regarding out-of-state certified public accountants of firms that have received a temporary permit and the submission of financial statements for review by the Board.
 SUMMARY: The requirements that out-of-state certified public accountants of firms that have received a temporary permit and the submission of financial statements for review by the Board will be deleted from the rule.
 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: 473.304, 473.305, 473.314 FS.
 LAW IMPLEMENTED: 473.314, 473.315 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:

- 61H1-29.002 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,_____.

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 20, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2006

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.

SUMMARY: The fee to obtain a temporary license for practice using electronic means will be increased to \$400.00.

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: 473.304, 473.314 FS.

LAW IMPLEMENTED: 473.314 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 NW 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE 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.

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 20, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2006

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 increase various fees and to add fees for verification of licensure to other status, initial licensure, and approval of continuing education provider status and courses.

SUMMARY: New language will be added to the rule to increase various fees and to establish a fee for verification of licensure to other status, an initial licensure fee, and a fee for approval of continuing education provider status and courses.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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:

- 61H1-31.001 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,_____.

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 20, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.007
RULE TITLE: Renewal of Inactive Registrations, Licenses and Certifications

PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is revising Rule 61J1-4.007, F.A.C., to clarify the continuing education requirements for the renewal of inactive appraiser licenses of all licensure categories.

SUMMARY: Real estate appraisers of all licensure categories who hold inactive licensure status for more than one (1) year but the inactive licensure status does not exceed two (2) years must complete the following continuing education to reactivate their licenses: thirty hours of Appraisal Board II (AB II) with end of course exam or its equivalent and thirty (30) hours of ACE.

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

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

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.618, 475.619 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 E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.007 Renewal of Inactive Registrations, Licenses and Certifications.

(1) through (4) No change.

(5) When the inactive status is more than one (1) year but does not exceed two (2) years, the continuing education for all appraiser categories is as follows: thirty (30) hours of Appraisal Board II (ABII) with end of course exam or its equivalent and thirty (30) hours of ACE. ~~When the inactive status is more than 1 year but does not exceed 2 years, the educational requirements are as follows:~~

(a) Registered, licensed, and certified appraisers—30 hours of Appraisal Board Course II (ABII) with end of course exam; however, effective January 1, 2008, the Appraisal Board Course I (ABI) with end of course exam shall be 100 hours.

(b) Certified residential and certified general appraisers—30 hours of ABII with end of course exam and 30 hours of ACE.

(6) through (8) No change.

Specific Authority 475.614, 475.619 FS. Law Implemented 475.618, 475.619 FS. History–New 8-8-93, Amended 2-16-04, 3-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-9.001
RULE TITLE: Standards of Appraisal Practice
PURPOSE AND EFFECT: The Florida Real Estate Appraisal Board is promulgating Rule 61J1-9.001, F.A.C., to ensure that real estate appraisers of all licensure categories comply with the 2006 Uniform Rules of Professional Appraisal Practice (USPAP).

SUMMARY: All real estate appraisers of all licensure categories must comply with the 2006 Uniform Standards of Professional Appraisal Practice (USPAP).

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

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

SPECIFIC AUTHORITY: 475.613(2), 475.628 FS.

LAW IMPLEMENTED: 475.613(2), 475.628 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 E. Murphy, Acting Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-9.001 Standards of Appraisal Practice.

All registered, licensed, or certified appraisers shall comply with the 2006 Uniform Standards of Professional Appraisal Practice (USPAP), which is incorporated by reference.

Specific Authority 475.613(2), 475.628 FS. Law Implemented 475.613(2), 475.628 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 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 Hearing Aid Specialist

RULE NO.: 64B6-3.041
RULE TITLE: Requirements for Reactivation of Retired Status License

PURPOSE AND EFFECT: The Board proposes to establish the requirements for reactivation of retired status licenses.

SUMMARY: The proposed rule establishes the requirements for reactivation of retired status licenses.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 484.044 FS.

LAW IMPLEMENTED: 456.036 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 Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-3.041 Requirements for Reactivation of Retired Status License.

A retired status licensee may change to active status provided:

(1) A licensee pay any renewal fees imposed on an active status license for all biennial licensure period during which the licensee was on retired status.

(2) A licensee must meet the continuing educational requirements for Rule 64B6-5.001, Florida Administrative Code, for each biennium the licensee was in retired status.

Specific Authority 456.036, 484.044 FS. Law Implemented 456.036 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialist
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Hearing Aid Specialist
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 31, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 19, 2006

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialist

RULE NO.: 64B6-7.006
RULE TITLE: Minor Violations; Notices of Noncompliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to establish minor violations for inactive, retired status licensees.

SUMMARY: The proposed rule amendment is to establish minor violations for inactive and retired status licensees.

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 regulatory cost 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 Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.006 Minor Violations; Notices of Noncompliance

(1) through (5) No change.

(6) The Board hereby establishes the following as minor violations pursuant to Sections 120.695 and 456.073(3), F.S.:

(a) through (l) No change.

(m) Practicing on an inactive or retired status license for three months or less, pursuant to Section 456.036, F.S.

Specific Authority 120.695, 456.073(3), 484.044 FS. Law Implemented 120.695, 456.073(3) FS. History—New 10-15-90, Amended 3-5-91, Formerly 21JJ-7.009, 61G9-7.009, Amended 9-24-97, 10-29-98, 12-20-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialist
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Hearing Aid Specialist
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 31, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 19, 2006

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialist

RULE NO.: 64B6-8.003
RULE TITLE: Trainee Stages, Minimum Training Requirements, and Training Programs

PURPOSE AND EFFECT: The Board proposes the amendment to clarify the requirements for the training program.

SUMMARY: The Board proposes the rule amendments to clarify the requirements for the training program.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 484.0445, 484.045 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 Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-8.003 Trainee Stages, Minimum Training Requirements, and Training Programs.

(1) through (4) No change.

(5) Upon completion of the training program, the trainee shall take the first available Licensure examination. A trainee may continue to function as a trainee until she or he has received the results of the licensure examination, provided that failure of the sponsor to file the complete report required herein will preclude the trainee from engaging in acts which constitute hearing aid dispensing until such time as the complete report is filed. ~~Also, until the complete report is filed, the trainee is not eligible to complete the first available licensure examination.~~ Upon receipt of the examination results a trainee that passes the examination may continue in Stage III

under the direct supervision of his or her sponsor until they have applied and received their license or up to ninety days whichever comes first. Pursuant to subsection 64B6-3.001(2), F.A.C. Payment of the fee and all other licensing requirements required by this rule shall be met within ninety (90) days of notification of licensure eligibility, or the eligibility certification becomes null and void and the person must reapply for licensure.

(6) A trainee who fails the licensure examination must immediately stop functioning as a trainee upon receipt of the examination results. However, a trainee may continue in Stage III of the training program by submitting to the Board within 10 days of receiving examination results a training program continuation request and taking the next available examination. A trainee who fails the licensure examination and does not submit a training program continuation request to the Board within 10 days of receiving the examination results may repeat the training program one time by meeting the criteria in Rule 64B6-8.002, F.A.C., and taking the next available examination.

(7) through (8) No change.

Specific Authority 484.044, 484.0445(1) FS. Law Implemented 484.0445, 484.045 FS. History--New 2-12-84, Formerly 21JJ-8.03, Amended 8-12-87, 10-1-90, 1-28-91, 4-23-91, 8-19-91, Amended 3-18-93, Formerly 21JJ-8.003, Amended 4-21-94, Formerly 61G9-8.003, Amended 7-11-02, 2-19-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialist

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2006

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.040
RULE TITLE: Voluntary Prekindergarten (VPK) Director Endorsement for Private Providers

NOTICE OF CHANGE

Notice is hereby given that the following amendment was made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 20, of the May 19, 2004, issue of the Florida Administrative Weekly.

Subsection (1) was amended to delete reference to July 1, 2006, and a new subsection (4) was added to establish an effective date of December 31, 2006.

(1) Requirements for the Endorsement. Consistent with the requirements of Section 1002.55(3)(f), Florida Statutes, a private prekindergarten program delivering the Voluntary Prekindergarten (VPK) Education Program must have a director who has a VPK Director Endorsement, issued by the Department of Children and Families (DCF), that meets the requirements of subsection (2) of this rule. Successful completion of the Director Credential, as required by Section 402.305(2)(f), Florida Statutes, and paragraph 65C-22.003(8)(a), F.A.C., prior to the effective date of this rule July 1, 2006, shall satisfy this requirement.

(4) This rule shall become effective December 31, 2006.

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

Southwest Florida Water Management District
RULE CHAPTER NO.: 40D-2
RULE NO.: 40D-2.801
RULE CHAPTER TITLE: Water Use Permitting
RULE TITLE: Water Use Caution Areas

NOTICE OF CHANGE

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes are proposed to subparagraph 40D-2.801(3)(b)5., F.A.C. The proposed rule was published in the Vol. 32, No. 19, issue of the Florida Administrative Weekly on May 12, 2006. A new last sentence is being added to the subparagraph. The subparagraph is proposed to read as follows:

5.3. Any permit with a withdrawal point located within the boundaries of the SWUCA is deemed to be within the SWUCA. Permits with permitted withdrawals in more than one Water Use Caution Area (WUCA) shall be subject to the conservation and reporting requirements of the WUCA within which the majority of permitted quantities are withdrawn, or projected to be withdrawn, in addition to all other rule criteria, including Minimum Flows and Levels requirements, as set forth in Chapter 40D-2, F.A.C., and this Basis of Review for Water Use Permit Applications. Nothing in the rules and Basis of Review for Water Use Permitting specific to the SWUCA shall be interpreted or applied in any manner that would interfere with the Recovery Strategy for the Northern Tampa